

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

**Monday**  
**January 12, 2026**  
**6:00 p.m. Room 312**

**1. Call to Order**

**2. Prayer / Pledge of Allegiance**

**3. Approval of Agenda**

**4. Appearance of Citizens**

**5. Intergovernmental**

- **Telehealth for Animals** – Deferred from December Operations meeting.

**6. Legislative**

- Discuss any bills we would ask State Representatives to support.

**7. Mayor's Report**

- Requesting motion to approve Resolution No. 26-01-1247 authorizing the county mayor and delinquent tax attorney to file for relief with the court on a property purchased at tax sale identified as Tax Parcel ID 12-008-036.00.
- Requesting motion to approve Resolution No. 26-01-1246 for the acceptance of the Proposal of TDOT to construct a project designed as Federal Project No. STP-170(16), State project No. 01024-1224-14, 01024-0224-14.
- Update from last meeting regarding Minutes Item noted as Norris Water Treatment Plant.
- Letter for Waste to Jobs Act.
- Requesting motion to approve the policy changes to the Employee Handbook.

**8. Law Director's Report**

A. Action Items

- Revisions to permits allowing 501(c)(3) and (4) corporations to solicit funds at roadblocks.

B. Contracts

C. Cases Involving Violations of the Anderson County Zoning Resolution

D. Bankruptcies

E. Status of Pending Lawsuits

F. Other

**9. Rails to Trails in New River** – Deferred from December Operations meeting.

**10. EMS Review of incident involving 911 call** – requested by Commissioner Capshaw

**11. Requests by Commissioner Wandell**

- Veterans Services Office Update
- Briceville / Rosedale clean water update
- Claxton Playground update

- ACWA Mountain View Park Sewer

**12. ACWA Minutes – 11.18.25**

**13. Strategic Planning Update**

**Unfinished Business**

**New Business**

**Adjourn**



## ANDERSON COUNTY GOVERNMENT

TERRY FRANK  
COUNTY MAYOR

January 7, 2026

Commissioner Tim Isbel

Chairman, Operations Committee

RE: Agenda

Dear Chairman Isbel and Honorable Members of the Operations Committee,

I wish to add the following items to the Agenda:

1. **Requesting motion to approve Resolution No. 26-01-1247** to include attached exhibits authorizing the county mayor and delinquent tax attorney to file for relief with the court on a property purchased at tax sale identified as Tax Parcel ID 12-008-036.00.
2. **Requesting motion to approve Resolution No. 26-01-1246** for the acceptance of the Proposal of TDOT to construct a project designated as Federal Project No. STP-170(16), State Project No. 01024-1224-14, 01024-0224-14. Law Director has reviewed, and Highway Superintendent is currently reviewing. Resolution and proposal attached. For background, current design plan pages from current Functional Design Plan are available in the county commission office and mayor's office.
3. **Update from last meeting regarding Minutes Item noted as Norris Water Treatment Plant.** Following comments and questions from Operations, I did reach out to Mayor Chris Mitchell who connected me with Norris Water Superintendent Tony Wilkerson regarding questions around location of potential sewer lines. Superintendent Wilkerson noted that there are no final plans, that they are looking at potential plans for the future, and that any and all citizens who may have a question is welcome to reach out to him directly and he will personally answer any questions. Regarding infrastructure location concerns, he noted nothing is final.

Regarding the potential planning, I did confirm that this particular planning is part of a grant awarded to the City of Norris. The grant is a \$3.37 million-dollar grant from TDEC and SWIG program for a sewer regionalization planning, study and design for NE Anderson County. The grant is managed by Norris and the City of Norris matched \$177,500. This grant is exploring ways that may be mutually beneficial to ACWA and CUB as systems look to improve service to citizens. (For instance, ACWA might benefit from sending wastewater from North Anderson County a shorter distance to a Norris treatment facility instead of the longer distance it is sent for treatment to CUB.)

4. **Letter for Waste to Jobs Act.** I have included the original proposed draft letter from last month. Commission may want to proceed with the letter. However, I have offered an alternative that still supports the importance and consideration of this legislative effort, but does not commit to full support of the current legislation wording before there are amendments, debates, etc. Note: If commission wants to send the original as is, I can send the new proposed draft as a separate letter from the mayor's office. Per request, I have attached the current legislation as well as the fiscal note and bill summary from the legislative website. (Note for purposes of this 2<sup>nd</sup> new draft for discussion, it was edited in the pdf version but would need original formatting from Law Director's office if approved.)

Sincerely,

A handwritten signature in blue ink, appearing to read "C. G. Gause", with a long horizontal flourish extending to the left.



Anderson County, Tennessee  
Board of Commissioners

RESOLUTION NO. 26-01-1247

**A RESOLUTION GIVING THE ANDERSON COUNTY MAYOR AND DELINQUENT TAX ATTORNEY THE AUTHORITY TO FILE FOR RELIEF WITH THE COURT SYSTEM ON A PROPERTY PURCHASED AT TAX SALE**

**WHEREAS**, Tennessee Code Annotated § 67-5-2501 and TCA 67-5-2507 lay out the requirements for counties that purchase properties at tax sales; and

**WHEREAS**, TCA § 67-5-2507 states, "If the county mayor determines that such financial obligations or environmental risks exceed the value of the parcel, the county legislative body may adopt a resolution, by a two-thirds (2/3) vote, concurring in the county mayor's determination and directing the county mayor to request relief from the court in which the parcel was sold. Such relief shall be sought by motion pursuant to Rule 60 of the Tennessee Rules of Civil Procedure filed within one hundred-twenty (120) days after the entry of the order confirming the sale"; and

**WHEREAS**, some of the delinquent tax properties included in the 2019 and 2020 Tax Sale, conducted on November 6, 2025, received no bids, leaving the county as the potential buyer. The county mayor has reviewed those "no bid" properties and has concluded that the environmental risks and financial obligations associated with the property, identified as Tax Parcel ID 12-008-008-036.00 (*see Exhibit A, Pages 1 - 6*) could exceed the value of that property.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of Anderson County, Tennessee, that we do hereby authorize the county mayor to seek relief with the court as it relates to the property identified as Tax Parcel ID 12-008-008-036.00, according to the processes and procedures allowable by the referenced law.

**BE IT FURTHER RESOLVED**, that this resolution shall become effective immediately upon its passage, the public welfare requiring it.

**APPROVED:**

\_\_\_\_\_  
Denise Palmer, Commission Chairwoman

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

**ATTEST:**

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

**Requires 2/3 vote of Commission:**

AYEs \_\_\_\_\_

NOs \_\_\_\_\_

ABSTAIN \_\_\_\_\_

## County Purchase Details - Anderson County

Parcel Count: 28

PDF Generated: 11/06/2025 12:01:02 PM EST

Reporting Period: Current Auctions Only

Date Purchased	Unique #	Bidder ID	Entity Name	Buyer Address	City	State	Zip	Primary Owner	Parcel Number	Parcel Location	Face Value	Overbid Amount	Overbid %	Total
11/06/2025	2	110156	Yulia Galyon	1615 Birch Dr	Sevierville	TN	37876	Sam Bailey (deceased)	01-009-009-008.00	Longfield Road	\$2,734.46	\$3,850.00	140.80 %	\$6,584.46
11/06/2025	4	111438	Tax Lien Fund L.P.	P.O. Box 132	San Francisco	CA	94104	Best Money Strategies LLC	01-028-028-007.00	603 Air Base Lane	\$5,944.05	\$31,450.00	\$29.10 %	\$37,394.05
11/06/2025	7		Anderson County					Blackstone Energy, Ltd.	01-049-049-044.00-009 & 01-049-049-044.00-001	New River Highway	\$54,589.16	\$0.00	0.00 %	\$54,589.16
11/06/2025	8	116959	Jerry Weisgarber	797 pine ridge rd	Clinton	TN	37716	Rosa Brooks (deceased) & Evelyn Brooks	01-081-081-018.07	466 Laurel Road	\$7,437.64	\$40,050.00	538.48 %	\$47,487.64
11/06/2025	9	118524	Katherine Sterling	1666 Oliver Springs Hwy	Clinton	TN	37716	Sammie Carroll (deceased) & Willie Carroll (deceased)	01-049-049-046.00	Patterson Mountain	\$1,352.68	\$25,050.00	1,851.88 %	\$26,402.68
11/06/2025	10	118311	Dylan Collins	6201 Silver Bell Circle	Knoxville	TN	37921	Seleonor Cole (deceased) c/o William Thomas	02-099C-D-099C-042.00	279 Highland Avenue	\$10,479.02	\$45,250.00	431.82 %	\$55,729.02
11/06/2025	12	19018	Brent Galloway	4523 High Vista Ln	Knoxville	TN	37931	Conseco Finance Servicing	01-071-071-012.08	Grave Hill Lane	\$1,505.41	\$950.00	63.11 %	\$2,455.41
11/06/2025	14	118524	Katherine Sterling	1666 Oliver Springs Hwy	Clinton	TN	37716	Joseph M. Foust	01-093-093-040.03	338 Haney Hollow Road	\$3,880.68	\$59,050.00	1,521.64 %	\$62,930.68
11/06/2025	15	117946	Kingstar Group LLC	3512 Emory Green St	Knoxville	TN	37931	Amanda M. Greer	14-092H-D-092H-014.00	Main Street	\$3,504.91	\$550.00	15.69 %	\$4,054.91
11/06/2025	21		Anderson County					Hoskins Oil Co. LLC	12-008-008-036.00	1008 Main Street	\$16,608.12	\$0.00	0.00 %	\$16,608.12
11/06/2025	24	85772	Eric Rainey	458 center valley rd	Clinton	TN	37716	Victor J. Patterson	01-099-099-008.03	Bill Key Lane	\$1,373.92	\$3,350.00	243.83 %	\$4,723.92
11/06/2025	25	27154	Morgan property LLC-S series investment	240 E. Vine St.	Montpelier, In	IN	47359	Christopher S. Lane and wife, Jessica Lane	02-694F-B-094F-062.00	170 Oak Ridge Turnpike	\$63,035.70	\$33,050.00	\$2.43 %	\$96,085.70

**TAX SALE NO: 21****TAX PARCEL ID NO:**

12-008-008-036.00

**OWNER(S):**

Hoskins Oil Co. LLC

**PROPERTY ADDRESS:**

1008 Main Street

**LEGAL DESCRIPTION:**

SITUATE in First (1<sup>st</sup>) Civil District of Anderson County, Tennessee, within the City of Rocky Top, Tennessee, and being more particularly described as follows:

BEGINNING at an iron pin at the right-of-way of Highway 25-W, a corner to the Farmer property; thence with said right-of-way of Highway 25-W, South 12 deg. 06 min. 11 sec. East 170.19 feet to an iron pin; thence still with said right-of-way, South 09 deg. 45 min. 20 sec. East 26.08 feet to an iron pin; thence leaving said right-of-way and running with the property of M.C. Company, North 81 deg. 02 min. 14 sec. East 244.58 feet to an iron pin; thence still with the M.C. Company property, North 47 deg. 11 min. 39 sec. East 52.07 feet to an iron pin; thence still with the M.C. Company property, North 06 deg. 08 min. 41 sec. West 166.10 feet to an iron pin; thence with the Farmer property South 81 deg. 14 min. 42 sec. West 297.48 feet to an iron pin; thence South 81 deg. 14 min. 42 sec. West 8.20 feet to the POINT OF BEGINNING, containing 1.31 acres, more or less, as surveyed by Jerry W. Crutchfield, R.L.S. 1612, on May 27, 1997.

The above described property extends into District No. Three (3) of Campbell County, Tennessee.

BEING the same property conveyed from Glen Massengill and Martin E. Clark to Hoskins Oil Company, LLC, by Warranty Deed dated May 8, 2002, and recorded on June 7, 2002, in Book 1272, Page 864 in the Register of Deeds Office for Anderson County, Tennessee

**ENCUMBRANCES:**

The subject property may be encumbered by the following: (1) Notice of Lien Lis Pendens in favor of Tennessee Department of Environment and Conservation recorded in Book 1775, Page 1742; (2) Judgment in favor of Tennessee Department of Environment and Conservation recorded in Book 1796, Page 370; (3) Judgment in favor of Carl F. Swisher recorded in Book 1645, Page 1061; and (4) Order of Administrative Hearing Officer of the City of Rocky Top, recorded in Book 1850, Page 684, all found in the Anderson County Register of Deeds Office.

**PROBATE INFORMATION:**

Not applicable.

Tennessee Property Assessment Data - Parcel Details Report - Initial Assessment not in report

Anderson (001)	Jan 1 Owner	Current Owner	N MAIN ST 1008			
Tax Year 2026   Reappraisal 2025	HOSKINS OIL CO LLC		Ctr Map:	Group:	Parcel:	Pl:
	1008 MAIN STREET		008		036.00	000
	ROCKY TOP TN 37769					

## Value Information

Land Market Value:	\$55,300
Improvement Value:	\$0
Total Market Appraisal:	\$55,300
Assessment Percentage:	40%
Assessment:	\$22,120

## Additional Information

12 008 008 03600 000

## General Information

Class: 08 - Commercial	City: ROCKY TOP
City #: 398	Special Service District 2: 000
Special Service District 1: 000	Neighborhood: R01
District: 12	Number of Mobile Homes: 0
Number of Buildings: 0	Utilities - Electricity: 01 - PUBLIC
Utilities - Water/Sewer: 01 - PUBLIC / PUBLIC	Zoning:
Utilities - Gas/Gas Type: 00 - NONE	

## Outbuildings &amp; Yard Items

Building #	Type	Description	Area/Units
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## Sale Information

Long Sale Information list on subsequent pages

## Land Information

Deed Acres: 1.31	Calculated Acres: 0	Total Land Units: 1.31	
Land Code	Soil Class		Units
10 - COM			1.31



## Sale Information

Sale Date	Price	Book	Page	Vacant/Improved	Type Instrument	Qualification
5/8/2002	\$149,000	1272	864	I - IMPROVED	WD - WARRANTY DEED	B - FAMILY SALE
1/14/2002	\$0	1244	564		-	-
4/25/2000	\$0	1148	338		-	-
4/26/2000	\$0	1148	335		-	-
10/28/1999	\$50,000	1145	657	I - IMPROVED	WD - WARRANTY DEED	B - FAMILY SALE
4/23/1998	\$200,000	N-19	232	I - IMPROVED	WD - WARRANTY DEED	P - MULTIPLE PARCELS
8/6/1981	\$0	I-15	687		-	-

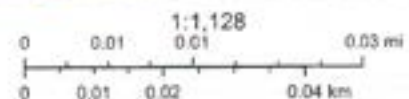
A-1  
A-5

# Anderson County - Parcel: 008 036.00



Date: November 7, 2025

County: ANDERSON  
Owner: HOSKINS OIL CO LLC  
Address: N MAIN ST 1008  
Parcel ID: 008 036.00  
Deeded Acreage: 1.31  
Calculated Acreage: 0  
Vexcel Imagery Date: 2023

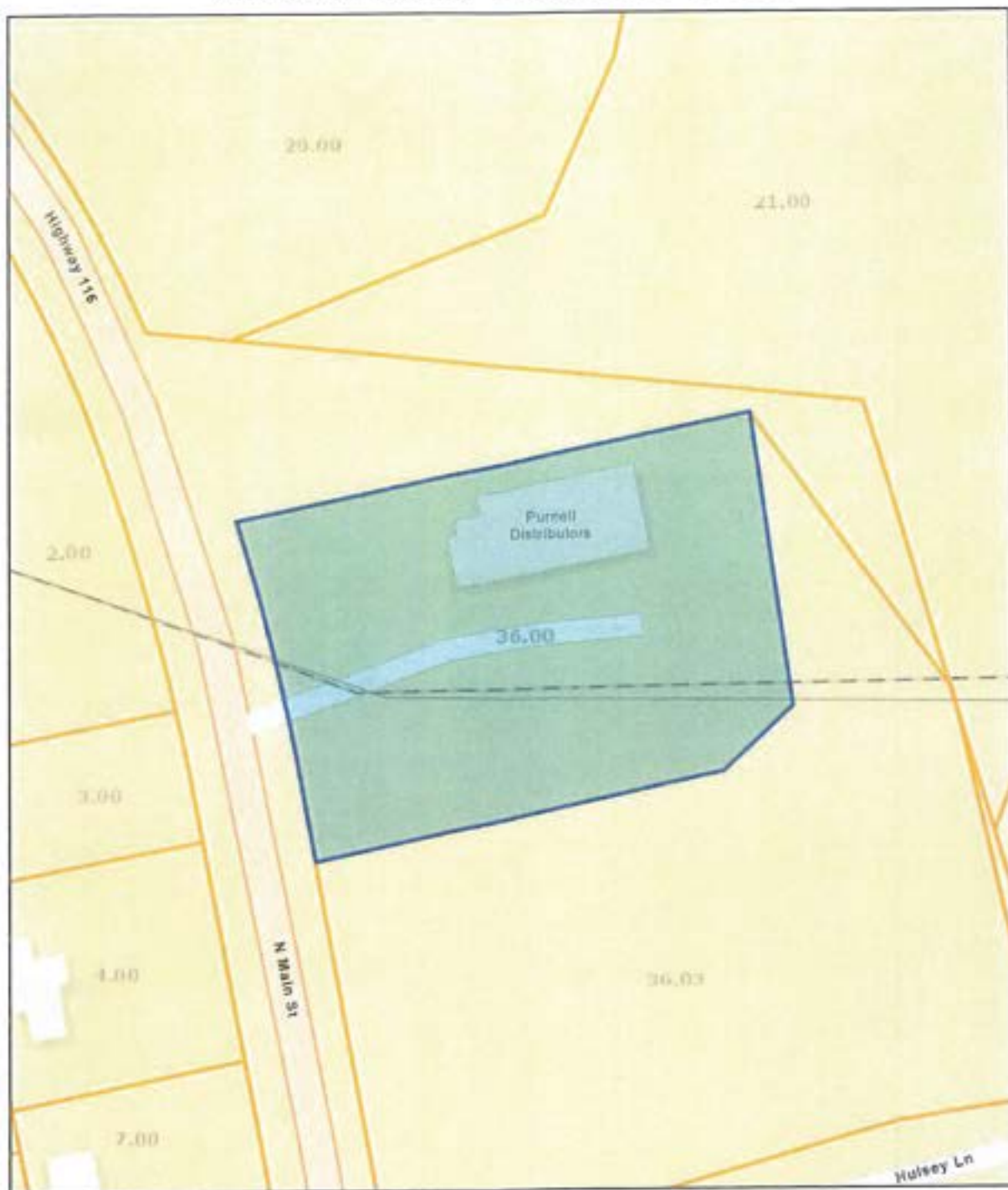


State of Tennessee, Comptroller of the Treasury, Division of Property Assessments (DPA), Esri Community Maps Contributors, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc., METI, NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

The property lines are compiled from information maintained by your local county Assessor's office but are not conclusive evidence of property ownership in any court of law.

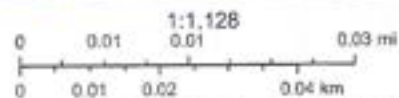


## Anderson County - Parcel: 008 036.00



Date: November 7, 2025

County: ANDERSON  
 Owner: HOSKINS OIL CO LLC  
 Address: N MAIN ST 1008  
 Parcel ID: 008 036.00  
 Deeded Acreage: 1.31  
 Calculated Acreage: 0



State of Tennessee, Comptroller of the Treasury, Division of Property Assessments (DPA), Esri Community Maps Contributors, © OpenStreetMap contributors, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc. (MTI), NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

The property lines are compiled from information maintained by your local county Assessor's office but are not conclusive evidence of property ownership in any court of law.

**Anderson County, Tennessee**  
**Board of Commissioners**  
**RESOLUTION No: 26-01-1246**

**RESOLUTION FOR THE ACCEPTANCE OF THE PROPOSAL OF THE TENNESSEE DEPARTMENT OF TRANSPORTATION TO CONSTRUCT A PROJECT DESIGNATED AS FEDERAL PROJECT NO. STP-170(16), STATE PROJECT NO. 01024-1224-14,01024-0224-14.**

**WHEREAS**, the Tennessee Department of Transportation has presented a proposal to Anderson County, Tennessee, designated as Federal Project No. STP-170(16), State Project No. 01024-1224-14,01024-0224-14, that is described as "From near Melton Lake Drive to SR-9 (US-25W, Clinton Highway)(1A) Route: SR-170,"; and

**WHEREAS**, the Anderson County Commission has determined that the above referenced project will benefit Anderson County, Tennessee, and the citizens thereof; and

**WHEREAS**, the Anderson County Commission wishes to cooperate with the State of Tennessee, Department of Transportation, in efforts to make and bridge improvements in Anderson County, Tennessee; and

**WHEREAS**, members of the Anderson County Commission have had an opportunity to review the PROPOSAL, which is attached and incorporated into this RESOLUTION; and

**WHEREAS**, the terms and conditions of said PROPOSAL to Anderson County as submitted by the State of Tennessee, Department of Transportation, are accepted and approved by the Anderson County Commission, and Anderson County shall fulfill all obligations concomitant thereto.

**NOW THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Anderson County, Tennessee, that this Resolution is duly passed and approved this 20<sup>th</sup> day of January, 2026.

**BE IT FURTHER RESOLVED** that this resolution shall become effective immediately upon its passage, the public welfare requiring it.

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2026 by the Anderson County legislative body.

APPROVED:

\_\_\_\_\_  
Denise Palmer, Chair A.C. Comm.

