

Anderson County Board of Commissioners
OPERATIONS COMMITTEE
AGENDA

Monday
February 9, 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. Discussion about supplying first responders with a vehicle for Volunteer Fire Departments
requested by Chairman Isbel.

6. Mayor's Report

- 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.
- Requesting motion to approve Resolution No. 25-11-1242 National Flood Insurance Program update.
- Requesting motion to authorize assignment of space for the Crime Scene Vehicle under the Robert Jolly Building.

7. Law Director's Report

A. Action Items

- Community Mapping Update – Review Historical Mapping and determine which communities should be added to additional ESRI map layer.
- Illegal Robo Call Letter – review/approve letter to State Representatives.

B. Contracts

C. Cases Involving Violations of the Anderson County Zoning Resolution

D. Bankruptcies

E. Status of Pending Lawsuits

F. Other

8. Budget Report Appropriation of EOC Grant - for further discussion from January Commission meeting.

9. Requests by Commissioner Wandell

- Robert Campbell and Associates – New River / Rosedale clean water discussion.
- PILT Revenue – TWRA, DOE, TVA, and any others.
- State Route 116 – emergency maintenance request.
- Animal Shelter Updates – numbers, parking, audit, new tracking system, and other updates.

10. ACWA Minutes – 12/17/25

Unfinished Business

- **Rails to Trails in New River** – Referred back to Operations meeting.
- **Telehealth for Animals** – Deferred from January Operations meeting.

New Business

Adjourn



ANDERSON COUNTY GOVERNMENT

TERRY FRANK
COUNTY MAYOR

February 4, 2025

Commissioner Tim Isbel

Chairman, Operations Committee

RE: AGENDA

Dear Chairman Isbel and Honorable Members of Operations Committee,

I wish to add the following items to the Agenda:

1. **Requesting motion to approve 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.
2. To maintain our ability to participate in the National Flood Insurance Program, we must update our authorizing resolution (12-425). **Requesting motion to approve Resolution No. 25-11-1242** with final map reference to be added prior to commission meeting. Mr. Brooks has reviewed and his suggested edits have been added.
3. **Crime Scene Vehicle: Requesting motion to authorize assignment of space for the Crime Scene Vehicle under the Robert Jolley Building.** The vehicle and its equipment needs to be out of the elements to protect this county asset.

Sincerely,

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 20th 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



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

**Anderson County, Tennessee
Board of Commissioners**

RESOLUTION NO. 25-11-1242

COUNTY FLOOD DAMAGE PREVENTION RESOLUTION

A RESOLUTION ADOPTED FOR THE PURPOSE OF AMENDING THE ANDERSON COUNTY, TENNESSEE REGIONAL ZONING RESOLUTION REGULATING DEVELOPMENT WITHIN THE JURISDICTION OF ANDERSON COUNTY, TENNESSEE, TO MINIMIZE DANGER TO LIFE AND PROPERTY DUE TO FLOODING, AND TO MAINTAIN ELIGIBILITY FOR PARTICIPATION IN THE NATIONAL FLOOD INSURANCE PROGRAM.

ARTICLE I. STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES

Section A. Statutory Authorization

The Legislature of the State of Tennessee has in Sections 13-7-101 through 13-7-115, Tennessee Code Annotated delegated the responsibility to the county legislative body to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the Anderson County, Tennessee, Mayor and Anderson County Board of Commissioners do resolve as follows:

Section B. Findings of Fact

1. The Anderson County, Tennessee, Mayor and its Legislative Body wish to maintain eligibility in the National Flood Insurance Program (NFIP) and in order to do so must meet the NFIP regulations found in Title 44 of the Code of Federal Regulations (CFR), Ch. 1, Section 60.3.
2. Areas of Anderson County, Tennessee are subject to periodic inundation which could result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
3. Flood losses are caused by the cumulative effect of obstructions in floodplains, causing increases in flood heights and velocities; by uses in flood hazard areas which are vulnerable to floods; or construction which is inadequately elevated, floodproofed, or otherwise unprotected from flood damages.

Section C. Statement of Purpose

It is the purpose of this Resolution to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas. This Resolution is designed to:

1. Restrict or prohibit uses which are vulnerable to flooding or erosion hazards, or which result in damaging increases in erosion, flood heights, or velocities;
2. Require that uses vulnerable to floods, including community facilities, be protected against flood damage at the time of initial construction;
3. Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of floodwaters;
4. Control filling, grading, dredging and other development which may increase flood damage or erosion;
5. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

Section D. Objectives

The objectives of this Resolution are:

1. To protect human life, health, safety and property;
2. To minimize expenditure of public funds for costly flood control projects;
3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. To minimize prolonged business interruptions;
5. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodprone areas;
6. To help maintain a stable tax base by providing for the sound use and development of floodprone areas to minimize blight in flood areas;
7. To ensure that potential homebuyers are notified that property is in a floodprone area;
8. To maintain eligibility for participation in the NFIP.

ARTICLE II. DEFINITIONS

Unless specifically defined below, words or phrases used in this Resolution shall be interpreted as to give them the meaning they have in common usage and to give this Resolution its most reasonable application given its stated purpose and objectives.

"Accessory Structure" means a subordinate structure to the principal structure on the same lot and, for the purpose of this Resolution, shall conform to the following:

1. Accessory structures shall only be used for parking of vehicles and storage.
2. Accessory structures shall be designed to have low flood damage potential.
3. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters.
4. Accessory structures shall be firmly anchored to prevent flotation, collapse, and lateral movement, which otherwise may result in damage to other structures.
5. Utilities and service facilities such as electrical and heating equipment shall be elevated or otherwise protected from intrusion of floodwaters.

"Addition (to an existing building)" means any walled and roofed expansion to the perimeter or height of a building.

"Appeal" means a request for a review of the local enforcement officer's interpretation of any provision of this Resolution or a request for a variance.