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

ATTEST:

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

**PROPOSAL**  
**OF THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF TENNESSEE**  
**TO THE COUNTY OF ANDERSON COUNTY, TENNESSEE:**

The DEPARTMENT OF TRANSPORTATION of the State of Tennessee, hereinafter "DEPARTMENT", proposes to construct a project in the County of Anderson County, Tennessee, hereinafter "COUNTY", designated as Federal Project No. STP-170(16), State Project No. 01024-1224-14,01024-0224-14 , that is described as "From near Melton Lake Drive to SR-9 (US-25W, Clinton Highway) (IA) Route: SR-170", provided the COUNTY agrees to cooperate with the DEPARTMENT as set forth in this proposal, so that the general highway program may be carried out in accordance with the intent of the General Assembly of the State.

Accordingly, the parties agree as follows:

1. That in the event any civil actions in inverse condemnation or for damages are instituted by reason of the DEPARTMENT, or its contractor, going upon the highway right-of-way and easements, and constructing said project in accordance with the plans and as necessary to make the completed project functional, the COUNTY will notify in writing the Attorney General of the State, whose address is 425 Fifth Avenue North, Nashville, Tennessee, 37243, of the institution of each civil action, the complaint and all subsequent pleadings, within ten (10) days after the service of each of the same, under penalty of defending such actions and paying any judgments which result therefrom at its own expense.

2. The COUNTY will close or otherwise modify any of its roads, or other public ways if indicated on the project plans, as provided by law.

3. The COUNTY will transfer or cause to be transferred to the DEPARTMENT without cost to the DEPARTMENT, all land owned by the COUNTY or by any of its instrumentalities as



required for right-of-way or easement purposes, provided such land is being used or dedicated for road or other public way purposes.

4. Where privately, publicly or cooperatively owned utility lines, facilities and systems for producing, transmitting or distributing communications, power, electricity, light, heat, gas, oil, crude products, water, steam, waste, storm water not connected with highway drainage, and other similar commodities, including publicly owned facilities such as fire and police signal systems and street lighting systems are located within the right-of-way of any road or other public way owned by the COUNTY, or any of its instrumentalities, the COUNTY agrees that it will take any action necessary to require the removal or adjustment of any of the above-described facilities as would conflict with the construction of the project. But the foregoing may not be a duty of the COUNTY since it shall become operative only after the DEPARTMENT has been unsuccessful in its efforts to provide for said removals or adjustments for the benefit of the COUNTY.

The foregoing does not apply to those utility facilities which are owned by the COUNTY or one of its instrumentalities, it being understood that the COUNTY has the duty to relocate or adjust such facilities, if required, provided the COUNTY is notified to do so by the DEPARTMENT with detailed advice as to this duty of the COUNTY.

5. The COUNTY will maintain any frontage road to be constructed as part of the project.

6. After the project is completed and open to traffic, the COUNTY will accept jurisdiction and maintenance such parts of any existing DEPARTMENT highway to be replaced by the project, as shown on the attached map.

7. The COUNTY will make no changes or alter any segment of a road on its road system that lies within the limits of the right-of-way acquired for any interchange to be constructed as

part of the project and will not permit the installation or relocation of any utility facilities within the right-of-way of any such a segment of one of its roads without first obtaining the approval of the DEPARTMENT.

8. No provision hereof shall be construed as changing the maintenance responsibility of the COUNTY for such part of the project as may presently be on its highway, street, road or bridge system.

9. It is understood and agreed between the DEPARTMENT and the COUNTY that all traffic control signs for the control of traffic on a street under the jurisdiction of the COUNTY and located within the DEPARTMENT's right-of-way shall be maintained and replaced by the COUNTY.

10. When traffic control devices for the direction or warning of traffic, lighting of roadways or signing, or any of them, which are operated or function by the use of electric current are constructed or installed as part of the project, they will be furnished with electricity and maintained by the COUNTY.

11. If, as a result of acquisition and use of right-of-way for the project, any building and/or structure improvements become in violation of a COUNTY setback line or building and/or structure requirement, including, but not limited to, on-premise signs, the COUNTY agrees to waive enforcement of the COUNTY setback line or building and/or structure requirement and take other proper governmental action as necessary to accomplish such waiver.

12. If, as a result of acquisition and use of right-of-way for the project, any real property retained by any property owner shall become in violation of a COUNTY zoning regulation or requirement, the COUNTY agrees to waive enforcement of the COUNTY zoning regulation or requirement and take other proper governmental action as necessary to accomplish such waiver.

13. The COUNTY will not authorize encroachments of any kind upon the right-of-way,

nor will the COUNTY authorize use of the easements for the project in any manner which affects the DEPARTMENT's use thereof.

14. The COUNTY will obtain the approval of the DEPARTMENT before authorizing parking on the right-of-way and easements for the project.

15. The COUNTY will not install or maintain any device for the purpose of regulating the movement of traffic on the roadway except as warranted and in conformity with the Manual on Uniform Traffic Control Devices.

16. If the project is classified as full access control (i.e. a project which has no intersecting streets at grade), then the DEPARTMENT will maintain the completed project. If the project is not classified as full access control, then the DEPARTMENT will maintain the pavement from curb to curb where curbs exist, or will maintain full width of the roadway where no curb exist. The COUNTY agrees to maintain all other parts of non-access control projects; provided, however, that any retaining walls, box culverts, or other like structures constructed as part of the project that supports the structural integrity or stability of the roadway surface shall be maintained by the DEPARTMENT.

17. If a sidewalk is constructed as a component of this project, the COUNTY shall be responsible for maintenance of the sidewalk and shall assume all liability for third-party claims for damages arising from its use of the sidewalk or premises beyond the DEPARTMENT'S maintenance responsibilities as set forth in section 16 of this proposal.

18. When said project is completed, the COUNTY thereafter will not permit any additional median crossovers, the cutting of the pavement, curbs, gutters and sidewalks, by any person, firm, corporation, or governmental agency, without first obtaining the approval of the DEPARTMENT.



19. The DEPARTMENT will acquire the right-of-way and easements, construct the project and defend any inverse condemnation for damage or civil actions of which the Attorney General has received the notice and pleadings provided for herein; provided, however, that if the project is being constructed pursuant to a contract administered by the DEPARTMENT's Local Programs Development Office, the terms of that contract shall control in the event of a conflict with this proposal.

20. The project plans hereinbefore identified by number and description are incorporated herein by reference and shall be considered a part of this proposal, including any revisions or amendments thereto, provided a copy of each is furnished the COUNTY.

21. The acceptance of this proposal shall be evidenced by the passage of a resolution or by other proper governmental action, which shall incorporate this proposal verbatim or make reference thereto.

IN WITNESS WHEREOF, the DEPARTMENT has caused this proposal to be executed by its  
duly authorized official on this the \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

THE COUNTY OF \_\_\_\_\_, TENNESSEE

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

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

STATE OF TENNESSEE  
DEPARTMENT OF TRANSPORTATION

BY: \_\_\_\_\_  
WILL REID  
COMMISSIONER

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

APPROVED AS TO FORM AND LEGALITY:

BY: \_\_\_\_\_  
LESLIE SOUTH  
GENERAL COUNSEL

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



STATE OF TENNESSEE  
DEPARTMENT OF TRANSPORTATION

REGION 1  
7345 REGION LANE  
KNOXVILLE, TENNESSEE 37914  
(865) 594-2400

WILL REID  
COMMISSIONER

BILL LEE  
GOVERNOR

December 15, 2025

The Honorable Terry Frank  
Mayor of Anderson County  
100 N. Main Street, Room 208  
Clinton, Tennessee 37716-3617

RECEIVED  
DEC 19 2025  
COUNTY MAYOR'S OFFICE

RE: **PROPOSAL TO THE COUNTY OF ANDERSON**

Federal Project No.: STP-170(16)  
State Project No.: 01024-1224-14  
County of Anderson  
Pin No.: 124121.02

*From near Melton Lake Drive to SR-9 (US-25W, Clinton Highway) (IA) Route: SR-170*

Dear Mayor Frank:

Enclosed please find (1) set of plans and three (3) copies of the proposal on the above referenced project. **Following acceptance, three (3) copies of each proposal should be returned to me, each accompanied by a certified copy of the ordinance or resolution, whichever is applicable.** An example of a resolution with the necessary legal language is attached.

It is to be noted that we cannot begin buying the rights-of-way for this project until the county has accepted the proposal and same has been reviewed and approved by the Department attorney. Therefore, your earliest attention to this matter will be appreciated.

We appreciate your cooperation and if we can be of assistance in any way, please do not hesitate to give us a call.

Yours truly,

Sheena Foster  
ROW Manager  
Right-of-Way Office

SF/bc  
Enclosure

**JAMES W. BROOKS, JR.**  
**ANDERSON COUNTY LAW DIRECTOR**

101 S. MAIN STREET, STE. 310  
CLINTON, TENNESSEE 37716  
[jbrooks@andersoncountyttn.gov](mailto:jbrooks@andersoncountyttn.gov)  
(865) 457-6290

CASSANDRA M. POWELL, PARALEGAL  
[cpowell@andersoncountyttn.gov](mailto:cpowell@andersoncountyttn.gov)

DENISE R. JUSTICE, LEGAL ASSISTANT  
[djustice@andersoncountyttn.gov](mailto:djustice@andersoncountyttn.gov)

January 2, 2026

The Honorable Terry Frank  
Anderson County Mayor  
100 N. Main Street, Room 208  
Clinton TN 37716-3617


RE: Proposal to Anderson County  
Federal Project No.: STP-170(16)  
State Project No.: 01024-1224-14

Dear Mayor Frank:

I have attached the documents you left with me including the proposed RESOLUTION when we spoke briefly earlier this week. I redrafted the RESOLUTION, adding one paragraph which incorporated the proposal into the RESOLUTION.

Feel free to use, ignore or revise the RESOLUTION I prepared.

Sincerely yours,

  
James W. Brooks, Jr.  
Anderson County Law Director

Attachments

JAMES W. BROOKS, JR.  
ANDERSON COUNTY LAW DIRECTOR

101 S. MAIN STREET, STE. 310  
CLINTON, TENNESSEE 37716  
[jbrooks@andersoncountyttn.gov](mailto:jbrooks@andersoncountyttn.gov)  
(865) 457-6290

ORIGINAL  
DRAFT #1

MORGAN JONES, PARALEGAL  
[mjones@andersoncountyttn.gov](mailto:mjones@andersoncountyttn.gov)

CASSANDRA M. POWELL, PARALEGAL  
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December 10, 2025

**Via U.S. MAIL and E-mail to:**

[lt.gov.randy.mcnally@capitol.tn.gov](mailto:lt.gov.randy.mcnally@capitol.tn.gov)

Senator Randy McNally  
425 Rep. John Lewis Way N.  
Suite 700 Cordell Hull Bldg.  
Nashville, TN 37243

**VIA U.S. MAIL and E-MAIL to:**

[rep.ed.butler@capitol.tn.gov](mailto:rep.ed.butler@capitol.tn.gov)

Representative Ed Butler  
425 Rep. John Lewis Way N.  
Suite 578 Cordell Hull Bldg.  
Nashville, TN 37243

**VIA U.S. MAIL and E-MAIL to:**

[rep.rick.scarborough@capitol.tn.gov](mailto:rep.rick.scarborough@capitol.tn.gov)

Representative Rick Scarborough  
425 Rep. John Lewis Way N.  
Suite 614 Cordell Hull Bldg.  
Nashville, TN 37243

**Re: Support of Tennessee Waste to Jobs Act**

Gentlemen

The Anderson County Board of Commissioners (the Board) requested I write you on the Board's behalf to express our strong support for the Tennessee Waste to Jobs Act (TWJA).

Anderson County currently provides solid waste services as part of county operations, but like many municipalities and counties across Tennessee, we face growing costs and operational constraints in sorting, processing, and managing recyclables. The TWJA's Producer Responsibility Organization (PRO) model would shift the cost of recycling from taxpayers and local governments to the producers of packaging waste, creating an appropriate pricing model and a sustained incentive for private-sector participation.


Under the TWJA, a properly structured PRO would:

- Facilitate and sustain private-sector recycling services that are otherwise unaffordable for many local governments;
- Improve recycling access and participation for our citizens;
- Reduce disposal volumes sent to county landfills, extending landfill life and lowering long-term capital and regulatory costs for county government; and
- Support job creation in the recycling and waste-management sectors while strengthening local recycling infrastructure.

The benefits mentioned above align with Anderson County's goal of responsibly managing taxpayer dollars, expand recycling and composting options, and reducing the environmental and financial burdens of landfill disposal.

The Board appreciates your leadership in developing the Tennessee Waste to Jobs Act and look forward to tracking the legislation as it moves through the General Assembly. Please let us know if Anderson County can provide any additional information, local data, or testimony in support of this important bill.

Sincerely,



James W. Brooks, Esq.  
Anderson County Law Director's Office

On behalf of:  
Anderson County Board of Commissioners



JAMES W. BROOKS, JR.  
ANDERSON COUNTY LAW DIRECTOR

101 S. MAIN STREET, STE. 310  
CLINTON, TENNESSEE 37716  
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DRAFT # 2

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CASSANDRA M. POWELL, PARALEGAL  
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January 7, 2026

**Via U.S. MAIL and E-mail to:**

[lt.gov.randy.mcnelly@capitol.tn.gov](mailto:lt.gov.randy.mcnelly@capitol.tn.gov)

Senator Randy McNally  
425 Rep. John Lewis Way N.  
Suite 700 Cordell Hull Bldg.  
Nashville, TN 37243

**VIA U.S. MAIL and E-MAIL to:**

[rep.ed.butler@capitol.tn.gov](mailto:rep.ed.butler@capitol.tn.gov)

Representative Ed Butler  
425 Rep. John Lewis Way N.  
Suite 578 Cordell Hull Bldg.  
Nashville, TN 37243

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Representative Rick Scarborough  
425 Rep. John Lewis Way N.  
Suite 614 Cordell Hull Bldg.  
Nashville, TN 37243

**Re: Support of Tennessee Waste to Jobs Act**

Dear Lt. Governor McNally, Representative Scarborough, and Representative Butler,

Waste and the management of waste and its disposal is one of the most critical issues impacting local government across the State of Tennessee.

We have heard presentations from advocates of the TN Waste to Jobs Act and are positively interested in the opportunities it might provide. While we come short of full support for the legislation in its current form, understanding that legislation has been filed and may continue to change through the legislative process, we do express our full support for reduction of waste, new enhanced opportunities for recycling, and assistance for local government in this important area of responsibility for our citizens.

It is for these reasons we hope you will be active participants in the discussions around around this legislation and the opportunities that may be afforded.

Anderson County currently provides solid waste services as part of county operations, but like many municipalities and counties across Tennessee, we face growing costs and operational constraints in sorting, processing, and managing recyclables. The TWJA's Producer Responsibility Organization (PRO) model could shift the cost of recycling from taxpayers and local governments to the producers of packaging waste, creating an appropriate pricing model and a sustained incentive for private-sector participation.

Under the TWJA, a properly structured PRO could:

- Facilitate and sustain private-sector recycling services that are otherwise unaffordable for many local local governments;

- Improve recycling access and participation for our citizens;
- Reduce disposal volumes sent to county landfills, extending landfill life and lowering long-term capital and regulatory costs for county government; and
- Support job creation in the recycling and waste-management sectors while strengthening local recycling infrastructure.

The benefits mentioned above align with Anderson County's goal of responsibly managing taxpayer dollars, expand recycling and composting options, and reducing the environmental and financial burdens of landfill disposal.

The Board appreciates your leadership in developing the Tennessee Waste to Jobs Act and look forward to tracking the legislation as it moves through the General Assembly. Please let us know if Anderson County can provide any additional information, local data, or testimony in support of this important bill.

Sincerely,



James W. Brooks, Esq.  
Anderson County Law Director's Office

On behalf of:  
Anderson County Board of Commissioners

SENATE BILL 269

By Campbell

AN ACT to amend Tennessee Code Annotated, Title 4,  
Chapter 29, Part 2 and Title 68, Chapter 211,  
relative to solid waste.

WHEREAS, packaging waste makes up nearly one-third of solid municipal waste with just twelve percent recycled, sending nine hundred thousand tons of recyclable packaging to landfills; and

WHEREAS, businesses in this State want and need the valuable materials that would otherwise be lost to landfills, litter, and incineration; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 211, is amended by adding the following as a new part:

**68-211-1201.**

(a) This part is known and may be cited as the "Tennessee Waste to Jobs Act."

(b) It is the intent of the general assembly that this part affects the development and implementation of a comprehensive approach to addressing packaging waste in this state, to include:

(1) Creating jobs and providing a sustainable funding mechanism for the operation of local recycling systems, enabling investment in recycling infrastructure;

(2) Diverting recyclable packaging waste from rapidly filling landfills in this state;

(3) Recovering valuable materials that would otherwise be lost to landfills, litter, and incineration, while developing markets for these materials and supporting businesses building a circular economy in this state; and

(4) Engaging producers of packaging in the innovative reduction and reuse of packaging materials.

**68-211-1202.**

As used in this part:

(1) "Advisory board" means the producer responsibility program advisory board, established under § 68-211-1203;

(2) "Commissioner" means the commissioner of environment and conservation;

(3) "Compostable material" means a covered material that:

(A) Meets, and is labeled to reflect that it meets, the American Society for Testing and Materials (ASTM) standard in effect on July 1, 2025, and any successor standard, as the D6400 specification for labeling of plastics designed to be aerobically composted in municipal or industrial facilities;

(B) Meets, and is labeled to reflect that it meets, the ASTM standard in effect on July 1, 2025, and any successor standard, as the D6868 specification for labeling of end items that incorporate plastics and polymers as coatings or additives with paper and other substrates designed to be aerobically composted in municipal or industrial facilities;

(C) Is composed of only wood without any coatings or additives;

(D) Is composed of only paper without any coatings or additives;

and

(E) Is included on the minimum compostable materials list maintained under § 68-211-1204(a)(8);

(4) "Covered entity" means a person or location that receives covered services for covered materials in accordance with the requirements of this part, including:

(A) A single-family residence;

(B) A multifamily residence;

(C) A school or other location where education or childcare is provided;

(D) A nonprofit corporation with annual revenue of less than thirty-five million dollars (\$35,000,000); and

(E) A state agency, political subdivision, public area, or other public entity or government unit;

(5) "Covered materials":

(A) Means packaging materials, except as provided in subdivision (5)(B); and

(B) Does not include:

(i) Packaging materials intended to be used for the long-term storage or protection of a durable product and that are intended to transport, protect, or store the product for at least five (5) years;

(ii) Packaging materials used in commercial, industrial, or manufacturing processes;

(iii) Subject to § 68-211-1213(a), packaging materials that are collected prior to receipt of the product by the consumer do



not undergo separation from other materials at a commingled recycling processing facility, and are reused or recycled at a responsible end market;

(iv) Beverage containers subject to a future returnable container deposit not established by the producer responsibility organization;

(v) Packaging material used to contain a product that is regulated as a drug or medical device by the federal food and drug administration under the Federal Food, Drug, and Cosmetic Act, as amended (21 U.S.C. § 301 et seq.), or associated components and consumable medical equipment;

(vi) Packaging material used to contain a product that is regulated under the Virus-Serum-Toxin Act, as amended (21 U.S.C. § 151 et seq.);

(vii) Packaging material used to contain a product that is required to be sold in packaging material that meets the requirements of the Poison Prevention Packaging Act, as amended (15 U.S.C. § 1471 et seq.);

(viii) Packaging material used to contain a product that is regulated as infant formula, as defined in 21 U.S.C. § 321; as a medical food, as defined in 21 U.S.C. § 360ee(b); or as fortified nutritional supplements used for individuals who require supplemental or sole source nutrition to meet nutritional needs due to special dietary needs directly related to cancer, chronic kidney disease, diabetes, malnutrition, or failure to thrive, as those



terms are defined by the world health organization's International Classification of Diseases, Tenth Revision (ICD-10), as amended or revised, or other medical conditions as determined by the department, after consultation with the advisory board, by rule; and

(ix) Any other material that the department, after consultation with the advisory board, determines by rule to not be a covered material;

(6) "Covered services" means the services provided for the recovery, recycling, reuse, or composting of covered materials by local governments and other providers, including the collection, transportation, and processing of covered materials from the consumer to the end market, curbside services, and drop-off centers;

(7) "De minimis producer" means a person that in their most recent fiscal year:

(A) Introduced less than one (1) ton of covered material into this state; or

(B) Earned global gross revenues of less than two million dollars (\$2,000,000);

(8) "Department" means the department of environment and conservation;

(9) "Packaging materials":

(A) Means, regardless of recyclability, a part of a package or container, including material that is used for the containment, protection,

handling, delivery, and presentation of a product that is sold, offered for sale, imported, or distributed in this state; and

(B) Includes:

(i) Primary, secondary, and tertiary packaging intended for the consumer market; and

(ii) Service packaging designed and intended to be filled at the point of sale, including carry-out bags, bulk goods bags, and take-out and home delivery food service packaging;

(10) "Producer":

(A) Except as provided in subdivision (10)(B), means the following person responsible for compliance with requirements under this part for a covered material:

(i) For items sold in or with packaging at a physical retail location in this state:

(a) If the item is sold in or with packaging under the brand of the item manufacturer or is sold in packaging that lacks identification of a brand, then the producer is the person that manufactures the item;

(b) If there is no person to which subdivision (10)(A)(i)(a) applies, then the producer is the person that is licensed to manufacture and sell or offer for sale to consumers in this state an item with packaging under the brand or trademark of another manufacturer or person;

(c) If there is no person to which subdivisions (10)(A)(i)(a) or (b) apply, then the producer is the brand owner of the item;

(d) If there is no person to which subdivisions (10)(A)(i)(a)-(c) apply within the United States, then the producer is the person who is the importer of record for the item into the United States for use in a commercial enterprise that sells, offers for sale, or distributes the item in this state; and

(e) If there is no person to which subdivisions (10)(A)(i)(a)-(d) apply, then the producer is the person that first distributes the item in or into this state;

(ii) For items sold or distributed in packaging in or into this state via e-commerce, remote sale, or distribution:

(a) For packaging used to directly protect or contain the item, the producer of the packaging is the same as if the items sold in or with packaging at a physical retail location in this state under subdivision (10)(A)(i); and

(b) For packaging used to ship the item to a consumer, the producer of the packaging is the person that packages the item to be shipped to the consumer; and

(iii) For packaging that is a covered material and for which a producer cannot be identified under subdivision (10)(A)(i) or subdivision (10)(A)(ii), the producer of the packaging is the person that first distributes the item in or into this state;

(B) Does not include:

(i) A state, a federal or state agency, a political subdivision of a state, or other governmental unit;

(ii) A registered 501(c)(3) charitable organization or 501(c)(4) social welfare organization;

(iii) A de minimis producer;

(iv) A mill that uses any virgin wood fiber in the products it produces;

(v) A paper mill that produces container board derived from one hundred percent (100%) postconsumer recycled content and non-post-consumer recycled content; or

(vi) A person who would otherwise be the producer of a covered material sold, offered for sale, or distributed in or into this state under subdivision (10)(A), if:

(a) Another person contracts with the person who would otherwise be a producer to assume responsibility for the producer's compliance with requirements of this part, that person has joined a registered PRO as the responsible producer, and the person who would otherwise be a producer provides written certification of the contract to the PRO; or

(b) The person who would otherwise be a producer is a business operated wholly or in part as a franchise, in which case the franchisor is the producer if that franchisor

has franchisees that have a commercial presence within the state;

(11) "Producer responsibility organization" or "PRO" means a nonprofit organization that is created by a group of producers to implement a producer responsibility plan;

(12) "Readily recyclable material" means a covered material that is included as a recyclable material on the minimum recyclable materials list maintained under § 68-211-1204(a)(8);

(13) "Recyclable" means a covered material that can technically and safely be recycled;

(14) "Recycling":

(A) Means the process of collecting and preparing recyclable materials and reusing the materials in their original form or using the materials in manufacturing processes that do not cause the destruction of recyclable materials in a manner that precludes further use; and

(B) Does not include:

(i) Use of covered materials for energy recovery or energy generation by means of combustion;

(ii) Use of covered materials as, or in production of, a fuel or fuel component; or

(iii) Disposal of discarded covered materials in a landfill, including use as alternative daily cover;

(15) "Refill" means the continued use of a covered material by a consumer through a system that is:



(A) Intentionally designed and marketed for repeated filling of a covered material to reduce demand for new production of the covered material;

(B) Supported by adequate logistics and infrastructure to provide convenient access for consumers; and

(C) Compliant with all applicable federal, state, and local statutes, rules, ordinances, and other laws governing health and safety;

(16) "Reusable" means capable of reuse;

(17) "Reuse" means the return of a covered material to the marketplace and the continued use of the covered material by a producer or service provider when the covered material is:

(A) Intentionally designed and marketed to be used multiple times for its original intended purpose without a change in form;

(B) Designed for durability and maintenance to extend its useful life and reduce demand for new production of the covered material;

(C) Supported by adequate logistics and infrastructure at a retail location, by a service provider, or on behalf of or by a producer, that provides convenient access for consumers; and

(D) Compliant with all applicable federal, state, and local statutes, rules, ordinances, and other laws governing health and safety; and

(18) "Service provider" means a person who provides covered services.

**68-211-1203.**

(a) The commissioner shall appoint a producer responsibility program advisory board.

(b) The advisory board is administratively attached to the department; provided, that the department may select an impartial, third-party facilitator to convene and provide administrative support to the advisory board.

(c) The commissioner shall not appoint registered lobbyists to the advisory board.

(d) The membership of the advisory board must represent all geographic regions of this state, including urban and rural counties and municipalities. The advisory board consists of the following twenty (20) members:

(1) Three (3) voting members representing local governments in this state;

(2) One (1) voting member representing materials recovery facilities;

(3) One (1) voting member representing covered service providers;

(4) One (1) voting member representing environmental nonprofit organizations;

(5) One (1) voting member representing community-based nonprofit organizations working in the area of solid waste;

(6) One (1) voting member representing a trade association or chamber of commerce, or other business advocacy organization representing businesses that are headquartered in this state;

(7) One (1) voting member representing glass packaging material suppliers that is not a producer;

(8) One (1) voting member representing plastics packaging material suppliers that is not a producer;

(9) One (1) voting member representing fiber packaging material suppliers that is not a producer;

(10) One (1) voting member representing metals packaging material suppliers that is not a producer;

(11) One (1) voting member who has experience representing underserved communities;

(12) One (1) voting member representing a solid waste landfill or transfer station operating an onsite, public-facing recycling collection program;

(13) One (1) voting member representing durable goods manufacturing that is not a producer;

(14) One (1) voting member representing retail and food services that is not a producer;

(15) One (1) voting member representing an entity that develops or offers for sale covered materials that are designed for reuse and maintained through a reuse system or infrastructure or a statewide or national trade association that represents such entities;

(16) One (1) voting member representing an entity that develops or offers for sale covered materials that are designed for refill and maintained through a refill system or infrastructure or a statewide or national trade association that represents such entities;

(17) The commissioner, or the commissioner's designee, who serves as a nonvoting member; and

(18) One (1) nonvoting member representing a PRO.

(e) The commissioner shall appoint the initial advisory board members by July 1, 2026. In making appointments to the advisory board, the commissioner shall strive to ensure that the makeup of the advisory board reflects and represents the demographic diversity of persons in this state.

(f) The terms for appointed members of the advisory board are four (4) years.

(g) In making the initial appointments, the members appointed pursuant to subdivisions (d)(2)-(9) and (15) are appointed for four-year terms, and the members appointed pursuant to subdivisions (d)(1), (10)-(14), (16), and (18) are appointed for two-year terms. Thereafter, all appointments are for the full four-year term. In the event of a vacancy, the commissioner shall fill the vacancy for the unexpired term.

(h) After all initial appointments to the advisory board are made, but no later than July 15, 2026, the commissioner, or the impartial third-party facilitator selected under subsection (b), shall call the first meeting of the advisory board. At the first meeting, and at the first meeting of each year ending in an even number thereafter, the advisory board shall elect from among its appointed members a chair, vice chair, and any other officers deemed necessary.

(i) After the first meeting of the advisory board, the advisory board shall meet at the call of the chair and not less than two (2) times per year.

(j) Meetings of the advisory board must comply with the open meeting requirements of title 8, chapter 44.

(k) All records of the advisory board are public records for purposes of the public records law, compiled in title 10, chapter 7.

(l) All reimbursement for travel expenses must be in accordance with the comprehensive travel regulations as promulgated by the department of finance and administration and approved by the attorney general and reporter. All members of the advisory board serve without compensation but are eligible for reimbursement of necessary traveling and other appropriate expenses while engaged in the work of the advisory board.



(m) If an appointed member is absent from more than two (2) consecutive meetings of the advisory board without good cause, then a vacancy is created.

(n) The advisory board shall:

(1) Advise the PRO throughout the needs assessment process, as described in § 68-211-1206(a), and review the needs assessment;

(2) Advise the PRO on the development of producer responsibility plan proposals, as described in § 68-211-1206(b);

(3) Review the producer responsibility plan proposal submitted to the department under § 68-211-1205(c)(4), and recommend that the department approve or reject the proposal;

(4) Review an individual producer responsibility program plan proposal submitted to the department under § 68-211-1209, and recommend that the department approve or reject the proposal; and

(5) Review the annual reports required by § 68-211-1207 and recommend to the PRO and the department any program amendments that are needed.

**68-211-1204.**

(a) The department shall:

(1) Review applications from prospective PROs. If applications from more than one (1) PRO are submitted, then the department shall determine which proposed PRO can most effectively implement this part. The department may permit and approve additional PRO applicants if they provide unique ability to manage a defined subgroup of covered materials;

(2) When determining whether to approve a PRO, consider whether the PRO:

(A) Has a governing board consisting of producers that represent a diversity of covered materials introduced; and

(B) Demonstrates adequate financial responsibility and financial controls to ensure proper management of funds;

(3) Consult with the PRO and the advisory board in the development of the producer responsibility plan proposal;

(4) Approve or reject a producer responsibility plan proposal submitted to the department under § 68-211-1205(c)(4);

(5) Approve or reject an individual producer responsibility plan proposal submitted to the department under § 68-211-1209;

(6) Review the annual reports required by § 68-211-1207;

(7) Administer, review, oversee, and enforce the producer responsibility plan;

(8) Review and annually update minimum recyclable and compostable materials lists that consider the availability of recycling composting services for each material, taking into consideration the impact of innovative collection and sorting technology on the creation of viable end markets;

(9) By August 1, 2026, and each August 1 thereafter through August 1, 2029, provide written notice to the PRO of the estimated cost to the department in performing its duties under this part, including all such costs incurred since the date that this act becomes a law; and

(10) Beginning July 1, 2029, and annually thereafter, provide written notice to the PRO of the department's estimates of the cost required to perform the department's duties.

(b) The commissioner shall:

(1) By October 15, 2031, and every two (2) years thereafter, submit a report to the governor, to the chairman and ranking minority member of the senate energy, agriculture and natural resources committee, and the chairman and ranking minority member of the committee of house of representatives with subject jurisdiction over solid waste. The report must contain:

(A) A summary of the implementation, administration, and enforcement of this part;

(B) A summary of the most current needs assessment described in § 68-211-1206(a);

(C) An internet link to a universal resource locator or other internet address where the reports filed under § 68-211-1207 are published;

(D) Recommendations for policy, statutory, or regulatory changes to the producer responsibility program;

(E) An analysis of the impacts of exempting certain materials from the definition of covered materials and of exempting certain persons from the definition of producer;

(F) A list of efforts undertaken by the commissioner to enforce and secure compliance with this part; and

(G) Any other information the commissioner deems to be relevant; and

(2) Promulgate rules necessary to implement and administer this part.

All rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

**68-211-1205.**

(a) By July 1, 2026, a producer shall establish a PRO.

(b) By July 1, 2026, the governing body of the PRO shall apply for approval to the department describing how the PRO meets the requirements to be an approved PRO by submitting the following:

(1) Contact information for a person responsible for implementing an approved stewardship plan;

(2) A list of current member producers that have entered into written agreements to operate under an approved stewardship plan administered by the PRO;

(3) A plan for recruiting additional member producers and executing written agreements confirming producers will operate under an approved stewardship plan administered by the PRO;

(4) A list of current board members and the executive director, if different than the person identified pursuant to subdivision (b)(1);

(5) Documentation demonstrating adequate financial responsibility and financial controls to ensure the proper management of funds; and

(6) Payment of an implementation fee set by rule of the commissioner.

(c) The PRO shall:

(1) Facilitate at least one (1) needs assessment, as described in § 68-211-1206, every five (5) years conducted by an independent third party approved by the department using a consultation process to obtain recommendations from the advisory board, local governments, service providers, PROs, and other interested parties regarding the type and scope of information that should be collected and analyzed in the needs assessment;



(2) Engage with local governments to increase participation under this part;

(3) Consult with the advisory board and the department in the development of the producer responsibility plan proposal;

(4) Submit a producer responsibility plan proposal that covers a period of five (5) years to the department and the advisory board; and

(5) Operate and administer the department-approved producer responsibility plan as the producer responsibility program.

(d) By January 1, 2027, a producer must be a member of a PRO approved in this state.

(e) By July 1, 2027, a PRO shall submit the results of a preliminary needs assessment to the department and the advisory board.

(f) By July 1, 2028, a PRO shall submit the results of the initial needs assessment to the department and the advisory board.

(g) By July 1, 2029, a PRO shall submit an initial producer responsibility plan proposal to the department and the advisory board. When approved by the department, the PRO shall begin implementation of the producer responsibility plan within six (6) months of approval.

**68-211-1206.**

(a) The needs assessments required under § 68-211-1205(c)(1) must include:

(1) The service availability, capacity, performance, and gaps in the reuse, composting, and recycling services provided to covered entities throughout this state and the prices paid for reuse, composting, and recycling services;

(2) The documented cost of reuse, composting, and recycling services incurred by public and private service providers to provide recycling services;

(3) The processing capacity of existing infrastructure, the additional infrastructure needed to meet or exceed the recycling, reuse, and composting levels set by the producer responsibility plan proposal, and opportunities for the use of innovative new technologies for sorting and collection to improve that capacity;

(4) An assessment of the level and causes of contamination of source-separated recyclable materials, source-separated compostable materials, and collected reusables, and the impacts of contamination on service providers, including the cost to manage that contamination;

(5) An evaluation of the opportunities and costs of various service methods to increase reuse, composting, and recycling rates overall;

(6) The education needs in this state pertaining to composting, reuse, and recycling; and

(7) Assessment and identification of materials for recommendation for inclusion on the minimum recyclable and compostable materials lists maintained under § 68-211-1204(a)(8).

(b) The producer responsibility plan proposal required under § 68-211-1205(c)(4) must:

(1) Include a list of participating producers;

(2) Describe how the producer responsibility plan proposal will address and implement the findings of the needs assessment in a fair and balanced manner;

(3) Provide a financing mechanism in accordance with subsection (c) that supports, to the extent possible, that recycling and composting services for

materials listed on the minimum recyclables and compostables lists are as convenient as mixed municipal solid waste collection;

(4) Describe how staffing and administering the implementation of the producer responsibility plan will be handled;

(5) Describe the manner in which the PRO solicited and considered input from stakeholders;

(6) Describe how the PRO will track compliance amongst producers and will bring producers into compliance;

(7) Establish a financing mechanism based on PRO dues, as described in subsection (c), which includes the following components:

(A) Varied PRO dues based on:

(i) The quantity of covered materials a producer sells, distributes, or imports in this state;

(ii) Whether or not the covered materials are reusable, compostable, or readily recyclable, which determination must account for associated impacts as well as the extent to which recycling or composting services for a covered material are accessible to the consumer; and

(iii) The use of recycled content in covered materials so that dues are lower for producers who use covered materials that contain higher amounts of recycled content than other producers;

(B) Prioritize reuse by charging covered materials that are managed through a reuse system only once, upon initial entry into the marketplace;

(C) Reduce the amount of packaging per individual covered material that is necessary to efficiently deliver a product without damage or spoilage and without reducing its ability to be recycled;

(D) Incentivize using materials and design attributes that reduce the environmental impacts and human health impacts of covered materials; and

(E) Prohibit the use of PRO dues for lobbying;

(8) Describe the strategy for reducing the quantity of covered materials in this state, including how producers participating in a producer responsibility plan will work together to reduce packaging through product design and program innovations;

(9) Describe the strategy for increasing packaging reuse in this state, including how producers will work together to design and implement innovative reuse processes;

(10) Describe the strategy for increasing packaging composting in this state, as appropriate and technologically feasible for certain covered materials;

(11) Describe performance standards for recycling, composting, and reuse service providers as applicable to the service provided, including, but not limited to:

(A) The quality of collected covered materials based upon the service provided; and

(B) Employee safety programs, employee health benefits, living wages, and other labor standards and safety practices;



(12) Describe how the program will reimburse service providers under an approved producer responsibility plan, including, but not limited to, a description of:

(A) How the program will provide a methodology to calculate differentiated reimbursement rates as provided under subsection (c);

(B) A process for service providers to submit invoices and be reimbursed for recycling, composting, or reuse services; and

(C) Clear and reasonable timelines for reimbursement, at intervals no longer than monthly unless agreed to by a service provider and a PRO;

(13) Describe the actions taken or that will be taken for public outreach, education, and communication concerning the recycling, reuse, or composting of covered materials;

(14) Describe the process by which recycling, reuse, or composting service providers may request reimbursement for costs associated with transporting, collecting, and processing covered materials that are identified in the producer responsibility plan;

(15) Describe how the PRO will work with recycling, reuse, and composting service providers to utilize and expand on existing recycling, reuse, and composting service providers and infrastructure to the greatest extent possible, including, but not limited to:

(A) If the PRO intends to develop new collection and recycling infrastructure, it must state why and how this may impact the existing infrastructure and how it may impact collection and recycling of covered materials on a statewide basis; and

(B) Describe how a PRO will use competitive bidding processes for infrastructure investments included in an approved stewardship plan;

(16) Describe how covered materials will be collected and processed in a manner that retains their value for their highest use;

(17) Describe how the plan will provide or facilitate the deployment of innovative recycling and reuse systems within a recycling center or materials recovery facility that utilizes innovative technology to improve the identification and sorting of covered materials, where feasible;

(18) Describe how the plan will utilize innovative technologies to improve data collection of covered materials collected and processed and the disposition of such materials throughout the materials recovery facility or recycling center;

(19) A description of how producers can purchase postconsumer materials from service providers at market prices if the producer is interested in obtaining recycled feedstock to achieve minimum postconsumer recycled content performance targets and statewide requirements;

(20) A description of how the PRO has engaged with nonparticipating local governments to facilitate and encourage participation under the producer responsibility plan;

(21) A description of how local governments may begin operating under an existing producer responsibility plan; and

(22) Include additional information as required by the advisory board and the department.

(c) The PRO may charge each member producer dues according to each producer's unit-, weight-, volume-, or sales-based market share, or by another method the PRO determines to be an equitable determination of each producer's payment

obligation, so that the aggregate dues charged to member producers is sufficient to pay the commissioner's estimated costs under § 68-211-1204(a)(9) and (10) in full.

(d) In implementing the approved producer responsibility plan, the PRO shall use a financing method that:

(1) Provides a methodology for reimbursement rates for covered services for covered materials, exclusive of exempt materials. The methodology for reimbursement rates must consider estimated revenue received by service providers from the sale of covered materials based upon relevant material indices and incorporate relevant cost information identified by the needs assessment. Reimbursement rates must be annually updated and reflect the net costs for covered services for covered materials from covered entities, at a minimum. Reimbursement rates must be established equivalent to net costs as established by a methodology in an approved plan;

(2) Calculates reimbursement rates per ton, by household, or by another appropriate unit of measurement;

(3) Provides a formula for reimbursement rates for recycling, composting, or reuse services for covered materials. Reimbursement rates must be established equivalent to net costs pursuant to the methodology required by subdivision (d)(1) for reasonable covered services costs;

(4) Bases reimbursement rates on the following, as applicable by the service provided:

(A) The cost to collect covered material for recycling, a proportional share of composting, or reuse adjusted to reflect conditions that affect those costs, varied by region or jurisdiction in which the covered services are provided, including, but not limited to:

- (i) The number and type of covered entities;
  - (ii) Population density;
  - (iii) Collection methods employed;
  - (iv) Distance traveled by collection vehicles to consolidation or transfer facilities; to reuse, recycling, or composting facilities; and to responsible markets;
  - (v) Other factors that may contribute to regional or jurisdictional cost differences;
  - (vi) The proportion of covered compostable materials within all source-separated compostable materials collected or managed through composting; and
  - (vii) The general quality of covered materials collected by service providers;
- (B) The cost to transfer collected covered materials from consolidation or transfer facilities to reuse, processing, recycling, or composting facilities or to responsible markets to the extent not previously factored in under subdivision (c)(4)(A)(iv);
- (C) The cost to:
- (i) Sort and process covered materials for sale or use and remove contamination from covered materials by a recycling or composting facility, less the average fair market value for that covered material based on market indices for the region; and
  - (ii) Manage contamination removed from collected covered material;

(D) The costs of covered services for a refill system or covered services provided for reusable covered materials and management of contamination; and

(E) Administrative costs of service providers, including education, public awareness campaigns, and outreach program costs, as applicable.

(e) A producer responsibility organization must describe a dispute resolution process utilizing third-party mediators for disputes related to reimbursements.

(f) The PRO shall establish performance goals for each covered material type at five-, ten-, and fifteen-year rolling intervals and demonstrate continual improvement in reducing environmental impacts and human health impacts of covered materials over time. The performance goals must be informed by PRO experience and knowledge and include postconsumer recycled content goals, recyclability and recycling rate goals, reuse goals, packaging reduction goals, composting goals, contamination reduction rate goals, and any other goals required by the advisory board or the department. The PRO shall review existing rates and dates for performance goals from other programs to use in establishing a minimum that aims to exceed the national average.

(g) This part does not prohibit a PRO from establishing alternative systems as a strategy for increasing the capture and reuse or recycling of covered materials.

(h) A producer responsibility plan expires five (5) years from the date that the department approves the plan, unless the plan is renegotiated, renewed, or amended and approved by the department.

**68-211-1207.**

(a) The PRO shall annually report to the department and the advisory board on the progress toward meeting producer responsibility plan requirements and goals for the immediately preceding year.



(b) The progress report required by subsection (a) must include:

(1) A detailed description of the reimbursement methods used for collecting, transporting, and processing covered materials;

(2) The status of achieving the performance goals established under § 68-211-1206(f), and if the goals have not been achieved, a description of the actions proposed to achieve the goals;

(3) The amount of each covered material type collected in this state, including the method of disposition of each covered material type;

(4) The amount of each collected covered material type exported from this state for processing broken down by destination and disposition;

(5) The amount and disposition of each covered material not recycled as a result of excessive contamination;

(6) The total cost of implementing the producer responsibility plan, as determined by an independent financial auditor;

(7) Samples of all educational materials provided to consumers or other entities pursuant to this part;

(8) A detailed description of the actions taken, and an evaluation of the methods used, to disseminate educational materials, including recommendations, if any, for how the educational component of the producer responsibility plan can be improved;

(9) A detailed description of investments made in market development for improving reuse, contamination reduction, and recycling infrastructure;

(10) A copy of a financial audit of program operations conducted by an independent auditor;

(11) Changes to the PRO dues structure; and

(12) Other information as required by the advisory board or the department.