"Area of Shallow Flooding" means a designated AO or AH Zone on a community's Flood Insurance Rate Map (FIRM) with one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate; and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

"Area of Special Flood-related Erosion Hazard" is the land within a community which is most likely to be subject to severe flood-related erosion losses. The area may be designated as Zone E on the Flood Hazard Boundary Map (FHBM). After the detailed evaluation of the special flood-related erosion hazard area in preparation for publication of the FIRM, Zone E may be further refined.

"Area of Special Flood Hazard" see **"Special Flood Hazard Area"**.

"Base Flood" means the flood having a one percent chance of being equaled or exceeded in any given year. This term is also referred to as the 100-year flood or the one (1)-percent annual chance flood.

"Basement" means any portion of a building having its floor subgrade (below ground level) on all sides.

"Building" see **"Structure"**.

"Development" means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or storage of equipment or materials.

"Elevated Building" means a non-basement building built to have the lowest floor of the lowest enclosed area elevated above the ground level by means of solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwater, pilings, columns, piers, or shear walls adequately anchored so as not to impair the structural integrity of the building during a base flood event.

"Emergency Flood Insurance Program" or "Emergency Program" means the program as implemented on an emergency basis in accordance with Section 1336 of the Act. It is intended as a program to provide a first layer amount of insurance on all insurable structures before the effective date of the initial FIRM.

"Erosion" means the process of the gradual wearing away of land masses. This peril is not "per se" covered under the Program.

"Exception" means a waiver from the provisions of this Resolution which relieves the applicant from the requirements of a rule, regulation, order or other determination made or issued pursuant to this Resolution.

"Existing Construction" means any structure for which the "start of construction" commenced before the effective date of the initial floodplain management code or resolution adopted by the community as a basis for that community's participation in the NFIP.

"Existing Manufactured Home Park or Subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, final site grading or the pouring of concrete pads) is completed before the effective date of the first floodplain management code or resolution adopted by the community as a basis for that community's participation in the NFIP.

"Existing Structures" see **"Existing Construction"**.

"Expansion to an Existing Manufactured Home Park or Subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

"Flood" or "Flooding"

(a) A general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters.
2. The unusual and rapid accumulation or runoff of surface waters from any source.
3. Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph (a)(2) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.

(b) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (a)(1) of this definition.

"Flood Elevation Determination" means a determination by the Federal Emergency Management Agency (FEMA) of the water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year.

"Flood Elevation Study" means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) or flood-related erosion hazards.

"Flood Hazard Boundary Map (FHBM)" means an official map of a community, issued by FEMA, where the boundaries of areas of special flood hazard have been designated as Zone A.

"Flood Insurance Rate Map (FIRM)" means an official map of a community, issued by FEMA, delineating the areas of special flood hazard or the risk premium zones applicable to the community.

"Flood Insurance Study" is the official report provided by FEMA, evaluating flood hazards and containing flood profiles and water surface elevation of the base flood.

"Floodplain" or **"Floodprone Area"** means any land area susceptible to being inundated by water from any source (see definition of "flooding").

"Floodplain Management" means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

"Flood Protection System" means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

"Floodproofing" means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities and structures and their contents.

"Flood-related Erosion" means the collapse or subsidence of land along the shore of a lake or other body of water as a result of undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a flash flood, or by some similarly unusual and unforeseeable event which results in flooding.

"Flood-related Erosion Area" or **"Flood-related Erosion Prone Area"** means a land area adjoining the shore of a lake or other body of water, which due to the composition of the shoreline or bank and high water levels or wind-driven currents, is likely to suffer flood-related erosion damage.

"Flood-related Erosion Area Management" means the operation of an overall program of corrective and preventive measures for reducing flood-related erosion damage, including but not limited to emergency preparedness plans, flood-related erosion control works and floodplain management regulations.

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

"Freeboard" means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that

could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, blockage of bridge or culvert openings, and the hydrological effect of urbanization of the watershed.

"Functionally Dependent Use" means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

"Highest Adjacent Grade" means the highest natural elevation of the ground surface, prior to construction, adjacent to the proposed walls of a structure.

"Historic Structure" means any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on the Tennessee inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the Secretary of the Interior; or
4. Individually listed on the Anderson County, Tennessee inventory of historic places and determined as eligible by communities with historic preservation programs that have been certified either:
 - a. By the approved Tennessee program as determined by the Secretary of the Interior or
 - b. Directly by the Secretary of the Interior.

"Letter of Map Change (LOMC)" means an official FEMA determination, by letter, that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:

"Letter of Map Amendment (LOMA)" An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property or structure is not located in a special flood hazard area.

"Conditional Letter of Map Revision Based on Fill (CLOMR-F)" A determination that a parcel of land or proposed structure that will be elevated by

fill would not be inundated by the base flood if fill is placed on the parcel as proposed or the structure is built as proposed.

"Letter of Map Revision Based on Fill (LOMR-F)" A determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer exposed to flooding associated with the base flood. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.

"Conditional Letter of Map Revision (CLOMR)" A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA, to revise the effective FIRM.

"Letter of Map Revision (LOMR)" Letter of Map Revisions are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The LOMR officially revises the Flood Insurance Rate Map (FIRM) or Flood Boundary and Floodway Map (FBFM), and sometimes the Flood Insurance Study (FIS) report, and when appropriate, includes a description of the modifications. The LOMR is generally accompanied by an annotated copy of the affected portions of the FIRM, FBFM, or FIS report.

"Levee" means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

"Levee System" means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

"Lowest Floor" means the lowest floor of the lowest enclosed area, including a basement. An unfinished or flood resistant enclosure used solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Resolution.

"Manufactured Home" means a structure, transportable in one or more sections, which is built on a permanent chassis and designed for use with or without a permanent foundation when attached to the required utilities. The term "Manufactured Home" does not include a "Recreational Vehicle".

"Manufactured Home Park or Subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

"Map" means the Flood Hazard Boundary Map (FHBM) or the Flood Insurance Rate Map (FIRM) for a community issued by FEMA.