(c) A PRO shall maintain a website that uses best practices for accessibility and contains at a minimum contact information for the PRO, PRO reports, needs assessments, educational materials, and any other information required by the department.

**68-211-1208.**

(a) By January 1, 2026, and annually thereafter, a service provider seeking reimbursement for services provided under an approved producer responsibility plan according to § 68-211-1206 must register with the commissioner by submitting the following information:

(1) The contact information for a person representing the service provider;

(2) The address of the service provider; and

(3) If applicable to services provided, a report of the total amount billed for collection for covered entities, processing services, and transfer station operations provided during the preceding calendar year and, when possible, values must be separated for collection, transfer, and processing.

(b) The reimbursements provided to service providers under § 68-211-1206, under an approved producer responsibility plan, must only be provided to service providers that meet the performance standards established under an approved producer responsibility plan.

**68-211-1209.**

(a) As an alternative method for participating in the producer responsibility program, a producer may submit to the advisory board and the department an individual

producer responsibility program plan proposal if they provide a unique ability to manage a defined subgroup of covered materials, and if the producer notifies the department of its intent to submit an individual plan no later than July 1, 2028, and by July 1 of each subsequent year. An individual producer responsibility program plan proposal must:

(1) Comply with the requirements of § 68-211-1206(b);

(2) Describe how the producer participating in the individual program will contribute to the department's cost of overseeing the program; and

(3) Describe any alternative collection programs operated by the producer and their recycling, reuse, or composting rates.

(b) The producer must report annually in compliance with the requirements of § 68-211-1207.

(c) The advisory board shall review an individual producer responsibility program plan proposal submitted under subsection (a) and make a recommendation concerning approval of the proposal to the department.

**68-211-1210.**

(a) On or after January 1, 2030, if the department has approved a producer responsibility plan, a producer shall not sell or distribute any products packaged in covered materials in this state unless the producer is participating in the PRO producer responsibility plan or an individual producer responsibility plan.

(b) A person that is not a PRO or a producer that violates this part is liable for a civil penalty not to exceed twenty-five thousand dollars (\$25,000) per day of violation.

(c) A PRO or a producer that violates this part or the requirements of a stewardship plan approved by the commissioner is liable for a civil penalty in the following amount:

(1) For a first violation, a civil penalty not to exceed twenty-five thousand dollars (\$25,000) per day of violation;

(2) For a second violation, a civil penalty not to exceed fifty thousand dollars (\$50,000) per day of violation; and

(3) For a third or subsequent violation, a civil penalty not to exceed one hundred thousand dollars (\$100,000) per day of violation.

(d) The department may rescind approval for a PRO producer responsibility plan or individual producer responsibility program plan at any time for good cause. If the department rescinds a plan, the PRO or individual producer may amend and resubmit the plan for approval.

(e) If, based upon the annual report, goals have not been met, the department may require the PRO to amend the producer responsibility plan or a producer to amend its individual producer responsibility program plan.

**68-211-1211.**

A PRO that arranges collection, recycling, composting, waste reduction, or reuse services under this part may engage in anticompetitive conduct to the extent necessary to plan and implement collection, recycling, composting, waste reduction, or reuse systems to meet the obligations under this part and is immune from liability under state laws relating to antitrust, restraint of trade, and unfair trade practices.

**68-211-1212.**

(a) Subject to subsection (b), this part must not be construed to require a local government to agree to operate under a producer responsibility plan, nor does it restrict the authority of a local government to provide waste management services to residents or to contract with any entity to provide waste management services. A local government that is also a service provider is eligible to be registered with the

commissioner and reimbursed at the rates and schedule established in accordance with an approved producer responsibility plan.

(b)

(1) A county having a population greater than two hundred thousand (200,000), according to the 2020 federal census or a subsequent federal census, shall operate under a producer responsibility plan as a service provider.

(2) A county having a population of two hundred thousand (200,000) or less, according to the 2020 federal census or a subsequent federal census, may choose to operate as a service provider under a producer responsibility plan.

(3) A municipality located in a non-participating county may choose to be a service provider separate from the county.

**68-211-1213.**

(a) A producer who claims that package materials are not covered materials under § 68-211-1202(5)(B)(3) must report the type, quantity, and disposition of the materials to the department annually.

(b) A service provider must provide its PRO with data necessary to complete the needs assessment and reports required by this part upon request of the PRO.

SECTION 2. Tennessee Code Annotated, Section 4-29-249(a), is amended by inserting the following as a new subdivision:

( ) Producer responsibility program advisory board, created by § 68-211-1203;

SECTION 3. For purposes of promulgating rules, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2025, the public welfare requiring it.



### **Background on TN Waste to Jobs Act and similar legislation:**

According to the Tennessee General Assembly web site, the Tennessee Waste to Jobs Act, SB 269 by Senator Heidi Campbell (D), requires producers of goods to participate in a responsibility organization for recycling, reuse, and composting of certain packaging materials. Amends TCA Title 4, Chapter 29, Part 2 and Title 68, Chapter 211

The text of the bill is here: <https://www.capitol.tn.gov/Bills/114/Bill/SB0269.pdf>

It establishes an EPR framework for packaging materials in Tennessee, specifically requiring producers of goods to pay fees that fund recycling and composting of packaging.

At least eight states have passed this legislation, all far left of center: California, Colorado, Maine, Maryland, Minnesota, New Jersey, Oregon and Washington.

The bill will create a new layer of government bureaucracy in a 20-member advisory board that will create new regulations for producers and hand out **finest of \$25,000 to \$100,000 per day.**

### **From the Fiscal Note**

<https://www.capitol.tn.gov/Bills/114/Fiscal/SB0269.pdf>

Requires specific producers of packaging materials to join a Producer Responsibility Organization (PRO) by January 1, 2027 and fund recycling programs through PRO dues based on the quantity and recyclability of their packaging. Requires the Department of Environment and Conservation (TDEC) to appoint a Producer Responsibility Program Advisory Board (Board) consisting of 20 members, to be administratively attached to TDEC and **to regulate and fine producers.**

**Prohibits the sale of packaged goods in Tennessee after January 1, 2030, unless producers comply with an approved PRO Plan or an Individual Producer Responsibility Plan. Enforces penalties for non-compliance, with fines up to \$100,000 per day. Mandates funding for local recycling services and infrastructure.**

Requires Shelby, Davidson, Knox, Hamilton, Rutherford, Williamson, and Montgomery Counties to participate in a PRO and authorizes smaller counties and municipalities to opt in voluntarily. Establishes a process for local governments to receive reimbursement for waste management services.

According to the Fiscal Note, passage of this legislation will result in a mandatory increase in revenue to six counties and a permissive increase in revenue to all other counties and municipalities that opt-in for reimbursement of services beginning in FY26-27. **The extent of such revenue cannot be determined with any reasonable certainty.**

In Oregon, where the cost was estimated to be \$1,800,000 with seven state positions, the estimate was increased to \$10,800,000 with an additional 11 state positions.

It is **assumed** the required participation will not result in an increase in local government expenditures.

The total increase of service reimbursements to local governments beginning January 1, 2026 cannot be determined with any certain reasonability.

**Those urging support of the bill state:**

\*Many of TN's landfills are at capacity.

\*Millions of tons of recyclable packaging and valuable materials – worth an estimated \$150 - \$300 million -- are going into them every year.

\*The state only recycles about 12% of its waste, ranking 48th in the nation.

\*Industries like aluminum manufacturers (Kaiser Aluminum, Gränges) and porcelain tile producers (Florim USA) are desperate for a stable, domestic supply of post-consumer materials like recycled aluminum and glass to meet their production demands, reduce imports, lower manufacturing costs, and decrease emissions.

**Incentives, Not Regulations:**

As in the case with automakers and emissions, history shows that technological advancements, tax incentives and market demand are more effective than bureaucracy and regulations.

According to various sources, there is a strong trend and consumer inclination towards companies that use recycled, recyclable or biodegradable materials in their packaging. This shift is prompted by increased environmental awareness and the desire to mitigate the impact of consumerism on the planet. Companies that respond to this change not only bolster their brand image and attract a larger customer base but also potentially enjoy a competitive advantage in markets where sustainability is a growing concern. – Baywater packaging

The government also offers various research and development (R&D) incentive programs related to waste management. Various state tax credits, equipment exemptions, energy-related grants, and other tax incentives exist that encourage recycling by businesses in the US. There's no dedicated tax credit or incentive for recycling, but companies can take advantage of certain tax breaks at the federal and state levels to recover costs and earn tax credits from recycling activities.



Examples of tax incentives for commercial recycling in the US include:

- **Qualified reuse and recycling property allowance** – the Internal Revenue Service (IRS) offers this tax incentive. Purchase of equipment that meets certain requirements qualifies for a 50% depreciation allowance.
- **Qualifying advanced energy project credit** – businesses investing in a qualifying advanced energy project for a manufacturing facility that creates microturbines, electric grids, some electric vehicles, or other materials may qualify for this incentive.

The easiest way for consumers to recycle is through curbside recycling. So, we should make that super easy for any consumer, even those living in rural areas where curbside collection is spotty or not offered. – packagingdigest.com

Many waste companies, especially the major ones, sort out the recyclable materials from consumer waste collected curbside automatically and economically.

Today's consumers are demanding more from brands than just quality they want ethical practices, too. Traditional materials like plastic and polystyrene are being rejected in favor of environmentally safe alternatives. This shift isn't just about image; it's about aligning with values. From food containers to fashion packaging, companies are redesigning their packaging to reduce carbon footprints and appeal to sustainability-conscious buyers.

### **Packaging Type: Recycled Packaging Leads**

In 2024, **paper emerged as the dominant material** in the U.S. sustainable packaging market.

There's a growing demand for packaging that can be recycled or composted. Biodegradable materials like PLA, cellulose, and paper are gaining traction, reducing the burden on landfills and oceans.

Recycled packaging held the largest market share in 2024. A combination of advanced recycling technologies, growing consumer demand, and government support is driving the adoption of recycled materials. Companies are increasingly focusing on using post-consumer recycled (PCR) content in their packaging to meet both regulatory and customer expectations.

### **Surge in E-commerce and Online Grocery Shopping**

The rapid rise of online shopping, particularly for groceries and perishables, has created new challenges for protective, durable, yet eco-friendly packaging. Businesses are

increasingly turning to sustainable options that can safely transport products while minimizing environmental damage.

Today's consumers are demanding more from brands than just quality they want ethical practices, too. Traditional materials like plastic and polystyrene are being rejected in favor of environmentally safe alternatives. This shift isn't just about image; it's about aligning with values. From food containers to fashion packaging, companies are redesigning their packaging to reduce carbon footprints and appeal to sustainability-conscious buyers.

### **Consumer Preference Is Shaping the Market Shift Toward Recyclable and Biodegradable Materials**

The global packaging industry is increasingly driven by sustainability, with significant shifts toward eco-friendly, recyclable, and biodegradable solutions.

There is a growing and significant demand for recyclable and biodegradable packaging, driven by increasing consumer awareness and technological advances. Many companies are increasingly adopting these sustainable practices to meet consumer demand and enhance their brand image, with the eco-friendly packaging market projected to grow substantially in the coming years. [meyers.com](https://www.meyers.com) [foopak.com](https://www.foopak.com)

- Surveys indicate that a significant portion of consumers, particularly younger demographics, are willing to pay more for products with sustainable packaging.
- Advances in materials science are leading to the development of new biodegradable materials that perform comparably to traditional plastics.
- Companies are exploring innovative solutions, such as seaweed-based coatings and other biopolymers, to enhance the functionality of biodegradable packaging.

**The U.S. sustainable packaging market is on a steady upward trajectory, driven by a combination of consumer demand, government support, and industry innovation. Sustainable packaging is no longer a niche. It's fast becoming the industry standard.**

### **QUESTIONS FOR MR. COHEN:**

1. How many non-taxpayer funded jobs have been created in states that have passed this legislation?
2. How will success be defined if this legislation passes?
3. Can Anderson County expect any increased revenue from opting in to this legislation? How much? (see above. It would be interesting to hear his answer to this.)



# SB 269 - HB 600

## FISCAL NOTE



Fiscal Review Committee  
Tennessee General Assembly

December 17, 2025

Fiscal Analyst: Jennifer Grissom | Email: [jennifer.grissom@capitol.tn.gov](mailto:jennifer.grissom@capitol.tn.gov) | Phone: 615-741-2564

### (CORRECTED FISCAL NOTE)

**SUMMARY OF BILL:** Enacts the *Tennessee Waste to Jobs Act* (Act). Establishes a producer responsibility program to manage packaging waste and recycling in Tennessee. Requires specific producers of packaging materials to join a Producer Responsibility Organization (PRO) by January 1, 2027 and fund recycling programs through PRO dues based on the quantity and recyclability of their packaging.

Requires the Department of Environment and Conservation (TDEC) to appoint a Producer Responsibility Program Advisory Board (Board) consisting of 20 members, to be administratively attached to TDEC; however, authorizes the TDEC to select a third-party facilitator to convene and provide administrative support to the Board. Requires such Board to oversee the PROs, review recycling policies, monitor producer compliance, and recommend improvements.

Requires TDEC to consult with PROs and the Board in the development of PRO plans and proposals, approve or reject such, and administer, review, oversee, and enforce producer responsibility plans (PRPs). Further requires the TDEC to compile, review, and update reports and lists on a specific timeline required by this legislation. Requires TDEC to promulgate rules and fees necessary to implement and administer this Act.

Directs PROs to conduct a statewide needs assessment every five years, submit a five-year Producer Responsibility Plan, and develop strategies to reduce waste, improve recycling rates, and promote packaging reuse. Requires the governing body of a PRO to apply to TDEC for approval by July 1, 2026 and pay an implementation fee set by rule. Requires PROs to provide public education on recycling and waste management. Prohibits the sale of packaged goods in Tennessee after January 1, 2030, unless producers comply with an approved PRO Plan or an Individual Producer Responsibility Plan. Enforces penalties for non-compliance, with fines up to \$100,000 per day.

Mandates funding for local recycling services and infrastructure. Requires Shelby, Davidson, Knox, Hamilton, Rutherford, Williamson, and Montgomery Counties to participate in a PRP and authorizes smaller counties and municipalities to opt in voluntarily. Establishes a process for local governments to receive reimbursement for waste management services. Sets performance goals for recycling, composting, and waste reduction at 5-year, 10-year, and 15-year intervals.

Requires PROs to be established by July 1, 2026. Mandates compliance for all producers by January 1, 2030. Sunsets Board on June 30, 2028.



## FISCAL IMPACT:

Due to incorrect salary levels utilized, the original fiscal estimate issued on February 23, 2025 was determined to be in error. The estimated fiscal impact has been corrected as follows:

STATE GOVERNMENT	
REVENUE	General Fund
FY25-26	-
FY26-27	>\$1,182,600
FY27-28 & Subsequent Years	>\$1,130,600

EXPENDITURES	General Fund
FY25-26	\$303,000
FY26-27	\$1,182,600
FY27-28 & Subsequent Years	\$1,130,600
Total Positions Required: 10	

OTHER FISCAL IMPACT
Passage of this legislation will result in a mandatory increase in revenue to six counties and a permissive increase in revenue to all other counties and municipalities that opt-in for reimbursement of services beginning in FY26-27. The extent of such revenue cannot be determined with any reasonable certainty.

### Assumptions:

- The proposed legislation requires the 20-member Board meet at least twice a year. For purposes of this analysis, it is assumed the Board will meet quarterly. Members serve without compensation, but are eligible for necessary travel. As one of the non-voting members is the TDEC Commissioner or their designee, it is assumed that 19 members will be eligible for travel reimbursement. The first meeting must be convened no later than July 15, 2026.
- The recurring increase in state expenditures, beginning FY26-27, is as follow:

Non-Legislative Member Reimbursement FY25-26 and subsequent years				
	Members	Per Mtg Cost/Member	Reimbursed Meetings/Yr	
Mileage	19	\$173	4	\$13,148
Per Diem	19	\$379	4	\$28,804
			Total:	\$41,952

- Some form of Extended Producer Responsibility (EPR) laws has been enacted in 33 states with extensively varied products, requirements, provisions, and duties.

- Currently, seven states have ratified legislation packaging-related EPR laws: California, Colorado, Maine, Oregon, New Jersey, Washington, and Minnesota.
- No states have reached their legislative deadlines for all producers to be members of a PRO. However, all states required additional full-time state employees to implement their laws, the number of which varied by the scope of such.
- Of these state laws, the most similar in scope to the proposed legislation is Minnesota's *Packaging Waste and Cost Reduction Act*, effective January 2025 and Oregon's *Plastic Pollution and Recycling Modernization Act* (PPRMA), effective January 2022.
- Two states, including Oregon, have increased their staff within the first two years of enactment.
- In FY21-22 and FY22-23, PPRMA was estimated to cost \$1,800,000 with seven state positions. In FY23-24 and FY24-25, the estimate was increased to \$10,800,000 with an additional 11 state positions.
- Based on an analysis of other states' PRO laws, TDEC is not currently able to carry out the requirements of the proposed legislation with existing personnel and resources.
- In order to develop regulations, set fee structures, and consult with the Board and PRO applicants, TDEC will need to hire two employees, one Environmental Manager-4 and one Environmental Manager-3, beginning in FY25-26.

Title	Salary	Benefits	# Positions	Total
Environmental Manager-4	\$116,364	\$27,333	1	\$143,697
Environmental Manager-3	\$101,448	\$24,858	1	\$126,306
			Total:	<b>\$270,003</b>

- Each position will also require a one-time expenditure of \$6,500 for computer, telephone, and supplies, totaling \$13,000 (\$6,500 x 2 positions).
- Additionally, each position will require recurring expenditures of \$10,000 for reimbursement of travel costs, including lease of motor vehicles, for a total of \$20,000.
- The total increase in expenditures is estimated to be \$303,003 (\$270,003 salary/benefits + \$13,000 computer/phone + \$20,000 travel/vehicle) in FY25-26 and \$290,003 (\$270,003 salary/benefits + \$20,000 travel/vehicle) in FY26-27 and subsequent years.
- Pursuant to the proposed legislation, the governing body of a PRO shall apply to TDEC for approval by July 1, 2026 and pay an implementation fee set by rule.
- The exact fee that will be set is unknown, but must be sufficient so that the aggregate funds TDEC's estimated costs.
- The following additional eight personnel will be required once approved PROs are established in order to fulfill the requirements of this legislation, beginning in FY26-27:

Title	Salary	Benefits	# Positions	Total
Environmental Manager-2	\$87,912	\$22,613	1	\$110,525
Environmental Consultant-2	\$87,912	\$22,613	2	\$221,050
Environmental Scientist-2	\$60,936	\$18,137	4	\$316,292

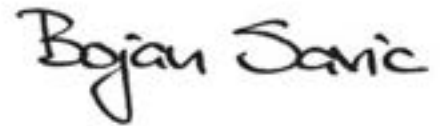


Administrative Services Assistant-4	\$60,936	\$18,137	1	\$79,073
Total:				<b>\$726,940</b>

- Each of the eight positions will also require a one-time expenditure of \$6,500 for computer, telephone, and supplies, resulting in a one-time expenditure of \$52,000 (\$6,500 x 8).
- Additional recurring expenditures associated with these eight positions include \$29,200 in travel and \$42,500 in motor vehicle lease costs.
- The total recurring increase in expenditures for travel and motor vehicle lease for these eight positions is estimated to be \$71,700 (\$29,200 + \$42,500) in FY26-27 and subsequent years.
- The sale of packaged goods in Tennessee after January 1, 2030 is prohibited, unless producers comply with an approved PRP or an Individual Producer Responsibility Plan. Civil penalties for non-compliance are as followed:
  - Person that is not a PRO or producer – up to \$25,000/day; or
  - PRO or producer –
    - First violation – up to \$25,000/day;
    - Second violation – up to \$50,000/day; and
    - Third and subsequent violation – up to \$100,000/day.
- It is assumed that there will not be enough civil penalties collected beginning January 1, 2030 to result in any significant increase in revenue.
- The proposed legislation further mandates PROs to fund local recycling services and infrastructure. Specifically, Shelby, Davidson, Knox, Hamilton, Rutherford, Williamson, and Montgomery Counties are required to participate in a PRP and all other counties and municipalities can opt-in voluntarily. It is assumed the required participation will not result in an increase in local government expenditures.
- The total increase of service reimbursements to local governments beginning January 1, 2026 cannot be determined with any certain reasonability. Any increases in revenue would offset current local government expenditures.
- The total increase in expenditures to the General Fund in FY25-26 is estimated to be \$303,003 in the first round of TDEC staffing, travel, vehicles and supplies.
- The total increase in expenditures to the General Fund in FY26-27 is estimated to be \$1,182,595 (\$41,952 Board reimbursements + \$290,003 first year TDEC staff, travel, and vehicles + \$726,940 second-year TDEC staff + \$52,000 second-year TDEC staff supplies + \$71,700 in travel and vehicles).
- The total increase in expenditures to the General Fund in FY27-28 and subsequent years is estimated to be \$1,130,595 ((\$41,952 Board reimbursements + \$290,003 first year TDEC staff/travel/vehicles + \$726,940 second-year TDEC staff + \$71,700 second-year staff travel/vehicles).
- Annual PRO fees are estimated to result in an increase in state revenue in FY26-27 of at least \$1,182,595 and of at least \$1,130,595 in FY27-28 and subsequent years.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Bojan Savic". The signature is written in a cursive, flowing style.

Bojan Savic, Executive Director

HB 0600 by \*Freeman

(SB 0269) by \*Campbell

Solid Waste Disposal - As introduced, enacts the "Tennessee Waste to Jobs Act," which requires producers of goods to participate in a responsibility organization for recycling, reuse, and composting of certain packaging material. - Amends TCA Title 4, Chapter 29, Part 2 and Title 68, Chapter 211.

Summary

FISCAL SUMMARY

STATE GOVERNMENT	
REVENUE	General Fund
FY25-26	-
FY26-27	>\$1,182,600
FY27-28 & Subsequent Years	>\$1,130,600

EXPENDITURES	General Fund
FY25-26	\$303,000
FY26-27	\$1,182,600
FY27-28 & Subsequent Years	\$1,130,600
Total Positions Required: 10	

OTHER FISCAL IMPACT



Passage of this legislation will result in a mandatory increase in revenue to six counties and a permissive increase in revenue to all other counties and municipalities that opt-in for reimbursement of services beginning in FY26-27. The extent of such revenue cannot be determined with any reasonable certainty.

## BILL SUMMARY

This bill enacts the "Tennessee Waste to Jobs Act," which seeks to develop and implement a comprehensive approach to addressing packaging waste in this state by (i) creating jobs and providing a sustainable funding mechanism for the operation of local recycling systems, enabling investment in recycling infrastructure; (ii) diverting recyclable packaging waste from rapidly filling landfills in this state; (iii) recovering valuable materials that would otherwise be lost to landfills, litter, and incineration, while developing markets for these materials and supporting businesses building a circular economy in this state; and (iv) engaging producers of packaging in the innovative reduction and reuse of packaging materials.

### PRODUCER RESPONSIBILITY PROGRAM ADVISORY BOARD

This bill requires the commissioner of environment and conservation ("commissioner") to appoint a producer responsibility program advisory board ("board") to be administratively attached to the department of environment and conservation ("department"). However, the department may select an impartial, third-party facilitator to convene and provide administrative support to the board.

#### Membership

This bill provides that the membership of the board (i) must not include registered lobbyists; (ii) must represent all geographic regions of this state, including urban and rural counties and municipalities; and (iii) consist of the following 20 members:

- ☐ Three voting members representing local governments in this state;
- ☐ One voting member representing materials recovery facilities;
- ☐ One voting member representing covered service providers;
- ☐ One voting member representing environmental nonprofit organizations;
- ☐ One voting member representing community-based nonprofit organizations working in the area of solid waste;
- ☐ One voting member representing a trade association or chamber of commerce, or other business advocacy organization representing businesses that are headquartered in this state;
- ☐ One voting member representing glass packaging material suppliers that is not a producer;



- ☐ One voting member representing plastics packaging material suppliers that is not a producer;
- ☐ One voting member representing fiber packaging material suppliers that is not a producer;
- ☐ One voting member representing metals packaging material suppliers that is not a producer;
- ☐ One voting member who has experience representing underserved communities;
- ☐ One voting member representing a solid waste landfill or transfer station operating an onsite, public-facing recycling collection program;
- ☐ One voting member representing durable goods manufacturing that is not a producer;
- ☐ One voting member representing retail and food services that is not a producer;
- ☐ One voting member representing an entity that develops or offers for sale covered materials that are designed for reuse and maintained through a reuse system or infrastructure or a statewide or national trade association that represents such entities;
- ☐ One voting member representing an entity that develops or offers for sale covered materials that are designed for refill and maintained through a refill system or infrastructure or a statewide or national trade association that represents such entities;
- ☐ The commissioner, or the commissioner's designee, as a nonvoting member; and
- ☐ One nonvoting member representing a producer responsibility organization ("PRO").

### Meetings – Records

This bill requires initial appointments to be staggered. Thereafter, the terms for appointed members are four years. After all initial appointments are made, but no later than July 15, 2026, the commissioner, or the impartial third-party facilitator, must call the first meeting. At the first meeting, and at the first meeting of each year ending in an even number thereafter, the board must elect from among its appointed members a chair, vice chair, and any other officers deemed necessary. After the first meeting of the board, the board must meet at the call of the chair and not less than two times per year. If an appointed member is absent from more than two consecutive meetings without good cause, then this bill provides that a vacancy is created. Meetings must comply with the open meeting requirements of this state's law. Additionally, all records of the board are public records for purposes of the public records law.

This bill requires all reimbursement for travel expenses to be in accordance with the comprehensive travel regulations as promulgated by the department of finance and administration and approved by the attorney general. All members of the board serve without compensation but are eligible for reimbursement of necessary traveling and other appropriate expenses while engaged in the work of the board.

This bill requires the board to (i) advise each PRO throughout the needs assessment process, as described in this bill, and review the needs assessment; (ii) advise the PRO on the development of producer responsibility plan proposals, (iii) review the producer responsibility plan proposal submitted to the department, and recommend that the department approve or reject the proposal; (iv) review an



individual producer responsibility program plan proposal submitted to the department, and recommend that the department approve or reject the proposal; and (v) review the annual reports required by this bill and recommend to the PRO and the department any program amendments that are needed.

## **REQUIREMENTS OF THE DEPARTMENT**

This bill requires the department to review applications from prospective PROs. If applications from more than one PRO are submitted, then the department must determine which proposed PRO can most effectively implement this bill. The department may permit and approve additional PRO applicants if they provide unique ability to manage a defined subgroup of covered materials. When determining whether to approve a PRO, the department must consider whether the PRO (i) has a governing board consisting of producers that represent a diversity of covered materials introduced; and (ii) demonstrates adequate financial responsibility and financial controls to ensure proper management of funds.

This bill requires the department to consult with the PRO and the board in the development of the producer responsibility plan proposal; approve or reject a producer responsibility plan proposal; approve or reject an individual producer responsibility plan proposal submitted to the department under this bill; review the annual reports required by this bill; administer, review, oversee, and enforce the producer responsibility plan; and review and annually update minimum recyclable and compostable materials lists that consider the availability of recycling composting services for each material, taking into consideration the impact of innovative collection and sorting technology on the creation of viable end markets; and, beginning July 1, 2029, and annually thereafter, provide written notice to the PRO of the department's estimates of the cost required to perform the department's duties.

## **ESTIMATED COST**

By August 1, 2026, and each August 1 thereafter through August 1, 2029, this bill requires the department to provide written notice to each PRO of the estimated cost to the department in performing its duties under this bill.

## **COMMISSIONER'S REQUIREMENTS**

By October 15, 2031, and every two years thereafter, this bill requires the commissioner to submit a report to the governor, to the chairman and ranking minority member of the senate energy, agriculture and natural resources committee, and the chairman and ranking minority member of the committee of house of representatives with subject matter jurisdiction over solid waste.

## **PRODUCER RESPONSIBILITY ORGANIZATION**

By July 1, 2026, this bill requires a producer to establish a nonprofit organization to implement a producer responsibility plan ("PRO"). By July 1, 2026, the governing body of the PRO must apply for approval to the department describing how the PRO meets the requirements to be an approved PRO by



submitting certain information described in the bill.

### Timeline of Actions Required

This bill requires the following actions to be taken by the following deadlines:

- ☐ By January 1, 2027, a producer must be a member of a PRO approved in this state.
- ☐ By July 1, 2027, a PRO must submit the results of a preliminary needs assessment to the department and the board.
- ☐ By July 1, 2028, a PRO must submit the results of the initial needs assessment to the department and the board.
- ☐ By July 1, 2029, a PRO must submit an initial producer responsibility plan proposal to the department and the board. When approved by the department, the PRO must begin implementation of the producer responsibility plan within six months of approval.

### **NEEDS ASSESSMENT**

This bill requires the PRO to (i) facilitate at least one needs assessment every five years conducted by an independent third party approved by the department using a consultation process to obtain recommendations from the board, local governments, service providers, PROs, and other interested parties regarding the type and scope of information that should be collected and analyzed in the needs assessment; (ii) engage with local governments to increase participation under this bill; (iii) consult with the board and the department in the development of the producer responsibility plan proposal; (iv) submit a producer responsibility plan proposal that covers a period of five years to the department and the board; and (v) operate and administer the department-approved producer responsibility plan as the producer responsibility program. A producer responsibility plan expires five years from the date that the department approves the plan, unless the plan is renegotiated, renewed, or amended and approved by the department.

### Specific Information Required

This bill requires the needs assessments to include specific information, including, but not limited to, the processing capacity of existing infrastructure, the additional infrastructure needed to meet or exceed the recycling, reuse, and composting levels set by the producer responsibility plan proposal, and opportunities for the use of innovative new technologies for sorting and collection to improve that capacity; an assessment of the level and causes of contamination of source-separated recyclable materials, source-separated compostable materials, and collected reusables, and the impacts of contamination on service providers; and an evaluation of the opportunities and costs of various service methods to increase reuse, composting, and recycling rates overall.

This bill requires the producer responsibility plan proposal to include specific information, including how the PRO will track compliance amongst producers and will bring producers into compliance; a



financing mechanism based on PRO dues, how the program will reimburse service providers under an approved producer responsibility plan; describe how the plan will provide or facilitate the deployment of innovative recycling and reuse systems within a recycling center or materials recovery facility that utilizes innovative technology to improve the identification and sorting of covered materials, where feasible; describe how the plan will utilize innovative technologies to improve data collection of covered materials collected and processed and the disposition of such materials throughout the materials recovery facility or recycling center; and how local governments may begin operating under an existing producer responsibility plan.

## **PRODUCER DUES AUTHORIZED**

This bill authorizes a PRO to charge each member producer dues according to each producer's unit-, weight-, volume-, or sales-based market share, or by another method the PRO determines to be an equitable determination of each producer's payment obligation, so that the aggregate dues charged to member producers is sufficient to pay the commissioner's estimated costs in full.

## **FINANCING METHODOLOGY – REIMBURSEMENT RATES**

In implementing the approved producer responsibility plan, this bill requires the PRO to use a financing method that provides a methodology for reimbursement rates for covered services for covered materials, exclusive of exempt materials. The methodology for reimbursement rates must consider estimated revenue received by service providers from the sale of covered materials based upon relevant material indices and incorporate relevant cost information identified by the needs assessment.

Reimbursement rates must be annually updated and reflect the net costs for covered services for covered materials from covered entities, at a minimum. As used in this bill "covered services" means the services provided for the recovery, recycling, reuse, or composting of covered materials by local governments and other providers, including the collection, transportation, and processing of covered materials from the consumer to the end market, curbside services, and drop-off centers.

This bill requires reimbursement rates to be established equivalent to net costs as established by a methodology in an approved plan. The financing method must also (i) calculate reimbursement rates per ton, by household, or by another appropriate unit of measurement and (ii) provide a formula for reimbursement rates for recycling, composting, or reuse services for covered materials.

Reimbursement rates must be established equivalent to net costs pursuant to the methodology for reasonable covered services costs; and base reimbursement rates on certain costs described in the bill.

## **DISPUTE RESOLUTION PROCESS**

This bill requires a PRO to describe a dispute resolution process utilizing third-party mediators for disputes related to reimbursements.

## **PERFORMANCE GOALS**



This bill requires a PRO to establish performance goals for each covered material type at five-, 10-, and 15-year rolling intervals and demonstrate continual improvement in reducing environmental impacts and human health impacts of covered materials over time. The performance goals must be informed by PRO experience and knowledge and include postconsumer recycled content goals, recyclability and recycling rate goals, reuse goals, packaging reduction goals, composting goals, contamination reduction rate goals, and any other goals required by the board or the department. The PRO must review existing rates and dates for performance goals from other programs to use in establishing a minimum that aims to exceed the national average.

## **ALTERNATIVE SYSTEMS**

This bill clarifies that it does not prohibit a PRO from establishing alternative systems as a strategy for increasing the capture and reuse or recycling of covered materials.

## **ANNUAL REPORT**

This bill requires the PRO to annually report to the department and the board on the progress toward meeting producer responsibility plan requirements and goals for the immediately preceding year.

## **WEBSITE**

This bill requires the PRO to maintain a website that uses best practices for accessibility and contains at a minimum contact information for the PRO, PRO reports, needs assessments, educational materials, and any other information required by the department.

## **REGISTRATION WITH THE COMMISSIONER**

By January 1, 2026, and annually thereafter, this bill requires a service provider seeking reimbursement for services provided under an approved producer responsibility plan to register with the commissioner by submitting (i) the contact information for a person representing the service provider; (ii) the address of the service provider; and (iii) if applicable to services provided, a report of the total amount billed for collection for covered entities, processing services, and transfer station operations provided during the preceding calendar year and, when possible, values must be separated for collection, transfer, and processing. The reimbursements provided to service providers under an approved producer responsibility plan must only be provided to service providers that meet the performance standards established under an approved producer responsibility plan.

## **INDIVIDUAL PRODUCER RESPONSIBILITY PROGRAM PLAN PROPOSAL**

As an alternative method for participating in the producer responsibility program, this bill authorizes a producer to submit to the board and the department an individual producer responsibility program plan



proposal if they provide a unique ability to manage a defined subgroup of covered materials, and if the producer notifies the department of its intent to submit an individual plan no later than July 1, 2028, and by July 1 of each subsequent year. The producer must report annually in compliance with the requirements of this bill. The board must review an individual producer responsibility program plan proposal submitted under this bill and make a recommendation concerning approval of the proposal to the department.

## **SALES AND DISTRIBUTIONS**

On or after January 1, 2030, if the department has approved a producer responsibility plan, then this bill prohibits a producer from selling or distributing any products packaged in covered materials in this state unless the producer is participating in the PRO producer responsibility plan or an individual producer responsibility plan. A person that is not a PRO or a producer that violates this part is liable for a civil penalty not to exceed \$25,000 per day of violation. A PRO or a producer that violates this part or the requirements of a stewardship plan approved by the commissioner is liable for a civil penalty in the following amount:

- ☐ For a first violation, a civil penalty not to exceed \$25,000 per day of violation.
- ☐ For a second violation, a civil penalty not to exceed \$50,000 per day of violation.
- ☐ For a third or subsequent violation, a civil penalty not to exceed \$100,000 per day of violation.

This bill authorizes the department to rescind approval for a PRO producer responsibility plan or individual producer responsibility program plan at any time for good cause. If the department rescinds a plan, the PRO or individual producer may amend and resubmit the plan for approval. If, based upon the annual report, goals have not been met, the department may require the PRO to amend the producer responsibility plan or a producer to amend its individual producer responsibility program plan.

This bill provides that a producer who claims that package materials are not covered materials must report the type, quantity, and disposition of the materials to the department annually. A service provider must provide its PRO with data necessary to complete the needs assessment and reports required by this part upon request of the PRO.

## **CERTAIN ANTICOMPETITIVE CONDUCT AUTHORIZED**

This bill authorizes a PRO that arranges collection, recycling, composting, waste reduction, or reuse services under this bill to engage in anticompetitive conduct to the extent necessary to plan and implement collection, recycling, composting, waste reduction, or reuse systems to meet the obligations under this bill and is immune from liability under state laws relating to antitrust, restraint of trade, and unfair trade practices.

## **AUTHORITY OF LOCAL GOVERNMENTS**

**This bill generally does not require a local government to agree to operate under a producer responsibility plan, nor does it restrict the authority of a local government to provide waste management services to residents or to contract with any entity to provide waste management services. A local government that is also a service provider is eligible to be registered with the commissioner and reimbursed at the rates and schedule established in accordance with an approved producer responsibility plan.**

**This bill requires Montgomery, Williamson, Rutherford, Hamilton, Knox, Davidson, and Shelby counties to operate under a producer responsibility plan as a service provider. All other counties may choose to operate as a service provider under a producer responsibility plan. Additionally, a municipality located in a non-participating county may choose to be a service provider separate from the county.**

#### **SUNSET REVIEW**

**This bill places the producer responsibility program advisory board into sunset review with a termination date of June 30, 2028.**

#### **RULEMAKING**

**This bill requires the commissioner to promulgate rules necessary to implement and administer this bill.**

Solid Waste Disposal - As introduced, enacts the "Tennessee Waste to Jobs Act," which requires producers of goods to participate in a responsibility organization for recycling, reuse, and composting of certain packaging material. - Amends TCA Title 4, Chapter 29, Part 2 and Title 68, Chapter 211.

Summary

FISCAL SUMMARY

STATE GOVERNMENT	
REVENUE	General Fund
FY25-26	-
FY26-27	>\$1,182,600
FY27-28 & Subsequent Years	>\$1,130,600

EXPENDITURES	General Fund
FY25-26	\$303,000
FY26-27	\$1,182,600
FY27-28 & Subsequent Years	\$1,130,600
Total Positions Required: 10	

OTHER FISCAL IMPACT
Passage of this legislation will result in a mandatory increase in revenue to six counties and a permissive increase in revenue to all other counties and municipalities that opt-in for reimbursement of services beginning in FY26-27. The extent of such revenue cannot be determined with any reasonable certainty.



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# BILL SUMMARY

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This bill enacts the "Tennessee Waste to Jobs Act," which seeks to develop and implement a comprehensive approach to addressing packaging waste in this state by (i) creating jobs and providing a sustainable funding mechanism for the operation of local recycling systems, enabling investment in recycling infrastructure; (ii) diverting recyclable packaging waste from rapidly filling landfills in this state; (iii) recovering valuable materials that would otherwise be lost to landfills, litter, and incineration, while developing markets for these materials and supporting businesses building a circular economy in this state; and (iv) engaging producers of packaging in the innovative reduction and reuse of packaging materials.

## PRODUCER RESPONSIBILITY PROGRAM ADVISORY BOARD

This bill requires the commissioner of environment and conservation ("commissioner") to appoint a producer responsibility program advisory board ("board") to be administratively attached to the department of environment and conservation ("department"). However, the department may select an impartial, third-party facilitator to convene and provide administrative support to the board.

### Membership

This bill provides that the membership of the board (i) must not include registered lobbyists; (ii) must represent all geographic regions of this state, including urban and rural counties and municipalities; and (iii) consist of the following 20 members:

- ☐ Three voting members representing local governments in this state;
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- ☐ One voting member representing community-based nonprofit organizations working in the area of solid waste;
- ☐ One voting member representing a trade association or chamber of commerce, or other business advocacy organization representing businesses that are headquartered in this state;
- ☐ One voting member representing glass packaging material suppliers that is not a producer;
- ☐ One voting member representing plastics packaging material suppliers that is not a producer;
- ☐ One voting member representing fiber packaging material suppliers that is not a producer;
- ☐ One voting member representing metals packaging material suppliers that is not a producer;
- ☐ One voting member who has experience representing underserved communities;
- ☐ One voting member representing a solid waste landfill or transfer station operating an



onsite, public-facing recycling collection program;

- ☐ One voting member representing durable goods manufacturing that is not a producer;
- ☐ One voting member representing retail and food services that is not a producer;
- ☐ One voting member representing an entity that develops or offers for sale covered materials that are designed for reuse and maintained through a reuse system or infrastructure or a statewide or national trade association that represents such entities;
- ☐ One voting member representing an entity that develops or offers for sale covered materials that are designed for refill and maintained through a refill system or infrastructure or a statewide or national trade association that represents such entities;
- ☐ The commissioner, or the commissioner's designee, as a nonvoting member; and
- ☐ One nonvoting member representing a producer responsibility organization ("PRO").

### Meetings – Records

This bill requires initial appointments to be staggered. Thereafter, the terms for appointed members are four years. After all initial appointments are made, but no later than July 15, 2026, the commissioner, or the impartial third-party facilitator, must call the first meeting. At the first meeting, and at the first meeting of each year ending in an even number thereafter, the board must elect from among its appointed members a chair, vice chair, and any other officers deemed necessary. After the first meeting of the board, the board must meet at the call of the chair and not less than two times per year. If an appointed member is absent from more than two consecutive meetings without good cause, then this bill provides that a vacancy is created. Meetings must comply with the open meeting requirements of this state's law. Additionally, all records of the board are public records for purposes of the public records law.

This bill requires all reimbursement for travel expenses to be in accordance with the comprehensive travel regulations as promulgated by the department of finance and administration and approved by the attorney general. All members of the board serve without compensation but are eligible for reimbursement of necessary traveling and other appropriate expenses while engaged in the work of the board.

This bill requires the board to (i) advise each PRO throughout the needs assessment process, as described in this bill, and review the needs assessment; (ii) advise the PRO on the development of producer responsibility plan proposals, (iii) review the producer responsibility plan proposal submitted to the department, and recommend that the department approve or reject the proposal; (iv) review an individual producer responsibility program plan proposal submitted to the department, and recommend that the department approve or reject the proposal; and (v) review the annual reports required by this bill and recommend to the PRO and the department any program amendments that are needed.

### **REQUIREMENTS OF THE DEPARTMENT**

This bill requires the department to review applications from prospective PROs. If applications from more than one PRO are submitted, then the department must determine which proposed PRO can most effectively implement this bill. The department may permit and approve additional PRO applicants if they provide unique ability to manage a defined subgroup of covered materials. When determining



whether to approve a PRO, the department must consider whether the PRO (i) has a governing board consisting of producers that represent a diversity of covered materials introduced; and (ii) demonstrates adequate financial responsibility and financial controls to ensure proper management of funds.

This bill requires the department to consult with the PRO and the board in the development of the producer responsibility plan proposal; approve or reject a producer responsibility plan proposal; approve or reject an individual producer responsibility plan proposal submitted to the department under this bill; review the annual reports required by this bill; administer, review, oversee, and enforce the producer responsibility plan; and review and annually update minimum recyclable and compostable materials lists that consider the availability of recycling composting services for each material, taking into consideration the impact of innovative collection and sorting technology on the creation of viable end markets; and, beginning July 1, 2029, and annually thereafter, provide written notice to the PRO of the department's estimates of the cost required to perform the department's duties.

## **ESTIMATED COST**

By August 1, 2026, and each August 1 thereafter through August 1, 2029, this bill requires the department to provide written notice to each PRO of the estimated cost to the department in performing its duties under this bill.

## **COMMISSIONER'S REQUIREMENTS**

By October 15, 2031, and every two years thereafter, this bill requires the commissioner to submit a report to the governor, to the chairman and ranking minority member of the senate energy, agriculture and natural resources committee, and the chairman and ranking minority member of the committee of house of representatives with subject matter jurisdiction over solid waste.