"Mean Sea Level" means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For the purposes of this Resolution, the term is synonymous with the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum (NAVD) of 1988, or other datum, to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.

"National Geodetic Vertical Datum (NGVD)" means, as corrected in 1929, a vertical control used as a reference for establishing varying elevations within the floodplain.

"New Construction" means any structure for which the "start of construction" commenced on or after the effective date of the initial floodplain management Resolution and includes any subsequent improvements to such structure.

"New Manufactured Home Park or Subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of this resolution or the effective date of the initial floodplain management resolution and includes any subsequent improvements to such structure.

"North American Vertical Datum (NAVD)" means, as corrected in 1988, a vertical control used as a reference for establishing varying elevations within the floodplain.

"100-year Flood" see **"Base Flood"**.

"Person" includes any individual or group of individuals, corporation, partnership, association, or any other entity, including State and local governments and agencies.

"Reasonably Safe from Flooding" means base flood waters will not inundate the land or damage structures to be removed from the Special Flood Hazard Area and that any subsurface waters related to the base flood will not damage existing or proposed structures.

"Recreational Vehicle" means a vehicle which is:

1. Built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light duty truck;
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

"Regulatory Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

“Regulatory Flood Protection Elevation” means the “Base Flood Elevation” plus the “Freeboard”. In “Special Flood Hazard Areas” where Base Flood Elevations (BFEs) have been determined, this elevation shall be the BFE plus 1 foot. In “Special Flood Hazard Areas” where no BFE has been established, this elevation shall be at least three (3) feet above the highest adjacent grade.

“Riverine” means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

“Special Flood Hazard Area” is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A on the FHBM. After detailed ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE or A99.

“Special Hazard Area” means an area having special flood, mudslide (i.e., mudflow) and/or flood-related erosion hazards, and shown on an FHBM or FIRM as Zone A, AO, A1-30, AE, A99, or AH.

“Start of Construction” includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; and includes the placement of a manufactured home on a foundation. Permanent construction does not include initial land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds, not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

“State Coordinating Agency” the Tennessee Emergency Management Agency, State NFIP Office, as designated by the Governor of the State of Tennessee at the request of FEMA to assist in the implementation of the NFIP for the State.

“Structure” for purposes of this Resolution, means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

“Substantial Damage” means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.

“Substantial Improvement” means any reconstruction, rehabilitation, addition, alteration or other improvement of a structure in which the cost equals or exceeds fifty percent (50%) of the market value of the structure before the "start of construction" of the initial improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The market value of the structure should be (1) the appraised value of the structure prior to the start of the initial improvement, or (2) in the case of substantial damage, the value of the structure prior to the damage occurring.

The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of State or local health, sanitary, or safety code specifications which

have been pre-identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions and not solely triggered by an improvement or repair project or; (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

"Substantially Improved Existing Manufactured Home Parks or Subdivisions" is where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds fifty percent (50%) of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

"Variance" is a grant of relief from the requirements of this Resolution.

"Violation" means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certification, or other evidence of compliance required in this Resolution is presumed to be in violation until such time as that documentation is provided.

"Water Surface Elevation" means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum (NAVD) of 1988, or other datum, where specified, of floods of various magnitudes and frequencies in the floodplains of riverine areas.

ARTICLE III. GENERAL PROVISIONS

Section A. Application

This Resolution shall apply to all areas within the unincorporated area of Anderson County, Tennessee.

Section B. Basis for Establishing the Areas of Special Flood Hazard

The Areas of Special Flood Hazard identified on the Anderson County, Tennessee, as identified by FEMA, and in its Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM), Community Panel Number(s) _____, dated _____, along with all supporting technical data, are adopted by reference and declared to be a part of this Resolution.

Section C. Requirement for Development Permit

A development permit shall be required in conformity with this Resolution prior to the commencement of any development activities.

Section D. Compliance

No land, structure or use shall hereafter be located, extended, converted or structurally altered without full compliance with the terms of this Resolution and other applicable regulations.

Section E. Abrogation and Greater Restrictions

This Resolution is not intended to repeal, abrogate, or impair any existing easements, covenants or deed restrictions. However, where this Resolution conflicts or overlaps with another regulatory instrument, whichever imposes the more stringent restrictions shall prevail.

Section F. Interpretation

In the interpretation and application of this Resolution, all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the governing body and; (3) deemed neither to limit nor repeal any other powers granted under Tennessee statutes.

Section G. Warning and Disclaimer of Liability

The degree of flood protection required by this Resolution is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This Resolution does not imply that land outside the Areas of Special Flood Hazard or uses permitted within such areas will be free from flooding or flood damages. This Resolution shall not create liability on the part of Anderson County, Tennessee or by any officer or employee thereof for any flood damages that result from reliance on this Resolution or any administrative decision lawfully made hereunder.

Section H. Penalties for Violation

Violation of the provisions of this Resolution or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance shall constitute a misdemeanor punishable as other misdemeanors as provided by law. Any person who violates this resolution or fails to comply with any of its requirements shall, upon adjudication therefore, be fined as prescribed by Tennessee statutes, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent Anderson County, Tennessee from taking such other lawful actions to prevent or remedy any violation.

ARTICLE IV. ADMINISTRATION

Section A. Designation of Resolution Administrator

The Anderson County Building Official is hereby appointed as the Administrator to implement the provisions of this Resolution.