## **PRODUCER RESPONSIBILITY ORGANIZATION**

By July 1, 2026, this bill requires a producer to establish a nonprofit organization to implement a producer responsibility plan ("PRO"). By July 1, 2026, the governing body of the PRO must apply for approval to the department describing how the PRO meets the requirements to be an approved PRO by submitting certain information described in the bill.

### **Timeline of Actions Required**

This bill requires the following actions to be taken by the following deadlines:

- ☐ By January 1, 2027, a producer must be a member of a PRO approved in this state.
- ☐ By July 1, 2027, a PRO must submit the results of a preliminary needs assessment to the department and the board.
- ☐ By July 1, 2028, a PRO must submit the results of the initial needs assessment to the department and the board.
- ☐ By July 1, 2029, a PRO must submit an initial producer responsibility plan proposal to the department and the board. When approved by the department, the PRO must begin



implementation of the producer responsibility plan within six months of approval.

## NEEDS ASSESSMENT

This bill requires the PRO to (i) facilitate at least one needs assessment every five years conducted by an independent third party approved by the department using a consultation process to obtain recommendations from the board, local governments, service providers, PROs, and other interested parties regarding the type and scope of information that should be collected and analyzed in the needs assessment; (ii) engage with local governments to increase participation under this bill; (iii) consult with the board and the department in the development of the producer responsibility plan proposal; (iv) submit a producer responsibility plan proposal that covers a period of five years to the department and the board; and (v) operate and administer the department-approved producer responsibility plan as the producer responsibility program. A producer responsibility plan expires five years from the date that the department approves the plan, unless the plan is renegotiated, renewed, or amended and approved by the department.

### Specific Information Required

This bill requires the needs assessments to include specific information, including, but not limited to, the processing capacity of existing infrastructure, the additional infrastructure needed to meet or exceed the recycling, reuse, and composting levels set by the producer responsibility plan proposal, and opportunities for the use of innovative new technologies for sorting and collection to improve that capacity; an assessment of the level and causes of contamination of source-separated recyclable materials, source-separated compostable materials, and collected reusables, and the impacts of contamination on service providers; and an evaluation of the opportunities and costs of various service methods to increase reuse, composting, and recycling rates overall.

This bill requires the producer responsibility plan proposal to include specific information, including how the PRO will track compliance amongst producers and will bring producers into compliance; a financing mechanism based on PRO dues, how the program will reimburse service providers under an approved producer responsibility plan; describe how the plan will provide or facilitate the deployment of innovative recycling and reuse systems within a recycling center or materials recovery facility that utilizes innovative technology to improve the identification and sorting of covered materials, where feasible; describe how the plan will utilize innovative technologies to improve data collection of covered materials collected and processed and the disposition of such materials throughout the materials recovery facility or recycling center; and how local governments may begin operating under an existing producer responsibility plan.

## PRODUCER DUES AUTHORIZED

This bill authorizes a PRO to charge each member producer dues according to each producer's unit-, weight-, volume-, or sales-based market share, or by another method the PRO determines to be an equitable determination of each producer's payment obligation, so that the aggregate dues charged to member producers is sufficient to pay the commissioner's estimated costs in full.



## **FINANCING METHODOLOGY – REIMBURSEMENT RATES**

In implementing the approved producer responsibility plan, this bill requires the PRO to use a financing method that provides a methodology for reimbursement rates for covered services for covered materials, exclusive of exempt materials. The methodology for reimbursement rates must consider estimated revenue received by service providers from the sale of covered materials based upon relevant material indices and incorporate relevant cost information identified by the needs assessment.

Reimbursement rates must be annually updated and reflect the net costs for covered services for covered materials from covered entities, at a minimum. As used in this bill "covered services" means the services provided for the recovery, recycling, reuse, or composting of covered materials by local governments and other providers, including the collection, transportation, and processing of covered materials from the consumer to the end market, curbside services, and drop-off centers.

This bill requires reimbursement rates to be established equivalent to net costs as established by a methodology in an approved plan. The financing method must also (i) calculate reimbursement rates per ton, by household, or by another appropriate unit of measurement and (ii) provide a formula for reimbursement rates for recycling, composting, or reuse services for covered materials.

Reimbursement rates must be established equivalent to net costs pursuant to the methodology for reasonable covered services costs; and base reimbursement rates on certain costs described in the bill.

## **DISPUTE RESOLUTION PROCESS**

This bill requires a PRO to describe a dispute resolution process utilizing third-party mediators for disputes related to reimbursements.

## **PERFORMANCE GOALS**

This bill requires a PRO to establish performance goals for each covered material type at five-, 10-, and 15-year rolling intervals and demonstrate continual improvement in reducing environmental impacts and human health impacts of covered materials over time. The performance goals must be informed by PRO experience and knowledge and include postconsumer recycled content goals, recyclability and recycling rate goals, reuse goals, packaging reduction goals, composting goals, contamination reduction rate goals, and any other goals required by the board or the department. The PRO must review existing rates and dates for performance goals from other programs to use in establishing a minimum that aims to exceed the national average.

## **ALTERNATIVE SYSTEMS**

This bill clarifies that it does not prohibit a PRO from establishing alternative systems as a strategy for increasing the capture and reuse or recycling of covered materials.

## **ANNUAL REPORT**

This bill requires the PRO to annually report to the department and the board on the progress toward meeting producer responsibility plan requirements and goals for the immediately preceding year.



## **WEBSITE**

This bill requires the PRO to maintain a website that uses best practices for accessibility and contains at a minimum contact information for the PRO, PRO reports, needs assessments, educational materials, and any other information required by the department.

## **REGISTRATION WITH THE COMMISSIONER**

By January 1, 2026, and annually thereafter, this bill requires a service provider seeking reimbursement for services provided under an approved producer responsibility plan to register with the commissioner by submitting (i) the contact information for a person representing the service provider; (ii) the address of the service provider; and (iii) if applicable to services provided, a report of the total amount billed for collection for covered entities, processing services, and transfer station operations provided during the preceding calendar year and, when possible, values must be separated for collection, transfer, and processing. The reimbursements provided to service providers under an approved producer responsibility plan must only be provided to service providers that meet the performance standards established under an approved producer responsibility plan.

## **INDIVIDUAL PRODUCER RESPONSIBILITY PROGRAM PLAN PROPOSAL**

As an alternative method for participating in the producer responsibility program, this bill authorizes a producer to submit to the board and the department an individual producer responsibility program plan proposal if they provide a unique ability to manage a defined subgroup of covered materials, and if the producer notifies the department of its intent to submit an individual plan no later than July 1, 2028, and by July 1 of each subsequent year. The producer must report annually in compliance with the requirements of this bill. The board must review an individual producer responsibility program plan proposal submitted under this bill and make a recommendation concerning approval of the proposal to the department.

## **SALES AND DISTRIBUTIONS**

On or after January 1, 2030, if the department has approved a producer responsibility plan, then this bill prohibits a producer from selling or distributing any products packaged in covered materials in this state unless the producer is participating in the PRO producer responsibility plan or an individual producer responsibility plan. A person that is not a PRO or a producer that violates this part is liable for a civil penalty not to exceed \$25,000 per day of violation. A PRO or a producer that violates this part or the requirements of a stewardship plan approved by the commissioner is liable for a civil penalty in the following amount:

- ☐ For a first violation, a civil penalty not to exceed \$25,000 per day of violation.
- ☐ For a second violation, a civil penalty not to exceed \$50,000 per day of violation.
- ☐ For a third or subsequent violation, a civil penalty not to exceed \$100,000 per day of violation.

**This bill authorizes the department to rescind approval for a PRO producer responsibility plan or individual producer responsibility program plan at any time for good cause. If the department rescinds a plan, the PRO or individual producer may amend and resubmit the plan for approval. If, based upon the annual report, goals have not been met, the department may require the PRO to amend the producer responsibility plan or a producer to amend its individual producer responsibility program plan.**

**This bill provides that a producer who claims that package materials are not covered materials must report the type, quantity, and disposition of the materials to the department annually. A service provider must provide its PRO with data necessary to complete the needs assessment and reports required by this part upon request of the PRO.**

#### **CERTAIN ANTICOMPETITIVE CONDUCT AUTHORIZED**

**This bill authorizes a PRO that arranges collection, recycling, composting, waste reduction, or reuse services under this bill to engage in anticompetitive conduct to the extent necessary to plan and implement collection, recycling, composting, waste reduction, or reuse systems to meet the obligations under this bill and is immune from liability under state laws relating to antitrust, restraint of trade, and unfair trade practices.**

#### **AUTHORITY OF LOCAL GOVERNMENTS**

**This bill generally does not require a local government to agree to operate under a producer responsibility plan, nor does it restrict the authority of a local government to provide waste management services to residents or to contract with any entity to provide waste management services. A local government that is also a service provider is eligible to be registered with the commissioner and reimbursed at the rates and schedule established in accordance with an approved producer responsibility plan.**

**This bill requires Montgomery, Williamson, Rutherford, Hamilton, Knox, Davidson, and Shelby counties to operate under a producer responsibility plan as a service provider. All other counties may choose to operate as a service provider under a producer responsibility plan. Additionally, a municipality located in a non-participating county may choose to be a service provider separate from the county.**

#### **SUNSET REVIEW**

**This bill places the producer responsibility program advisory board into sunset review with a termination date of June 30, 2028.**

#### **RULEMAKING**

**This bill requires the commissioner to promulgate rules necessary to implement and administer this bill.**





## ANDERSON COUNTY GOVERNMENT

TERRY FRANK  
COUNTY MAYOR

January 7, 2026

Commissioner Tim Isbel

Chairman, Operations Committee

RE: Agenda

Dear Chairman Isbel and Honorable Members of the Operations Committee,

I wish to add the following items to the Agenda:

The Human Resources Advisory Committee met on November 14, 2025 and December 19, 2025 to address proposed policy changes. All policies have been reviewed and approved by the Law Director.

On behalf of the Human Resources Advisory Committee, I am requesting a motion to approve the policy changes as attached in items A-F with corresponding attachments.

Sincerely,

A handwritten signature in blue ink, appearing to read "Terry Frank", with a stylized flourish at the end.

Terry Frank

## **Human Resources Advisory Committee Meeting Minutes: December 19, 2025**

**Members Present:** Terry Frank, Johnny Alley, Tim Shelton, Robby Holbrook, Jeff Cole, Regina Copeland, Shain Vowell, and Jamie Brooks

**Members Absent:** Russell Barker, Rex Lynch, Gary Long, and Hal Cousins

**Others Present:** Andrew Stone, Cassandra Powell, Scott Nation, Paul Richardson, Brian Young, Brian Galloway, Kenny Sharp, Denise Palmer, Josh Acres, Stephanie Wells, and Lekan Tupper

Mayor Frank called the meeting to order at 9:04 a.m.

**Appearance of Citizens** - none

**Approval of Prior Meeting Minutes** - Robby Holbrook made a motion, seconded by Jeff Cole, to approve the minutes of the prior meeting on November 14, 2025. Motion carried.

**Request from Veterans Service Officer Scott Nation** – Mr. Nation said he's concerned about the lack of employee participation in safety-related training. There was discussion among the members, and they asked Law Director Brooks to provide a legal opinion, given all the changes in state laws, about whether elected officials are allowed to carry weapons in the Courthouse.

### **Employee Handbook Policy Updates**

- **A) Payment of Unused Vacation Leave upon Separation:** Mr. Shelton moved to add the language on Attachment 1 to the current policy. Second by Mr. Holbrook. Motion carried.
- **B) Use and Payout of Accrued Compensatory Time:** Mr. Holbrook moved to include the language in Attachment 2, but changing the dates that any accrued comp time must be used by December 31<sup>st</sup> and June 30<sup>th</sup> each year. Second by Mr. Shelton. Motion carried.
- **C) Employee Responsibility for Pay Accuracy:** Mr. Vowell moved that the language in Attachment 3 be added. Second by Mr. Cole. Motion carried.
- **D) Bereavement Leave:** Mr. Holbrook moved to amend the final paragraph of Section 7.4 in the employee policy handbook to remove "consecutive". Second by Mr. Cole. Motion carried.
- **E) Military Reserves or National Guard Leaves of Absence:** Mr. Cole moved to include the suggested additional policy wording of Attachment 4 about use of available accrued vacation leave or comp time after county-paid military leave (up to 240 hours per calendar year) is exhausted, to align with FMLA language. Second by Mr. Holbrook. Motion carried.
- **F) Retirement Plan:** The removal of the six-month probationary period for new hires before the mandatory 5-percent contribution begins was approved at the HR Committee's November meeting. It is awaiting approval by Budget Committee and the County Commission. Mr. Cole moved that, if approved, the policy change will be effective July 1, 2026. Second by Mr. Holbrook. Motion carried.



Committee members agreed to defer to the next meeting IT Phishing Training and the discussion of potential additional county benefits (reduced pricing for childcare, and student loan and education).

**New Business:** There was discussion about the Artificial Intelligence memo and information that the law director's office recently distributed to County Commissioners. Mr. Brooks addressed several issues related to county use of AI including open records, prohibiting submission of confidential/sensitive data to AI, possible future policy, and more. See attached executive summary.

**Unfinished Business** – None

The meeting was adjourned at 10:16 a.m.

#### Current Policy:

##### 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.

#### Suggested Additional Policy Wording:

##### Payment of Unused Vacation Leave upon Separation

a) Resignation or Retirement within First Year of Service. Employees who voluntarily resign or retire prior to completing one (1) full year of continuous service with Anderson County Government will not be eligible for payment of unused vacation leave. All vacation will be forfeited upon the effective date of separation.

b) Termination for Cause. In the event an employee is terminated for cause, regardless of length of service, the employee will not be eligible for payment of unused vacation leave and all accrued but unused vacation will be forfeited as of the separation date.

c) Other Separations. For separations other than those described in (a) or (b) (such as voluntary resignation after one year of service or termination without cause), unused vacation leave will be handled in accordance with the general unpaid leave payout policy of the County, as described elsewhere in this Handbook.

d) Return of Property / Final Pay. As noted in the Termination/Resignation policy, upon separation the employee must return all County property immediately. Final wages, including any eligible payout of unused leave, will be paid in accordance with applicable law and County policy.

Under T.C.A. § 50-2-103(a)(4), the statute states that "the final wages of an employee who quits or is discharged shall include any vacation pay or other compensatory time that is owed to the employee by virtue of company policy or labor agreement." Tennessee state law defers to employer policy.

Current Policy:**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).

Suggested Additional Policy Wording:**Use and Payout of Accrued Compensatory Time**

a) Mandatory Use by Fiscal Year End All accrued compensatory time ("comp time") must be used by the end of the County's fiscal year (June 30). \* Any comp time remaining unused as of the end of the fiscal year will be paid out to the employee or rolled into their Sick Leave balance.

b) Payout at Time Earned Rate If the County elects to pay out unused comp time (for example upon separation or at its discretion), such payout will be calculated at the rate in effect when the comp time was earned, not at the rate at the date of payout or current salary.

c) Supervisor Responsibility & Notification Supervisors will monitor comp-time balances and notify employees when balances approach the fiscal-year-end use requirement. Employees are encouraged to schedule use of accrued comp time by March 31 to assist operational planning.

d) Exclusions and Special Circumstances Notwithstanding the forfeiture rule above, if an employee has requested to use comp time within the fiscal year but operational demands prevented scheduling of such time, the Department Head may authorize rollover or payout at the earned rate in lieu of forfeiture.

The FLSA § 7(o) (29 U.S.C. § 207(o)) and the implementing regulations (29 C.F.R. Part 553) allow public agencies to provide compensatory time off in lieu of cash overtime pay for non-exempt employees. The regulations require that there be an agreement or understanding between the employer and employee before work is performed that comp time may be taken instead of cash.

The U.S. Supreme Court held in *Christensen v. Harris County* (529 U.S. 576 (2000)) that the FLSA does not prohibit a public employer from compelling the use of comp time under a policy, at least where there is an agreement or understanding in place.



Current Policy:**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 Friday. Some pay dates may occur earlier due to holidays.

(Similar Policy Language already in Handbook)

**6.6 Insurance Deductions**

You are responsible to review your paycheck to ensure the appropriate benefit deductions have been taken...

Suggested Additional Policy Wording:**Employee Responsibility for Pay Accuracy**

Employees are responsible for reviewing each pay stub to ensure accuracy of:

- Hours worked,
- Pay rate,
- Leave balances, and
- Payroll deductions and all benefits including Retirement contributions.

Any discrepancies or concerns regarding pay should be reported immediately—generally within five (5) business days of receipt—to the employee's supervisor or the Payroll Department so corrections can be made promptly.

Failure to report an error in a timely manner may result in delay of any necessary correction. Intentional misrepresentation or failure to report known inaccuracies may result in disciplinary action.

**Note:** The County strives to ensure accurate payroll, but employees are expected to take an active role in monitoring their pay and benefits.

FLSA Requirements: The Fair Labor Standards Act (29 U.S.C. §207 and 29 C.F.R. §516.2) requires employers to maintain accurate payroll records and to pay employees for all hours worked. The law **does not require employees** to review their pay stubs, nor does it prevent an employer from assigning responsibility to the employee for verifying accuracy.

Public-sector employees frequently include a policy requiring employees to review pay stubs to avoid delayed error detection. The **Department of Labor** encourages employees to verify pay to ensure accuracy, which aligns with our proposed policy.

Current Policy:

**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.

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Suggested Additional Policy Wording:

**Use of Accrued Leave After Paid Military Leave Exhaustion**

Employees who are on military leave and have exhausted their County-paid military leave (up to 240 hours per calendar year) are required to use any available accrued vacation leave and compensatory time for any additional periods of military service during the same calendar year.

Any remaining periods of military service beyond accrued leave will be considered leave without pay, unless otherwise required by law.

USERRA (38 U.S.C. §§4301–4333) requires reemployment rights and protects employees from discrimination based on military service, but it **does not mandate paid leave beyond statutory or employer-provided benefits**. Therefore, an employer may require employees to use accrued vacation or compensatory time after exhausting employer-provided paid military leave, as long as:

- It does not discriminate based on military service,
- Employees are not denied their USERRA reemployment rights, and
- Paid leave usage rules are applied uniformly.

Tennessee statute T.C.A. § 8-33-109 provides up to **20 working days per calendar year** of paid military leave for eligible employees. The statute **does not prohibit** the use of accrued vacation or compensatory leave to supplement pay for additional military service.

Therefore, the proposed policy would be legally permissible under Tennessee law, as it does not reduce the statutory minimum but simply allows employees to use accrued leave to continue receiving pay.



**Human Resources Advisory Committee  
Meeting Minutes: November 14, 2025**

**Members Present:** Terry Frank, Regina Copeland, Johnny Alley, Tim Shelton, Robby Holbrook, Hal Cousins, Russell Barker, Jamie Brooks, Jeff Cole, Rex Lynch, Gary Long, and Shain Vowell

**Members Absent:** none

**Others Present:** Andrew Stone, Lekan Tupper, Paul Richardson, Nathan Sweet, and Lydia Beckwith

**Call to Order:** Mayor Frank called the meeting to order at 9:04 a.m.

**Appearance of Citizens:** none

**Approval of Prior Meeting Minutes**

Rex Lynch made a motion, seconded by Tim Shelton, to approve the minutes of the prior meeting (April 24, 2025). Motion carried by voice vote.

**Handbook Policy Updates**

- Discussion about additional policy wording related to employment termination/resignation, and overtime/comp time pay.
- Rex Lynch moved to have the county pay out unused comp time at the rate it was earned. Regina Copeland made the second. Law Director Jamie Brooks was asked to draft policy updates and bring them back to the committee for further review. Motion carried by voice vote.
- Hal Cousins moved for HR to add the suggested wording to the payroll policy about employee responsibility for reviewing their own paystubs for accuracy. Seconded by Tim Shelton. Motion carried by voice vote.
- Rex Lynch made a motion to remove "consecutive" from the final paragraph in the Bereavement Leave policy. Seconded by Robby Holbrook. Motion carried by voice vote.
- Law Director Brooks was asked to review the Military Reserves or National Guard Leaves of Absence Policy and suggested additional policy wording.
- Hal Cousins moved to forward to Budget Committee with a recommendation for approval of the proposal to remove the six-month probationary period for new hires before mandatory retirement contributions to TCRS retirement. Seconded by Rex Lynch. Motion carried by voice vote.

**IT Phishing Training**

Robby Holbrook moved to refer to the Operations Committee for discussion about phishing training for all employees and officials, and for Law Director Brooks to work on the draft policy. Seconded by Johnny Alley. Motion carried by voice vote.

**Additional County Benefits**

- Reduced Pricing for Childcare: Tim Shelton made a motion to endorse a county partnership with the Boys & Girls Club and the City of Clinton and authorize Mayor

Frank to negotiate with the city and the nonprofit organization for the county to participate in offering reduced pricing for county government employees' childcare. Motion carried by voice vote.

- Student Loan and Education Benefit – Mayor Frank will bring additional information about this to the committee's next meeting.

**Fed Logic Program:** Reminder that the program is a free benefit that can assist employees in understanding federal and state benefit options.

**Unfinished Business** – None

**New Business** – None

The meeting was adjourned at 10:04 am.

**JAMES W. BROOKS, JR.**  
**ANDERSON COUNTY LAW DIRECTOR**

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January 7, 2026

Tim Isbell, Chairman  
Anderson County Operations Committee

RE: Law Director's Report – January 12, 2026

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Chairman Isbell and  
Operations Committee Members:

We have started the process to update the format of our report this month and welcome your suggestions for its contents and format.

**A. ACTION ITEMS**

Discussion of proposed changes to permits for solicitation by non-profit charities. *See:* Item 10 under OTHER section.

**B. CONTRACTS**

We have reviewed, revised or approved the following contracts:

1. Place Services – Animal Shelter
2. BCBS of Tennessee – (Revision)
3. Catalis – Circuit Court Clerk
4. Comcast – Norris Library
5. EMS Tuition Contracts
6. Engineering & Testing Solutions (Revision)
7. Lamar
8. Nationwide Electronic Monitoring
9. Pie Consulting
10. Bill Dance Fishing Tournament – Tourism Dept.
11. University Health Systems

**C. CASES INVOLVING VIOLATIONS OF THE ANDERSON COUNTY ZONING RESOLUTION**

1. We did not file any new court cases during this reporting period.



2. Status of cases filed with pending deadlines:
  - a. Motions for Default Judgment (MDJ):
    - one MDJ is pending; however, the landowner has signed compliance agreement which may end the case.
  - b. Contempt Petitions Pending:
    - 438 Old Fratersville Hollow Lane- If contempt is granted it will allow us to record a lien on the property until it is brought into compliance.
3. Status of Recorded Liens:
  - 230 Haney Hollow Road- daily fine of \$100 beginning August 26, 2024
  - 177 Scott Brogan Lane- daily fine of \$50 beginning December 9, 2024
  - 1824 Lake City Highway- daily fine of \$20 beginning August 8, 2025

None of these three (3) properties are in compliance.

#### **D. BANKRUPTCIES**

My report includes only new filings and status updates for existing cases.

1. Grubb-awaiting Order Confirming Chapter 13 Plan
2. Cox-awaiting discharge order
3. Burt-awaiting discharge order
4. Kendell-POC filed; awaiting Order Confirming Chapter 13 plan
5. Mungro, III-monitoring
6. Averill, III-POC filed; awaiting Order Confirming Chapter 13 plan
7. Asher-POC filed; awaiting Order Confirming Chapter 13 plan
8. Fine-POC filed; awaiting Order Confirming Chapter 13 plan
9. Berry a/k/a Garner-POC filed; Order Confirming Chapter 13 plan received; awaiting discharge order

#### **E. STATUS OF PENDING LAWSUITS**

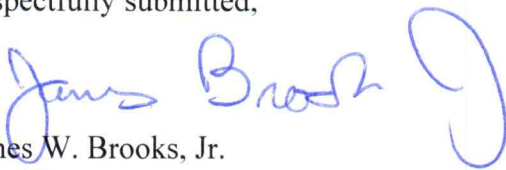
1. *Barker v. Provision*. Our Discovery responses are due January 23, 2026.
2. *Zayo v. Anderson Co. Commission et al.* The pending Writ of Certiorari is set for hearing January 9, 2026, at 1:00 p.m. in the Chancery Courtroom.
3. *Dietlin v. Kirk, et al.* Attorney Alix Michael is defending the lawsuit filed in Anderson County Circuit Court. We will monitor and report any development.
4. *Partin v. ACSO et al.* Attorney Reid Spaulding is defending the lawsuit filed in Federal District Court which alleges civil rights violations. Trial date is set for March 27, 2027. We will monitor and report any developments.
5. *Harber et al. v. Anderson Co. Gov't and Estate of Jay Yeager*. We are in the discovery phase for this Anderson County Chancery Court case.

6. *Williams Manor, Inc. v. Anderson Co. Gov't and the BZA*. This Anderson County Chancery Court case is set for April 16, 2026.

**F. OTHER**

1. Liens against A&A Bonding regarding forfeited bonds have been recorded in Knox and Anderson Counties.
2. General Sessions II-I met Commissioner Palmer to discuss strategy. I provided the information on square footage of building requested by Mayor Gooch. Copy of letter attached.
3. Civil Air Patrol (CAP)-Negotiating language for MOU. Received favorable life safety report from COR. Received proof of insurance from CAP.
4. Redrafted letter to State Representatives regarding support for Waste to Jobs legislation.
5. Commissioner Capshaw and I met with Roger Houck and continue to collaborate regarding improvements to intersection of N. Charles Seiver Blvd. and Sinking Springs Road.
6. Assisted H.R. by preparing responses to two (2) Open Records Requests for material not subject o disclosure.
7. Conducting investigation of complaint against Damon McKenna and ACAS filed by Heather Kizer. Met with Ms. Kizer and her attorney.
8. Reviewed two (2) Open Records Request submitted by Jill Startup regarding ACAS.
9. Prepared an opinion letter to Library Board Chairman Shain Vowell regarding materials review mandated by Tre Hargett, Tennessee Secretary of State.
10. Met with Commissioners Tracy Wandell and Chad McNabb regarding revisions to permits allowing 501(c)(3) and (4) corporations to solicit funds at roadblocks.

Respectfully submitted,

  
James W. Brooks, Jr.  
Law Director

cc: Annette Prewitt

**JAMES W. BROOKS, JR.**  
**ANDERSON COUNTY LAW DIRECTOR**

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December 26, 2025

Mayor, Warren Gooch  
City of Oak Ridge  
P.O. Box 1  
Oak Ridge, TN 37803

RE: Report on Heated/Cooled Space at 728 Emory Valley Rd. (DARC); and  
Proposal for Facility Support for General Sessions II

Dear Mayor Gooch:

I apologize for the delay in responding to your request for information related to the square footage at 728 Emory Valley Rd. Per your request, I have collected and verified the information regarding the total amount of heated and cooled space in each of the two Anderson County-owned buildings located at 728 Emory Valley Rd., Oak Ridge, Tennessee 37830 (Daniel Arthur Rehabilitation Center – DARC). Below are the finding:

724 Emory Valley Rd (Clerk, Trustee, etc.)

- Total heated/cooled space: 11, 957 sq. ft.
- Occupants: Office for Jeff Cole, Anderson County Clerk, Regina Copeland, Anderson County Trustee, Anderson County Dental Clinic, ETHRA, and other tenants.
- Utilities: Building 1 is metered and billed separately from Building 2 for electricity and water by the City of Oak Ridge
- No court business is conducted in this building

728 Emory Valley Rd. (General Sessions, storage, unoccupied)

- Total building area: 40, 417 sq. ft (per Billy Brown, Anderson County GIS Technician)
- Partitioned/Conditioned area (General Sessions II remodel): 11,400 sq. ft.
  - Includes 1,474 sq. ft. of storage used jointly by Juvenile Court, General Sessions I & II, and Criminal Court for records.
  - This 11,400 sq. ft. area is heated and cooled daily during normal business hours and houses General Sessions II functions.
  - Includes restroom facilities, secure holding area for inmates, an area to conduct security screenings, and a chamber for Judge Tuck, and General Sessions, Division II, Court Clerks offices
- Rooms used in support of G.S.II on Rear-hall: 5,040 sq. ft.

7022 3330 0000 7159 5962

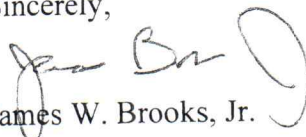


- The closed rooms in this area are heated and cooled during business hours and consists of six identical rooms (each 24'x35' = 840 sq. ft.; total 6x840=5,040 sq. ft.)
- Rooms and current uses include:
  - Room 1: General Sessions and Chancery Records
  - Room 2: Empty
  - Room 3: Empty
  - Room 4: 4-H Storage
  - Room 5: Animal Shelter Storage
  - Room 6: Election voting Machine Storage
- Unconditioned/Intermittently heated area: 23,977 sq. ft.
  - This portion is not regularly heated, cooled or illuminated; emergency or minimal heating is activated in the winter to prevent pipe-freeze and damage.
  - This 23,977 sq. ft. space includes the pool, therapy room, gym, some office space, hallways and empty classrooms.
- Forty percent (40%) of 728 Emory Valley Rd. Supports General Sessions II
  - Anderson County's position is that the 11,400 sq. ft. portioned/ conditioned area plus the 5,040 sq. ft. rear-hall conditioned rooms (totaling 11,400+5,040=16,440 sq. ft.) represent the actively heated/cooled spaces in building 2. The remainder of building 2 (23,977 sq. ft.) is not regularly conditioned and is maintained only to prevent freeze damage.

To support ongoing facility costs including utilities, maintenance and necessary exterior renovations for the General Sessions II facility, Anderson County proposes an annual contribution by the City of Oak Ridge for the next five years, beginning July 1, 2026, (fiscal year 26-27) to offset the utilities, maintenance, and lifecycle costs attributable to the conditioned General Sessions Division II spaces (courtroom, offices, clerk's areas, holding areas, security office, etc.)

Commission Chair, Denise Palmer, Mayor, Terry Frank and I will meet then propose an amount for the annual contribution and one-time exterior renovation contribution. We appreciate the City's ongoing partnership and support for courthouse operations that serve Oak Ridge residents and I look forward to establishing an agreement that best serves Oak Ridge and Anderson County.

Sincerely,

  
James W. Brooks, Jr.

JWB/cmp

cc: Billy Brown – GIS Technician- Anderson County  
Mayor, Terry Frank  
Commissioner, Denise Palmer  
Commissioner, Sabra Beauchamp

**JAMES W. BROOKS, JR.**  
**ANDERSON COUNTY LAW DIRECTOR**

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January 7, 2025

**VIA EMAIL TRANSMITTAL TO [jsvowell1@gmail.com](mailto:jsvowell1@gmail.com)**

Mr. Shain Vowell, Chairman of the  
Anderson County Library Board  
100 N. Main Street  
Clinton, Tennessee 37716

RE: Juvenile Library Directive

Chairman Vowell:

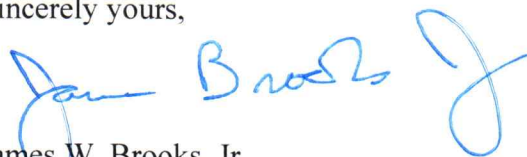
Thank you for contacting me regarding: 1) Secretary Hargett's request that the Anderson County Library system review materials in your juvenile children's section for the purpose of identifying materials which may be inconsistent with Tennessee age-appropriateness laws; and 2) the definition of youth, child, juvenile, minor, etc. I have reviewed Secretary Hargett's letter dated October 27, 2025, reviewed Tennessee Code Annotated and Mr. Yeager's MEMORANDUM to Josh Anderson dated July 12, 2023, in preparing my response.

The definition of minor means any person who has not reached eighteen (18) years of age and is not emancipated. This includes juveniles, youth and children under age eighteen.<sup>1</sup> Jay's MEMORANDUM contains a good analysis of T.C.A. 39-17-901 et. seq. which addressed the exhibition and loan of adult themed materials to minors.

Additionally, Tennessee has enacted the "Age-Appropriate Materials Act of 2022" which specifically addressed school library materials available to students.<sup>2</sup> I have attached a copy of the statute for you. This legislation may have contributed to the Secretary's review request.

Even though the Act is limited to school libraries, it contains language which may be helpful to the Board when attempting to control access to adult-themed materials. The Tennessee legislature opined that adult materials as defined T.C.A. §39-17-901(6) and §49-6-3803(b) are not appropriate for the age or maturity level of K through 12 students. This would include minors. In other words, all materials to which minors have unrestricted access should be reviewed and restricted if found to be inappropriate.

Sincerely yours,



James W. Brooks, Jr.  
Anderson County Law Director

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<sup>1</sup> T.C.A. §39-17-901(8)

<sup>2</sup> T.C.A. §49-6-3803



## Tenn. Code Ann. § 49-6-3803

Current through the 2025 Regular Session.

***TN - Tennessee Code Annotated > Title 49 Education > Chapter 6 Elementary and Secondary Education > Part 38 Age-Appropriate Materials Act of 2022***

### **49-6-3803. Materials review — Removal.**

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(a) Materials in a library collection must be suitable for the age and maturity levels of the students who may access the materials and must be suitable for, and consistent with, the educational mission of the school.

(b) For purposes of this section, a material that:

(1) In whole or in part contains nudity, or descriptions or depictions of sexual excitement, sexual conduct, excess violence, or sadomasochistic abuse, as those terms are defined in § 39-17-901, is not appropriate for the age or maturity level of a student in any of the grades kindergarten through twelve (K-12) and must not be maintained in a school's library collection; or

(2) Is patently offensive, as defined in § 39-17-901, or appeals to the prurient interest, as defined in § 39-17-901, is not appropriate for the age or maturity level of a student in any of the grades kindergarten through twelve (K-12) and must not be maintained in a school's library collection.

(c) Each school operated by an LEA and each public charter school shall maintain a current list of the materials in the school's library collection. The list must be posted on the school's website.

(d) Each local board of education and public charter school governing body shall adopt a policy for developing and reviewing school library collections. The policy must include:

(1) A procedure for the development of a library collection at each school that is appropriate for the age and maturity level of the students who may access the materials, and that is suitable for, and consistent with, the educational mission of the school;

(2) A procedure for the local board of education or public charter school governing body to receive and evaluate feedback from a student, a student's parent or guardian, or a school employee regarding one (1) or more of the materials in the library collection of the student's or employee's school; and

(3) A procedure to periodically review the library collection at each school to ensure that the school's library collection contains materials appropriate for the age and maturity level of the students who may access the materials, and that are suitable for, and consistent with, the educational mission of the school.

(e) If a local board of education or public charter school governing body receives feedback according to the procedure established pursuant to subdivision (d)(2), then the local board of education or public charter school governing body shall evaluate and determine, within sixty (60) days from the date on which the feedback was received, whether the material is appropriate for the age and maturity level of the students who may access the materials, and whether the material is suitable for, and consistent with, the educational mission of the school. If a local board of education or public charter school governing body does not make a determination within sixty (60) days from the date on which the feedback was received, then the student, student's parent or guardian, or school employee who submitted feedback on the material may request the state textbook and instructional materials quality commission to evaluate the material, pursuant to § 49-6-2201(m)(1)(D).

(f) If the local board of education or public charter school governing body determines that material contained in the school's library collection is not appropriate for the age and maturity level of the students



who may access the materials, or is not suitable for, and consistent with, the educational mission of the school, then the material must be removed from the library collection.

(g) The procedures adopted pursuant to this section are not the exclusive means to remove material from a school's library collection, and do not preclude an LEA, a school operated by an LEA, a public charter school, or the governing body of a public charter school from developing or implementing other policies, practices, or procedures for the removal of materials from a library collection.

(h) A local board of education's or public charter school governing body's determination made on whether a material is appropriate for the age and maturity level of the students who may access the material, and whether the material is suitable for, and consistent with, the educational mission of the school, does not establish a contemporary community standard for purposes of title 39, chapter 17, part 9.

(i) A local board of education or public charter school governing body shall not remove a material from a library collection for the sole reason that the material is religious.

## History

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*Acts 2022, ch. 744, § 1; 2023, ch. 472, §§ 1-3; 2024, ch. 782, § 1; 2025, ch. 270, § 1.*

## Annotations

## Notes

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## Amendments.

The 2023 amendment in (b)(2), substituted "LEA" for "local board of education" and deleted "governing body" following "public charter school"; rewrote (c), which read: "A local board of education or public charter school governing body shall evaluate each material for which feedback is provided according to the procedure established pursuant to subdivision (b)(2) to determine whether the material is appropriate for the age and maturity levels of the students who may access the materials, and to determine whether the material is suitable for, and consistent with, the educational mission of the school."; and in (d), substituted "If the LEA or public charter school, including the local board of education or public charter school governing body," for "If the local board of education or public charter school governing body".

The 2024 amendment rewrote this section, which read: "(a) Beginning with the 2022-2023 school year, each school operated by an LEA and each public charter school shall maintain a current list of the materials in the school's library collection. The list must be posted on the school's website.

"(b) By the 2022-2023 school year, each local board of education and public charter school governing body shall adopt a policy for developing and reviewing school library collections. The policy must include:

“(1) A procedure for the development of a library collection at each school that is appropriate for the age and maturity levels of the students who may access the materials, and that is suitable for, and consistent with, the educational mission of the school;

“(2) A procedure for the LEA or public charter school to receive and evaluate feedback from a student, a student's parent or guardian, or a school employee regarding one (1) or more of the materials in the library collection of the student's or employee's school; and

“(3) A procedure to periodically review the library collection at each school to ensure that the school's library collection contains materials appropriate for the age and maturity levels of the students who may access the materials, and that is suitable for, and consistent with, the educational mission of the school.

“(c) If an LEA or public charter school receives feedback on material in accordance with the procedure established pursuant to subdivision (b)(2) and the LEA or public charter school does not reach a resolution on the material with the person who provided feedback on the material, then the local board of education or the public charter school governing body shall evaluate the material to determine whether the material is appropriate for the age and maturity levels of the students who may access the materials, and to determine whether the material is suitable for, and consistent with, the educational mission of the school.

“(d) If the LEA or public charter school, including the local board of education or public charter school governing body, determines that material contained in the school's library collection is not appropriate for the age and maturity levels of the students who may access the materials, or is not suitable for, or consistent with, the educational mission of the school, then the school shall remove the material from the library collection.

“(e) The procedures adopted pursuant to this section are not the exclusive means to remove material from a school's library collection, and do not preclude an LEA, a school operated by an LEA, a public charter school, or the governing body of a public charter school from developing or implementing other policies, practices, or procedures for the removal of materials from a library collection.”

The 2025 amendment added (i).

**Effective Dates.**

Acts 2023, ch. 472, § 4. May 17, 2023.

Acts 2024, ch. 782, § 4. July 1, 2024.



**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](mailto:jyeager@aclawdirector.com)

**MEMORANDUM**

**TO: Chairman Joshua N. Anderson**

**FROM: N. Jay Yeager**

**DATE: July 12, 2023**

**CC: Library Board Members**

**RE: Policy Review**

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Dear Chairman Anderson:

We have been requested to review the operational policies currently in place for Anderson County libraries with an eye toward state law compliance and obscenity standards. Subsequent to that request, we have conducted a review of all library policies in comparison to state law mandates. We have utilized statutory and case law, as well as Attorney General Opinions to formulate our recommendations. We have also gathered input from librarians and board members by in-person meetings and email exchanges.

The results of our research and recommendations for policy modifications are contained in this memorandum; however, we stress that these topics are recommendations to the Library Board for consideration and should not be interpreted as mandates that are required to be implemented. However, we respectfully request that the Library Board take these recommendations seriously in order to avoid unnecessary legal proceedings in the form of potential criminal prosecution and/or civil lawsuits including declaratory judgments actions that could result in fines, damages and injunctions.

**I. Legal Authorities**

Under Tennessee law the authority and ability to adopt and implement operational bylaws and regulations for the public library system rests exclusively with the local library board.

*Tenn. Code Ann. § 10-3-104* states in relevant part as follows:



### **Powers and duties of library board.**

The members of the library board **shall** organize by electing officers and **adopting bylaws and regulations.** (Emphasis Added) (See, Exhibit 1)

Therefore, it is the opinion of this office that the sole and exclusive power to adopt operational policies lies with the Library Board. Conversely, the sole and exclusive power to adopt personnel policies for the library system lies with the Anderson County Board of Commissioners.

The first step of our analysis was to identify Tennessee statutes that could be compromised by adult content in books and other forms of media that could potentially be accessible to minors visiting the local libraries. Our belief is that steps should be considered to isolate and restrict access to this material by children and teenagers under the age of eighteen (18) years. It is our recommendation that each book or other form of media accessible in our public libraries should be compared to the legal prohibitions in the following sections of Tennessee law; however, if found to be questionable or in direct conflict with these statutes, the material needs to be isolated and restricted to adults only with the one exception of written parental consent for a minor to have access to this material.

The first statute to be considered is *Tenn. Code Ann. §39-17-901*, entitled, Sale, loan or exhibition of material to minors. This statute contains the important definitions of key words and phrases applicable to this analysis as they relate to certain adult-themed materials that need to be restricted from minor accessibility.

This statute reads in its entirety as follows:

#### **Part definitions.**

The following definitions apply in this part, unless the context requires otherwise:

- (1) **“Actual or constructive knowledge”** means that a person is deemed to have constructive knowledge of the contents of material who has knowledge of facts that would put a reasonable and prudent person on notice as to the suspect nature of the material;
- (2) **“Community”** means the judicial district, as defined in § 16-2-506, in which a violation is alleged to have occurred;
- (3) **“Distribute”** means to transfer possession of, whether with or without consideration;
- (4) **“Excess violence”** means the depiction of acts of violence in such a graphic or bloody manner as to exceed common limits of custom and candor, or in such a manner that it is apparent that the predominant appeal of the material is portrayal of violence for violence's sake;

(5) **“Final judgment”** or “conviction” means all direct appeals have been exhausted including an application for appeal or for certiorari to the Tennessee or United States supreme court;

(6) **“Harmful to minors”** means that quality of any description or representation, in whatever form, of nudity, sexual excitement, sexual conduct, excess violence or sadomasochistic abuse when the matter or performance:

(A) Would be found by the average person applying contemporary community standards to appeal predominantly to the prurient, shameful or morbid interests of minors;

(B) Is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable for minors; and

(C) Taken as whole lacks serious literary, artistic, political or scientific values for minors;

(7) **“Matter”** means any book, magazine, newspaper or other printed or written material or any picture, drawing, photograph, motion picture film, videocassette or other pictorial representation, or any statue, figure, device, theatrical production or electrical reproduction, or any other article, equipment, machine or material that is obscene as defined by this part;

(8) **“Minor”** means any person who has not reached eighteen (18) years of age and is not emancipated;

(9) **“Nudity”** means the showing of the human male or female genitals, pubic area, or buttocks with less than a fully opaque covering or the showing of the female breast with less than a fully opaque covering of any portion below the top of the nipple, or the depiction of covered male genitals in a discernibly turgid state;

(10) **“Obscene”** means:

(A) The average person applying contemporary community standards would find that the work, taken as a whole, appeals to the prurient interest;

(B) The average person applying contemporary community standards would find that the work depicts or describes, in a patently offensive way, sexual conduct; and

(C) The work, taken as a whole, lacks serious literary, artistic, political, or scientific value;

(11) **“Patently offensive”** means that which goes substantially beyond customary limits of candor in describing or representing such matters;

(12) **“Prurient interest”** means a shameful or morbid interest in sex;

(13) **“Sadomasochistic abuse”** means flagellation or torture or physical restraint by or upon a person for the purpose of sexual gratification of either person;

(14) **“Sexual conduct”** means:



(A) **Patently offensive representations or descriptions of ultimate sexual acts, normal or perverted, actual or simulated.** A sexual act is simulated when it depicts explicit sexual activity that gives the appearance of ultimate sexual acts, anal, oral or genital. “Ultimate sexual acts” means sexual intercourse, anal or otherwise, fellatio, cunnilingus or sodomy; or

(B) **Patently offensive representations or descriptions of masturbation, excretory functions, and lewd exhibition of the genitals;** and

(15) “Sexual excitement” means the condition of human male or female genitals when in a state of sexual stimulation or arousal. (Emphasis added) (Exhibit 2)

Tennessee statutory law contains two statutes that cause some concern in comparison to some books or other forms of media that have been questioned by members of the community as well as governmental officials. The first statute examined is codified at *Tenn. Code Ann. § 39-17-911*, entitled, Sale, loan or exhibition of material to minors. That statute reads as follows:

(a) It is unlawful for any person to knowingly sell or loan for monetary consideration or otherwise exhibit or make available to a minor:

(1) Any picture, photograph, drawing, sculpture, motion picture film, video game, computer software game, or similar visual representation or image of a person or portion of the human body, **that depicts nudity, sexual conduct, excess violence, or sado-masochistic abuse, and that is harmful to minors;** or

(2) Any **book, pamphlet, magazine, printed matter**, however reproduced, or sound recording, which contains any matter enumerated in subdivision (a)(1), or that contains explicit and detailed verbal descriptions or narrative accounts of sexual excitement, sexual conduct, excess violence, or sado-masochistic abuse, and that is harmful to minors.