Section B. Permit Procedures

Application for a development permit shall be made to the Administrator on forms furnished by the community prior to any development activities. The development permit may include, but is not limited to the following: plans in duplicate drawn to scale and showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, earthen fill placement, storage of materials or equipment, and drainage facilities. Specifically, the following information is required:

1. Application stage

- a. Elevation in relation to mean sea level of the proposed lowest floor, including basement, of all buildings where Base Flood Elevations are available, or to certain height above the highest adjacent grade when applicable under this Resolution.
- b. Elevation in relation to mean sea level to which any non-residential building will be floodproofed where Base Flood Elevations are available, or to certain height above the highest adjacent grade when applicable under this Resolution.
- c. A FEMA Floodproofing Certificate from a Tennessee registered professional engineer or architect that the proposed non-residential floodproofed building will meet the floodproofing criteria in Article V, Sections A and B.
- d. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
- e. In order to determine if improvements or damage meet the Substantial Improvement or Substantial Damage criteria, the applicant shall provide to the Floodplain Administrator a detailed cost to repair all damages and/or cost of improvements which includes the complete costs associated with all types of work necessary to completely repair or improve a building. These include the costs of all materials, labor, and other items necessary to perform the proposed work. These must be in the form of:
 - An itemized costs of materials, and labor, or estimates of materials and labor that are prepared by licensed contractors or professional construction cost estimators
 - Building valuation tables published by building code organizations and cost-estimating manuals and tools available from professional building cost-estimating services.
 - A qualified estimate of costs that is prepared by the local official using professional judgement and knowledge of local and regional construction costs.
 - A detailed cost estimate provided and prepared by the building owner. This must include as much supporting documentation as possible (such as pricing information from lumber companies, plumbing and electrical suppliers, etc). In addition, the estimate must include the value of labor, including the value of the owner's labor.

2. Construction Stage

Within AE Zones, where Base Flood Elevation data is available, any lowest floor certification made relative to mean sea level shall be prepared by or under the direct supervision of, a Tennessee registered land surveyor and certified by same. The Administrator shall record the elevation of the lowest floor on the development permit. When floodproofing is utilized for a non-residential building, said certification shall be prepared by, or under the direct supervision of, a Tennessee registered professional engineer or architect and certified by same.

Within approximate A Zones, where Base Flood Elevation data is not available, the elevation of the lowest floor shall be determined as the measurement of the lowest floor of the building relative to the highest adjacent grade. The Administrator shall record the elevation of the lowest floor on the development permit. When floodproofing is utilized for a non-residential building, said certification shall be prepared by, or under the direct supervision of, a Tennessee registered professional engineer or architect and certified by same.

For all new construction and substantial improvements, the permit holder shall provide to the Administrator an as-built certification of the lowest floor elevation or floodproofing level upon the completion of the lowest floor or floodproofing.

Any work undertaken prior to submission of the certification shall be at the permit holder's risk. The Administrator shall review the above-referenced certification data. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further work being allowed to proceed. Failure to submit the certification or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.

3. **Finished Construction Stage**

A final Finished Construction Elevation Certificate is required after construction is completed and prior to Certificate of Compliance/Occupancy issuance. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of final as-built construction of the elevation of the reference level and all attendant utilities. The Administrator will keep the certificate on file in perpetuity.

Section C. Duties and Responsibilities of the Administrator

Duties of the Administrator shall include, but not be limited to, the following:

1. Review all development permits to assure that the permit requirements of this Resolution have been satisfied, and that proposed building sites will be reasonably safe from flooding.
2. Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.
3. Notify adjacent communities and the Tennessee Emergency Management Agency, State NFIP Office, prior to any alteration or relocation of a watercourse and submit evidence of such notification to FEMA.
4. For any altered or relocated watercourse, submit engineering data/analysis within six (6) months to FEMA to ensure accuracy of community FIRM's through the Letter of Map Revision process.
5. Assure that the flood carrying capacity within an altered or relocated portion of any watercourse is maintained.

6. Record the elevation, in relation to mean sea level or the highest adjacent grade, where applicable, of the lowest floor (including basement) of all new and substantially improved buildings, in accordance with Article IV, Section B.
7. Record the actual elevation, in relation to mean sea level or the highest adjacent grade, where applicable to which the new and substantially improved buildings have been floodproofed, in accordance with Article IV, Section B.
8. When floodproofing is utilized for a nonresidential structure, obtain certification of design criteria from a Tennessee registered professional engineer or architect, in accordance with Article IV, Section B.
9. Where interpretation is needed as to the exact location of boundaries of the Areas of Special Flood Hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this Resolution.
10. When Base Flood Elevation data and floodway data have not been provided by FEMA, obtain, review, and reasonably utilize any Base Flood Elevation and floodway data available from a Federal, State, or other sources, including data developed as a result of these regulations, as criteria for requiring that new construction, substantial improvements, or other development in Zone A on the Anderson County, Tennessee FIRM meet the requirements of this Resolution.
11. Maintain all records pertaining to the provisions of this Resolution in the office of the Administrator and shall be open for public inspection. Permits issued under the provisions of this Resolution shall be maintained in a separate file or marked for expedited retrieval within combined files.
12. A final Finished Construction Elevation Certificate (the latest edition of FEMA Elevation Certificate Form) is required after construction is completed and prior to Certificate of Compliance/Occupancy issuance. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of final as-built construction of the elevation of the reference level and all attendant utilities. The Floodplain Administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to Certificate of Compliance/Occupancy issuance. In some instances, another certification may be required to certify corrected as-built construction. Failure to submit the certification or failure to make required corrections shall be cause to withhold the issuance of a Certificate of Compliance/Occupancy. The Finished Construction Elevation Certificate certifier shall provide at least 2 photographs showing the front and rear of the building taken within 90 days from the date of certification. The photographs must be taken with views confirming the building description and diagram number provided in Section A. To the extent possible, these photographs should show the entire building including foundation. If the building has split-level or multi-level areas, provide at least 2 additional photographs showing side views of the building. In addition, when applicable, provide a photograph of the foundation showing a representative example of the flood openings or vents. All photographs must be in color and measure at least 3" x 3". Digital photographs are acceptable.