(b) It is unlawful for any person to knowingly exhibit to a minor for monetary consideration, or to knowingly sell to a minor an admission ticket or pass or otherwise admit a minor to premises whereon there is exhibited a motion picture, show or other presentation which, in whole or in part, depicts nudity, sexual conduct, excess violence, or sado-masochistic abuse, and which is harmful to minors.

(c) A violation of this section is a Class A misdemeanor.

(d) **It is an affirmative defense to prosecution under this section that the minor to whom the material or show was made available or exhibited was, at the time, accompanied by the person's parent or legal guardian, or by an adult with the written permission of the parent or legal guardian.** (Emphasis added) (Exhibit 3)

Subsection “d” contains an affirmative defense to criminal prosecution in that a minor



may have access to these materials upon written permission of the parent of legal guardian.

Furthermore, the possibility exists that *Tenn. Code Ann. § 39-17-914* could be violated if minors or allowed unrestricted access to materials defined above that are not displayed in accordance with the existing law. This same statute provides the proper and legal way to display these materials.

***Tenn. Code Ann. 39-17-914. Display for sale or rental of material harmful to minors.***

(a) It is unlawful for a **person to display for sale or rental** a visual depiction, including a videocassette tape or film, video game, computer software game, or a written representation, including a book, magazine or pamphlet, that contains material harmful to minors anywhere minors are lawfully admitted.

(b) The state has the burden of proving that the material is displayed. Material is not considered displayed under this section if:

(1) The material is:

(A) Placed in "binder racks" that cover the lower two thirds ( $\frac{2}{3}$ ) of the material and the viewable one third ( $\frac{1}{3}$ ) is not harmful to minors;

(B) Located at a height of not less than five and one-half feet ( $5\frac{1}{2}'$ ) from the floor; and

(C) Reasonable steps are taken to prevent minors from perusing the material;

(2) The material is sealed, and, if it contains material on its cover that is harmful to minors, it must also be opaquely wrapped;

(3) The material is placed out of sight underneath the counter; or

(4) **The material is located so that the material is not open to view by minors and is located in an area restricted to adults;**

(5) Unless its cover contains material which is harmful to minors, a video cassette tape or film is not considered displayed if it is in a form that cannot be viewed without electrical or mechanical equipment and the equipment is not being used to produce a visual depiction; or

(6) In a situation if the minor is accompanied by the minor's parent or guardian, unless the area is restricted to adults as provided for in subdivision (b)(4).

(c) A violation of this section is a Class C misdemeanor for each day the person is in violation of this section. (Emphasis Added) (Exhibit 4)

## **II. Library Board Policies**

The attached library policies were copied from the Clinton Public Library website and we are under the impression that these policies are the current versions in effect for all libraries within the Anderson County Public Library system. The complete policies are identified as Exhibit 5; the Adult Library Card application Form, Exhibit 6, the Juvenile

Library Card Application, Exhibit 7; the Collection Development Policy, Exhibit 8; Citizen Reconsideration Form, Exhibit 9; and the appendices identified in Exhibit 10. The vast majority of these current policies do not need adjustment; however, we believe the Library Board should highly consider adjustments and modifications of to the Juvenile Application Form, Internet Access Policy, Collection Development Policy and the Reconsideration Process.

### **III. Recommendations**

#### **1. Juvenile Library Card Application Form**

- a. This form needs to contain a signature line for the parent or legal guardian to sign allowing permission for a minor to check-out, view or access adult-themed material.
- b. It also needs to incorporate an acknowledgement statement that the parent or guardian is allowing their minor child to access materials that may contain offensive language and depictions of nudity, obscenity, and sexual conduct, excessive violence that may be harmful to minors and patently offensive to some.
- c. The acknowledgment statement should end with a statement that the Anderson County Library Board recommends that parents and guardians review materials prior to allowing their minor child to check-out or view the materials.
- d. The acknowledgment needs to have a notation above the disclaimer in bold letters stating, "Please read carefully."
- e. Below the acknowledgement the form needs to include a statement, "I have read the foregoing and I am giving my express consent to my minor child to access these materials."
- f. A signature line needs to follow.

#### **2. Internet Access Policy**

We would recommend that the Library Board work with the School Department to gain access to the most up-to-date filters available for internet access. The School Department is continually updating its filters as the internet evolves quickly. Adults needs to sign and give express consent for their minor children to access the internet.

#### **3. Child Safety Policy**

Amend by stating no child under the age of 18 years shall have access to restricted adult materials or areas within the library where adult-themed materials are stored or displayed.

#### **4. Collection Development Policy**

- a. The Library Board needs to be made aware of all book purchases and gifts to each library.
- b. When a new book or other material is ordered it should be listed on the website in advance of circulation for citizen comments and public awareness.
- c. All materials that come into the library for use or viewing by minors should be reviewed carefully in comparison the identified statutes. Books or materials in question or in obvious violation should be removed immediately.
- d. In the Criteria for Selection section a bullet point should be added for "legal requirements" and "suitability for minors."



## **5. Reconsideration Process**

The reconsideration process should contain avenues for *due process* including an appeal process to disinterested parties.

- a. Therefore, the first step would be for the local librarian to review the book or other media first to determine its suitability for minors.
- b. If the complainant is not satisfied with the decision of the branch librarian, a second appeal step should be added. This step should consist of a rotating three-member committee selected by the Library Board Chair and consisting of one member of the Library Board, one branch librarian and one employee of the library system. The branch librarian receiving the reconsideration request and any employee of that same branch, should be completely removed from the process.
- c. The decision of the review committee should be ratified by the Library Board by majority vote.
- d. If the complainant is not satisfied with the decision of the three-member book review committee, an avenue of appeal to the entire Library Board should be established.
- e. Decisions of the Library Board shall not be appealed for a minimum of three years or until a new edition of the same book is available, whichever is shorter.
- f. Decisions of the Library Board will affect all libraries in the Anderson County Library system.

We hope this information is helpful and our office stands ready to assist the libraries any way we can. We will be glad to draft any policies or the acknowledgment statement at the Board's direction.

Please feel free to call or write our office if additional clarification is needed.



## Annette Prewitt

---

**From:** Ebony Capshaw <ebonymcapshaw@hotmail.com>  
**Sent:** Wednesday, January 7, 2026 11:21 AM  
**To:** Annette Prewitt; Timothy Isbel  
**Subject:** Add to Operations Agenda

Greetings! I want to add to Operations agenda "Review of EMS Incident Involving Misrouted 911 Call" . I hope we can have discussion and possible referral for further review.

This incident occurred while I was in a dental chair. The emergency call made by the staff unbeknownst to them was routed to Morgan County and not Anderson County. Nathan and I talked the day it occurred but need to follow up to see how this happened and what corrective actions need to take place to reduce a repeat.

Thanks,

Ebony

Get [Outlook for iOS](#)

## Annette Prewitt

---

**From:** Commissioner Tracy Wandell  
**Sent:** Wednesday, January 7, 2026 1:21 PM  
**To:** Annette Prewitt; ufp\_bob@comcast.net  
**Subject:** RE: Operations Meeting

Yes, I am sorry as I was in meetings all day.

- 1) Veteran's Services Office update
- 2) Briceville / Rosedale clean water update
- 3) Claxton Playground update

Thank you.

Respectfully,

Tracy



**Tracy Wandell**  
**Anderson County Commissioner**  
District 1  
865-388-0921 cell  
[twandell@andersoncountyttn.gov](mailto:twandell@andersoncountyttn.gov)

---

**From:** Annette Prewitt <aprewitt@andersoncountyttn.gov>  
**Sent:** Wednesday, January 7, 2026 11:03 AM  
**To:** ufp\_bob@comcast.net; Commissioner Tracy Wandell <twandell@andersoncountyttn.gov>  
**Subject:** Operations Meeting

Do you have any items for the Operations Agenda for Monday evening?



*Annette Prewitt*  
**County Commission**  
**Deputy Clerk**  
**Certified Public Administrator**

100 N. Main Street, Room 118  
Clinton, TN 37716  
P: (865) 463-6866 F: (865) 264-6264

## Annette Prewitt

---

**From:** Commissioner Tracy Wandell  
**Sent:** Wednesday, January 7, 2026 1:26 PM  
**To:** Annette Prewitt; ufp\_bob@comcast.net  
**Subject:** RE: Operations Meeting

Please add

4) ACWA Mountain View Park Sewer

Respectfully,

Tracy



**Tracy Wandell**  
**Anderson County Commissioner**  
District 1  
865-388-0921 cell  
[twandell@andersoncountyttn.gov](mailto:twandell@andersoncountyttn.gov)

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Tracy



**Tracy Wandell**  
**Anderson County Commissioner**  
District 1  
865-388-0921 cell  
[twandell@andersoncountyttn.gov](mailto:twandell@andersoncountyttn.gov)



**From:** Annette Prewitt <[aprewitt@andersoncountyttn.gov](mailto:aprewitt@andersoncountyttn.gov)>

**Sent:** Wednesday, January 7, 2026 11:03 AM

**To:** [ufp\\_bob@comcast.net](mailto:ufp_bob@comcast.net); Commissioner Tracy Wandell <[twandell@andersoncountyttn.gov](mailto:twandell@andersoncountyttn.gov)>

**Subject:** Operations Meeting

Do you have any items for the Operations Agenda for Monday evening?



*Annette Prewitt*

County Commission  
Deputy Clerk  
Certified Public Administrator

100 N. Main Street, Room 118  
Clinton, TN 37716  
P: (865) 463-6866 F: (865) 264-6264



# Anderson County Veterans Service Office

*Scott Nation, Director*



100 N. Main Street, Rm 114

Clinton, TN 37716-3634

Email: [snation@andersoncountyttn.gov](mailto:snation@andersoncountyttn.gov)

Phone: 865-463-6803

Fax: 865-264-6263

To: Anderson County Commission "SERVING THOSE WHO SERVED"

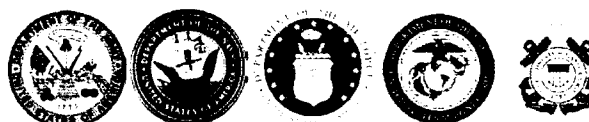
Via: Anderson Co. Veterans Advisory Committee

Anderson Co. Mayor

Anderson County VSO Monthly Report	
Oct-25	
<b>Items:</b>	
Office: Visits / Walk-ins / Out of office Visits	162
Phone Calls: In-Coming	127
Out-Going	80
TRAINING / Community service	2
Funerals Reimbursed	0
Mileage (Training, Veterans/ Widows visits, etc)	140
<b>Claims Filed</b>	
<b>Disability Compensation</b>	
New Claims	50
<b>Non-Service Connected Pension</b>	
New Claims	0
<b>Surviving Spouse /Death Benefits</b>	
DIC / Pension	7
Supporting Documents	0
Burial Benefits	7
<b>Education</b>	
New Claims	1
<b>VA Health Care</b>	
New Claims	0
Vocational Rehab	0
VA Home Loan	0
Misc Requests	16
Forms Totals Only:	81
<b>"Known" Benefits Approved during month</b>	
Medical Benefits / Services	0
Benefit Payments (# Claims)	11
Monthly Benefit Payments (\$)	\$68,288
Yearly Benefit Payments (\$)	\$675,402

Respectfully,

Scott W. Nation  
Director of Veterans Services





# Anderson County Veterans Service Office

*Scott Nation, Director*



100 N. Main Street, Rm 114

Clinton, TN 37716-3634

Email: [snation@andersoncountyttn.gov](mailto:snation@andersoncountyttn.gov)

Phone: 865-463-6803

Fax: 865-264-6263

To: County Commission

**"SERVING THOSE WHO SERVED"**

Via: Veterans Advisory Committee

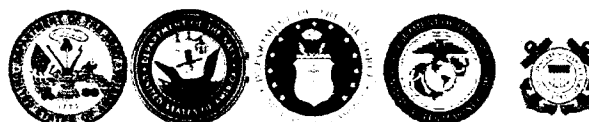
County Mayor

Anderson County VSO Monthly Report	
Nov-25	
<b>Items:</b>	
Office: Visits / Walk-ins / Out of office Visits	155
Phone Calls: In-Coming	150
Out-Going	80
TRAINING / Community service	1
Funerals Reimbursed	3
Mileage (Training, Veterans/ Widows visits, etc)	142
<b>Claims Filed</b>	
<b>Disability Compensation</b>	
New Claims	150
Supporting Documents	60
<b>Non-Service Connected Pension</b>	
New Claims	
Supporting Documents	
<b>Surviving Spouse /Death Benefits</b>	
DIC / Pension	9
Supporting Documents	9
Burial Benefits	9
<b>Education</b>	
New Claims	1
<b>VA Health Care</b>	
New Claims	0
<b>VR &amp; E</b>	
	0
<b>VA Home Loan</b>	
	0
<b>Misc Requests</b>	
	24
<b>Forms Totals Only:</b>	262
<b>"Known" Benefits Approved during month</b>	
Medical Benefits / Services	0
Benefit Payments (# Claims)	4
Monthly Benefit Payments (\$)	\$40,409
Yearly Benefit Payments (\$)	\$715,811

Respectfully,

*Scott W. Nation*

Scott W. Nation  
Director of Veterans Services







# Anderson County Water Authority

## MINUTES NOVEMBER 18, 2025

### **MEMBERS PRESENT**

GEORGE HORTON (CHAIRMAN)  
JACK SHELTON  
RICKEY ROSE  
DUSTY IRWIN (ABSENT)  
ERNEST BOWLES

### **OTHERS PRESENT**

JEFF ELROD  
JOHN MITCHELL  
KEVIN BOWLING  
JEREMIAH SWEAT  
SHANE BURRIS  
DARREN YOUNG  
TERRY FRANK (MAYOR)  
JOSH PAZ  
ERIC GAMBLE  
MARK PALMER  
DENISE PALMER  
J.D. KING

On November 18, 2025, Commissioner Rose called the ACWA Board Meeting to order at 5: 00 p.m.

- I. Motion by Commissioner Shelton to approve October 21, 2025, Minutes, Second by Commissioner Rose, 4 ayes, 1 absent, motion carried.
- II. Motion by Commissioner Bowles to approve November 11, 2025, Agenda, Second by Commissioner Rose, 4 ayes, 1 absent, motion carried.
- III. Motion by Commissioner Shelton to approve October 2025 Invoice History Report, Second by Commissioner Rose, 4 ayes, 1 absent, motion carried.
- IV. Motion by Commissioner Bowles to approve October 2025 Expenditure Report, Second by Commissioner Rose, 4 ayes, 1 absent, motion carried.
- V. Motion by Commissioner Rose to approve October 2025 Revenue Report, Second by Commissioner Shelton, 4 ayes, 1 absent, motion carried.
- VI. Motion by Commissioner Rose to approve October 2025 Profit and Loss Report, Second by Commissioner Bowles, 4 ayes, 1 absent, motion carried.
- VII. Public comments- Shane Burris spoke concerning the dirt and sand in his lines. He is cleaning his filters often; He has this problem when ACWA has leaks. He lives at 222 Cumberland View, and his neighbor Darren Young also has the same problem and lives at 224 Cumberland View. He requested that the Board take into consideration replacing  
**CONTINUED.....**



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the 4" feeding the area and install fire hydrants. Darren Young also spoke on this issue, and the water pressure is extremely low. Chairman Horton informed them that ACWA is addressing the galvanized lines on our system, and he will ensure this area is on the list to review. Manager Elrod has visited the residence to check on the issue. ACWA will also increase the flushing in the area in the meantime.

VII. **Old Business-**

VIII. **New Business-**

### **A. MANAGER'S REPORT**

1. **HINDS CREEK TOWNHOMES SUBDIVISION**-Manager Elrod opened discussion regarding the Subdivision. The sewer and water infrastructure have been damaged within the subdivision; he has communicated with J.D. King regarding the issues. Mr. King is suggesting replacing the lines that go across the road to the laterals, extending the warranty at their cost, and reimbursing ACWA for any repairs for up to 3 years. They will replace the problems with valves that were wrong at the pump station. After lengthy discussion, Commissioner Bowles made motion to authorize the Manager to send a revised MOU for review, Second by Commissioner Rose, 4 ayes, 1 absent, motion carried.

2. **ACTION REPORT/ARP PROJECTS-**

- A. **HPUD BOOSTER STATION UPDATE**-Manager Elrod informed the board that the contract has been signed, and the station has been purchased. ACWA is awaiting delivery within 90 days.
- B. **AIRBASE UBDATE**- Manager Elrod stated that CCI is performing the scheduling of 3<sup>rd</sup> party inspections of our system. ACWA's sewer team had to inspect a section due to a blockage. Capital investments in the sewer mains will be needed soon if the ARPA project proves the extent of decay of the clay pipes in existence at the Airbase.
- C. **LONGMIRE RD/BEECH GROVE UPDATE**- Manager Elrod informed the board the retainage will be released to the contractor.
- D. **INDUSTRIAL TANK UPDATE**- Manager Elrod discussed with the Board that as of this week we are still awaiting a final design of the slope plan. A meeting on-site was held, and the decision **CONTINUED....**





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was made that a block retaining wall was the choice to ensure the future protection of the area. Work will begin on the area around the tank to create a path for water to divert around the surface near the tanks. Manager Elrod requested the Board to hire an appraiser for a third-party opinion on the value of the property and wants a signed easement from the adjacent property owner who is requesting ACWA purchase additional property. Exhibits included for review. Motion by Commissioner Bowles authorized the General Manager to find a professional licensed appraiser to give us an appraiser for the 3 acres and report back to the board with the value, Second by Commissioner Rose, 4 ayes, 1 absent, motion carried.

3. **SURPLUS VEHICLES-** Manager Elrod updated the board on the Surplus vehicles. Details in the Managers report.
4. **NEW RIVER UPDATE -CCI-** CCI discussed updates on updates they worked on providing line to New River area. They presented graphics and PowerPoint in their findings, which are, due to the lack of consumption, extending the line would not be feasible at this time.
5. **WATER TREATMENT PLANT UPDATE-CCI-** CCI Discussed the updates and area reviews for plant upgrades and relocation. After much discussion and review of options, Motion by Commissioner Rose to eliminate option 3 and allow CCI to submit a cost proposal for option 1 & 2, Second by commissioner Bowles, 4 ayes, 1 absent.
6. **HEALTH INSURANCE-** Mark Palmer with Madison Insurance group presented the attached Health Insurance renewal proposal to the Board, No plan changes with a 6% increase. Motion by Commissioner Shelton to approve the renewal as presented for United Health care, Second by Commissioner Bowles, 4 ayes, 1 absent, motion carried.
7. **COST OF SERVICE STUDY UPDATE-** Manager Elrod reviewed with the board the attached Exhibits for review on water and sewer rate recommendations. Manager Elrod requested approval of the attached proposed water and sewer rate increase. Manager will post new rates on ACWA's website. Motion by Commissioner Bowles to approve based upon the cost-of-service study, to accept the adjustments as proposed by the Manager on the minimum charges based on





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**CONTINUED.....**

water meter sized shown on exhibit presented and attached, and make affective February 1, 2026, for retail water, Second by Commissioner Shelton, 4 ayes, 1 absent, motion carried.

### **B. OTHER REPORTS**

1. ENGINEERS REPORT-
2. OFFICE MANAGERS REPORT-
3. HR REPORT-
4. ASSISTANT MANAGER REPORT (JEREMIAH)
5. ASSISTANT MANAGERS REPORT (JOHN)

A. **OVERTIME**- Assistant Manager John Mitchell discussed October 2025 overtime.

B. **WATER LOSS**- There was a water loss of 28.3% in October 2025.

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**MEETING ADJOURNED BY COMMISSIONER SHELTON 6:56 PM**

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**Jack Shelton**

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**Rickey Rose**

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**George Horton**

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**Dusty Irwin**

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**Ernest Bowles**