ARTICLE V. PROVISIONS FOR FLOOD HAZARD REDUCTION

Section A. General Standards

In all areas of special flood hazard, the following provisions are required:

1. New construction and substantial improvements shall be anchored to prevent flotation, collapse and lateral movement of the structure;
2. Manufactured homes shall be installed using methods and practices that minimize flood damage. They must be elevated and anchored to prevent flotation, collapse and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State of Tennessee and local anchoring requirements for resisting wind forces.
3. New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;
4. New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage;
5. All electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
6. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
7. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
8. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;
9. Any alteration, repair, reconstruction or improvements to a building that is in compliance with the provisions of this Resolution, shall meet the requirements of "new construction" as contained in this Resolution;
10. Any alteration, repair, reconstruction or improvements to a building that is not in compliance with the provision of this Resolution, shall be undertaken only if said non-conformity is not further extended or replaced;
11. All new construction and substantial improvement proposals shall provide copies of all necessary Federal and State permits, including Section 404 of the Federal Water Pollution Control Act amendments of 1972, 33 U.S.C. 1334;

12. All subdivision proposals and other proposed new development proposals shall meet the standards of Article V, Section B;
13. When proposed new construction and substantial improvements are partially located in an area of special flood hazard, the entire structure shall meet the standards for new construction;
14. When proposed new construction and substantial improvements are located in multiple flood hazard risk zones or in a flood hazard risk zone with multiple Base Flood Elevations, the entire structure shall meet the standards for the most hazardous flood hazard risk zone and the highest Base Flood Elevation.

Section B. Specific Standards

In all Areas of Special Flood Hazard, the following provisions, in addition to those set forth in Article V, Section A, are required:

1. Residential Structures

In AE Zones where Base Flood Elevation data is available, new construction and substantial improvement of any residential building (or manufactured home) shall have the lowest floor, including basement, elevated to no lower than one (1) foot above the Base Flood Elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures".

Within approximate A Zones where Base Flood Elevations have not been established and where alternative data is not available, the administrator shall require the lowest floor of a building to be elevated to a level of at least three (3) feet above the highest adjacent grade (as defined in Article II). Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures"

2. Non-Residential Structures

In AE Zones, where Base Flood Elevation data is available, new construction and substantial improvement of any commercial, industrial, or non-residential building, shall have the lowest floor, including basement, elevated or floodproofed to no lower than one (1) foot above the level of the Base Flood Elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures"

In approximate A Zones, where Base Flood Elevations have not been established and where alternative data is not available, new construction and substantial improvement of any commercial, industrial, or non-residential building, shall have the lowest floor, including basement, elevated or floodproofed to no lower than three (3) feet above the highest adjacent grade (as defined in Article II). Should solid foundation perimeter walls be used to elevate a structure, openings

sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: “Enclosures”

Non-Residential buildings located in all A Zones may be floodproofed, in lieu of being elevated, provided that all areas of the building below the required elevation are watertight, with walls substantially impermeable to the passage of water, and are built with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A Tennessee registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the Administrator as set forth in Article IV, Section B.

3. Enclosures

All new construction and substantial improvements that include fully enclosed areas formed by foundation and other exterior walls below the lowest floor that are subject to flooding, shall be designed to preclude finished living space and designed to allow for the entry and exit of flood waters to automatically equalize hydrostatic flood forces on exterior walls.

- a. Designs for complying with this requirement must either be certified by a Tennessee professional engineer or architect or meet or exceed the following minimum criteria.
 - 1) Provide a minimum of two openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding;
 - 2) The bottom of all openings shall be no higher than one (1) foot above the finished grade;
 - 3) Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.
- b. The enclosed area shall be the minimum necessary to allow for parking of vehicles, storage or building access.
- c. The interior portion of such enclosed area shall not be finished or partitioned into separate rooms in such a way as to impede the movement of floodwaters and all such partitions shall comply with the provisions of Article V, Section B.

4. Standards for Manufactured Homes and Recreational Vehicles

- a. All manufactured homes placed, or substantially improved, on: (1) individual lots or parcels, (2) in expansions to existing manufactured home parks or subdivisions, or (3) in new or substantially improved manufactured home parks or subdivisions, must meet all the requirements of new construction.

- b. All manufactured homes placed or substantially improved in an existing manufactured home park or subdivision must be elevated so that either:
 - 1) In AE Zones, with Base Flood Elevations, the lowest floor of the manufactured home is elevated on a permanent foundation to no lower than one (1) foot above the level of the Base Flood Elevation or
 - 2) In approximate A Zones, without Base Flood Elevations, the manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements of at least equivalent strength) that are at least three (3) feet in height above the highest adjacent grade (as defined in Article II).
- c. Any manufactured home, which has incurred “substantial damage” as the result of a flood, must meet the standards of Article V, Sections A and B.
- d. All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.
- e. All recreational vehicles placed in an identified Special Flood Hazard Area must either:
 - 1) Be on the site for fewer than 180 consecutive days;
 - 2) Be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions), or;
 - 3) The recreational vehicle must meet all the requirements for new construction.

5. Standards for Subdivisions and Other Proposed New Development Proposals

Subdivisions and other proposed new developments, including manufactured home parks, shall be reviewed to determine whether such proposals will be reasonably safe from flooding.

- a. All subdivision and other proposed new development proposals shall be consistent with the need to minimize flood damage.
- b. All subdivision and other proposed new development proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.
- c. All subdivision and other proposed new development proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- d. In all approximate A Zones require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the

lessor, include within such proposals Base Flood Elevation data (See Article V, Section E).

Section C. Standards for Special Flood Hazard Areas with Established Base Flood Elevations and With Floodways Designated

Located within the Special Flood Hazard Areas established in Article III, Section B, are areas designated as floodways. A floodway may be an extremely hazardous area due to the velocity of floodwaters, debris or erosion potential. In addition, the area must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights and velocities. Therefore, the following provisions shall apply:

1. Encroachments are prohibited, including fill, new construction, substantial improvements or other development within the adopted regulatory floodway. Development may be permitted however, provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the encroachment shall not result in any increase in flood levels or floodway widths during a base flood discharge. A registered professional engineer must provide supporting technical data and certification thereof;
2. A community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, floodway width or base flood discharge provided that the applicant first applies for a Conditional Letter of Map Revision (CLOMR) from FEMA prior to the start of construction. Upon completion of the project, the applicant shall apply for a Letter of Map Revision (LOMR) from FEMA. Submittal requirements and fees shall be the responsibility of the applicant as established under the the provisions of § 65.12.
3. ONLY if Article V, Section C, provisions (1) through (2) are satisfied, then any new construction or substantial improvement shall comply with all other applicable flood hazard reduction provisions of Article V, Sections A and B.

Section D. Standards for Areas of Special Flood Hazard Zones AE with Established Base Flood Elevations but Without Floodways Designated

Located within the Special Flood Hazard Areas established in Article III, Section B, where streams exist with base flood data provided but where no floodways have been designated (Zones AE), the following provisions apply:

1. Require until a regulatory floodway is designated, that no new construction, substantial improvements, or other development, including fill shall be permitted within Zone AE on the community's FIRM, unless it is demonstrated through hydrologic and hydraulic analyses performed that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community.
2. A community may permit encroachments within Zones AE on the community's FIRM, that would result in an increase in the water surface elevation of the base flood, provided that the applicant first applies for a Conditional Letter of Map Revision (CLOMR) from FEMA prior to the start of construction. Upon completion of the project, the applicant shall apply for a Letter of Map Revision (LOMR) from FEMA. Submittal requirements

and fees shall be the responsibility of the applicant as established under the provisions of § 65.12.

3. ONLY if Article V, Section D, provisions (1) through (2) are satisfied, then any new construction or substantial improvement shall comply with all other applicable flood hazard reduction provisions of Article V, Sections A and B.

Section E. Standards for Streams without Established Base Flood Elevations and Floodways (A Zones)

Located within the Special Flood Hazard Areas established in Article III, Section B, where streams exist, but no base flood data has been provided and where a Floodway has not been delineated, the following provisions shall apply:

1. The Administrator shall obtain, review, and reasonably utilize any Base Flood Elevation and floodway data available from any Federal, State, or other sources, including data developed as a result of these regulations (see 2 below), as criteria for requiring that new construction, substantial improvements, or other development in approximate A Zones meet the requirements of Article V, Sections A and B.
2. Require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals Base Flood Elevation data.
3. Within approximate A Zones, where Base Flood Elevations have not been established and where such data is not available from other sources, require the lowest floor of a building to be elevated or floodproofed to a level of at least three (3) feet above the highest adjacent grade (as defined in Article II). All applicable data including elevations or floodproofing certifications shall be recorded as set forth in Article IV, Section B. Openings sufficient to facilitate automatic equalization of hydrostatic flood forces on exterior walls shall be provided in accordance with the standards of Article V, Section B.
4. Within approximate A Zones, where Base Flood Elevations have not been established and where such data is not available from other sources, no encroachments, including structures or fill material, shall be located within an area equal to the width of the stream or twenty feet (20), whichever is greater, measured from the top of the stream bank, unless certification by a Tennessee registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within Anderson County, Tennessee. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.
5. New construction and substantial improvements of buildings, where permitted, shall comply with all applicable flood hazard reduction provisions of Article V, Sections A and B. Within approximate A Zones, require that those subsections of

Article V Section B dealing with the alteration or relocation of a watercourse, assuring watercourse carrying capacities are maintained and manufactured homes provisions are complied with as required.

Section F. Standards For Areas of Shallow Flooding (Zone AO)

Located within the Special Flood Hazard Areas established in Article III, Section B, are areas designated as shallow flooding areas. These areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate. In addition to Article V, Sections A and B, all new construction and substantial improvements shall meet the following requirements:

1. The lowest floor (including basement) shall be elevated at least as high as the depth number specified on the Flood Insurance Rate Map (FIRM), in feet, plus a freeboard of one (1) foot above the highest adjacent grade; or at least three (3) feet above the highest adjacent grade, if no depth number is specified.
2. Non-residential structures may, in lieu of elevation, be floodproofed to the same level as required in Article V, Section F(1) so that the structure, together with attendant utility and sanitary facilities, below that level shall be watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Certification is required in accordance with Article IV, Section B(1) (c) and Article V, Section B(2).
3. Adequate drainage paths shall be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

Section G. Standards For Areas of Shallow Flooding (Zone AH)

Located within the Special Flood Hazard Areas established in Article III, Section B, are areas designated as shallow flooding areas. These areas are subject to inundation by 1-percent-annual-chance shallow flooding (usually areas of ponding) where average depths are one (1) to three (3) feet. Base Flood Elevations are derived from detailed hydraulic analyses are shown in this zone. In addition to meeting the requirements of Article V, Sections A and B, all new construction and substantial improvements shall meet the following requirements:

1. Adequate drainage paths shall be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

Section H. Standards For Areas Protected by Flood Protection System (A-99 Zones)

Located within the Areas of Special Flood Hazard established in Article III, Section B, are areas of the 100-year floodplain protected by a flood protection system but where Base Flood Elevations have not been determined. Within these areas (A-99 Zones) all provisions of Article IV and Article V shall apply.

Section I. Standards for Unmapped Streams

Located within the Anderson County, Tennessee, are unmapped streams where areas of special flood hazard are neither indicated nor identified. Adjacent to such streams, the following provisions shall apply:

1. No encroachments including fill material or other development including structures shall be located within an area of at least equal to twice the width of the stream, measured from the top of each stream bank, unless certification by a Tennessee registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the locality.
2. When a new flood hazard risk zone, and Base Flood Elevation and floodway data is available, new construction and substantial improvements shall meet the standards established in accordance with Articles IV and V.
3. ONLY if Article V Section I, provisions (1) through (2) are satisfied, then any new construction or substantial improvement shall comply with all other applicable flood hazard reduction provisions of Article V, Sections A and B.

ARTICLE VI. VARIANCE PROCEDURES

Section A. Regional Board of Zoning Appeals

1. Authority

The Anderson County, Tennessee Regional Board of Zoning Appeals shall hear and decide appeals and requests for variances from the requirements of this Resolution.

2. Procedure

Meetings of the Regional Board of Zoning Appeals shall be held at such times, as the Board shall determine. All meetings of the Regional Board of Zoning Appeals shall be open to the public. The Regional Board of Zoning Appeals shall adopt rules of procedure and shall keep records of applications and actions thereof, which shall be a public record. Compensation of the members of the Regional Board of Zoning Appeals shall be set by the Legislative Body.

3. Appeals: How Taken

An appeal to the Regional Board of Zoning Appeals may be taken by any person, firm or corporation aggrieved or by any governmental officer, department, or bureau affected by any decision of the Administrator based in whole or in part

upon the provisions of this Resolution. Such appeal shall be taken by filing with the Regional Board of Zoning Appeals a notice of appeal, specifying the grounds thereof. In all cases where an appeal is made by a property owner or other interested party, a fee of \$25.00 dollars for the cost of publishing a notice of such hearings shall be paid by the appellant. The Administrator shall transmit to the Regional Board of Zoning Appeals all papers constituting the record upon which the appeal action was taken. The Regional Board of Zoning Appeals shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to parties in interest and decide the same within a reasonable time which shall not be more than 30 days from the date of the hearing. At the hearing, any person or party may appear and be heard in person or by agent or by attorney.

4. Powers

The Regional Board of Zoning Appeals shall have the following powers:

a. Administrative Review

To hear and decide appeals where it is alleged by the applicant that there is error in any order, requirement, permit, decision, determination, or refusal made by the Administrator or other administrative official in carrying out or enforcement of any provisions of this Resolution.

b. Variance Procedures

In the case of a request for a variance the following shall apply:

- 1) The Anderson County, Tennessee Regional Board of Zoning Appeals shall hear and decide appeals and requests for variances from the requirements of this Resolution.
- 2) Variances may be issued for the repair or rehabilitation of historic structures as defined, herein, upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary deviation from the requirements of this Resolution to preserve the historic character and design of the structure.
- 3) In passing upon such applications, the Regional Board of Zoning Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this Resolution, and:
 - a) The danger that materials may be swept onto other property to the injury of others;
 - b) The danger to life and property due to flooding or erosion;
 - c) The susceptibility of the proposed facility and its contents to flood damage;

- d) The importance of the services provided by the proposed facility to the community;
 - e) The necessity of the facility to a waterfront location, in the case of a functionally dependent use;
 - f) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
 - g) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 - h) The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - i) The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;
 - j) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, water systems, and streets and bridges.
- 4) Upon consideration of the factors listed above, and the purposes of this Resolution, the Regional Board of Zoning Appeals may attach such conditions to the granting of variances, as it deems necessary to effectuate the purposes of this Resolution.
 - 5) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

Section B. Conditions for Variances

- 1. Variances shall be issued upon a determination that the variance is the minimum relief necessary, considering the flood hazard and the factors listed in Article VI, Section A.
- 2. Variances shall only be issued upon: a showing of good and sufficient cause, a determination that failure to grant the variance would result in exceptional hardship; or a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or Resolutions.
- 3. Any applicant to whom a variance is granted shall be given written notice that the issuance of a variance to construct a structure below the Base Flood Elevation will result in increased premium rates for flood insurance (as high as \$25 for \$100) coverage, and that such construction below the Base Flood Elevation increases risks to life and property.

4. The Administrator shall maintain the records of all appeal actions and report any variances to FEMA upon request.

ARTICLE VII. LEGAL STATUS PROVISIONS

Section A. Conflict with Other Resolutions

In case of conflict between this Resolution or any part thereof, and the whole or part of any existing or future Resolution of Anderson County, Tennessee, the most restrictive shall in all cases apply.

Section B. Severability

If any section, clause, provision, or portion of this Resolution shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this Resolution which is not of itself invalid or unconstitutional.

Section C. Effective Date

This Resolution shall become effective on _____, the public welfare demanding it.

Approved and adopted by the Anderson County, Tennessee, Mayor and the Anderson County Board of Commissioners.

Date

Mayor of Anderson County, Tennessee

County Commission Chairwoman

ATTEST: _____
County Clerk

Date of Public Hearing

Date of Publication of
Caption and Summary

JAMES W. BROOKS, JR.
ANDERSON COUNTY LAW DIRECTOR

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cpowell@andersoncountyttn.gov

DENISE R. JUSTICE, LEGAL ASSISTANT

djustice@andersoncountyttn.gov

FEBRUARY 4, 2026

Tim Isbell, Chairman
Anderson County Operations Committee

RE: Law Director's Report – FEBRUARY OPERATIONS MEETING

Chairman Isbell and
Operations Committee Members:

A. ACTION ITEMS

1. Community Mapping Update – Review Historical Mapping provided by email and determine which communities should be added to additional ESRI map layer.

2. Illegal Robo Call Letter – Review/approve letter to State Representatives regarding the illegal Robo-Calls.

B. CONTRACTS

We have reviewed, revised or approved the following contracts:

1. State and Local Tax Advisors – Property Assessors Office
2. Allpaid
3. Duracap Contract Amendment (now APAC Atlantic)
4. Kel-Shred, Law Directors Office
5. Litter Grant

C. CASES INVOLVING VIOLATIONS OF THE ANDERSON COUNTY ZONING RESOLUTION

1. Newly Filed

- 474 Old Lake City Highway

2. Status of cases filed with pending deadlines:

- 1036 Byrams Fork Road – Pending Motion for Default Judgment. Compliance Agreement has been entered and progress is being monitored.

- 438 Old Fratersville Hollow Lane- Pending Hearing on Motion for Contempt set for February 23, 2026.
- 301-347 Old Lake City Highway - Pending Motion to Set Trial Date. Defendant's Discovery Responses due on 3/5/2026.
- 3708 Lake City Highway – Pending Discovery – Defendants Responses due on 3/5/2026
- 482 Old Lake City Highway – Pending Motion for Default Judgment. Hearing Date TBD
- 1820 Old Lake City Highway – Pending Motion for Default Judgment. Hearing Date TBD
- 309 Foley Hill – Non-Suit pending demolition and transfer of property.

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. Newman-Order of Dismissal entered in bankruptcy court; outstanding taxes paid; file closed
2. McClane-Order for Dismissal entered in bankruptcy court; outstanding taxes paid; file closed.
3. Kendell-Agreed Order Denying Discharge (prior bankruptcy timing rule) entered; Motion to Dismiss pending in bankruptcy court set for 02/18/26
4. Fine-Objections to Confirming Chapter 13 plan pending; confirmation hearing set for 03/04/26
5. Garner Berry-outstanding taxes paid; awaiting discharge
6. Asher-outstanding taxes paid; awaiting Order Confirming Chapter 13 plan

E. STATUS OF PENDING LAWSUITS

1. *Barker v. Provision*. Pending Discovery. Defendant's Responses are due on March 1, 2026.
2. *Zayo v. Anderson Co. Commission et al.* Hearing held January 9, 2026, in the Chancery Court. Awaiting decision.

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- Meeting Scheduled with Law Director, Mayor, and Commission Chair on 2/11/2026, to determine initial demand amount.
3. Civil Air Patrol (CAP)-Negotiating language for MOU with CAP leadership staff. Received favorable life safety report from COR. Received proof of insurance from CAP.
4. Assisted Human Resource Department with preparing response to Open Records Requests by Jill Startup for animal shelter documents.
5. Researched and prepared opinion letter regarding overtime non-exempt status for ACSO captains.
6. Legal research, review of beer permit application and attendance at Beer Board Hearing.
7. Researched CTAS Reference material, Tennessee Code, and National Fire Protection Administration Guidelines relative to County Fire Marshal's in anticipation of providing guidance for new Fire Marshall.

Respectfully submitted,

James W. Brooks, Jr.
Law Director

cc: Annette Prewitt

JAMES W. BROOKS, JR.
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CASSANDRA M. POWELL, PARALEGAL
cpowell@andersoncountyttn.gov

DENISE R. JUSTICE, LEGAL ASSISTANT
djustice@andersoncountyttn.gov

TO: Anderson County Operations Committee
FROM: Anderson County Law Director's Office
DATE: January 22, 2025
SUBJECT: Request for Letter to State Representatives re: Robo-Calls

In July 2025, at the request of the Anderson County Commission, the Law Director's Office sent a letter to State Representatives Ed Butler and Rick Scarbrough seeking guidance regarding the ongoing proliferation of illegal robocalls and scam text messages. No formal response was received to that inquiry.

Since that time, this office has conducted additional research concerning the laws governing robocalls, spoofing, and related telecommunications practices, with attention to the limitations on enforcement under existing law.

The following memorandum provides a fact-based summary of that research, together with a proposed draft of follow-up correspondence to Representatives Butler and Scarbrough requesting their assistance and advocacy with respect to potential legislative or regulatory solutions. This information is presented for the Operations Committee's consideration in advance of any further action, in order to ensure that any future correspondence to the General Assembly reflects a clear understanding of the issue, the limits of local authority, and the range of realistic options available at the state level.

The intent of this memorandum is to aid discussion and support thoughtful deliberation, so that any request made on behalf of the County is well-reasoned, well-informed, and appropriately tailored to the scope of state legislative authority.

I. Overview of the Issue

Residents and businesses in Anderson County continue to experience a high volume of robocalls and scam text messages. These communications are disruptive, invasive, and in many cases fraudulent, resulting in financial harm and loss of trust, especially amongst seniors and vulnerable people.

It is important to emphasize that most of these calls and texts are already illegal under existing federal law. The persistent nature of the problem is not due to a lack of laws, but rather to limitations in enforcement authority, jurisdiction, and practical identification of offenders.

II. Federal Laws That Prohibit Robocalls and Scam Texts

1. Telephone Consumer Protection Act (TCPA) – 47 U.S.C. § 227

The TCPA is the primary federal statute regulating robocalls and automated text messages. It prohibits:

- Automated calls or texts to cell phones without the recipient's prior express consent;
- Robocalls using prerecorded or artificial voices;
- Unsolicited marketing calls and texts; and

- Certain calls to numbers listed on the National Do Not Call Registry.

Violations may result in civil penalties and allow for private lawsuits; however, enforcement depends on identifying the caller.

2. Truth in Caller ID Act – 47 U.S.C. § 227(e)

This law prohibits any person from knowingly transmitting misleading or inaccurate caller ID information with the intent to defraud, cause harm, or wrongfully obtain something of value.

In plain terms, this law makes “spoofing” illegal in most instances because when it is used to deceive or scam recipients.

3. Federal Communications Commission (FCC) Regulations

The FCC enforces the TCPA and related statutes and has adopted regulations requiring telecommunications providers to:

- Implement call authentication technology;
- Block known scam traffic in certain circumstances; and
- Cooperate with federal enforcement actions.

III. Agencies Responsible for Enforcement

Federal Communications Commission (FCC)

The FCC is the Primary regulatory and enforcement authority and they have the ability to impose fines, issue cease-and-desist orders, and regulate phone carriers; however, their enforcement is selective and resource-limited.

Federal Trade Commission (FTC)

The FTC focuses on deceptive and unfair business practices and operates the national consumer complaint database, but they do not directly regulate phone carriers.

U.S. Department of Justice (DOJ)

The U.S. DOJ handles criminal prosecutions in extreme or egregious cases; however, they are rarely involved due to jurisdictional and evidentiary challenges.

Tennessee Attorney General

The Tennessee Attorney General may enforce state consumer protection laws; however, authority over robocalls is limited and generally secondary to federal law. Additionally, the Tennessee Attorney General lacks direct regulatory authority over telecommunications carriers.

County Government

Local governments have no authority to regulate telecommunications networks and no jurisdiction over interstate or international calls. Enforcement by county government is really limited to educating the public, data collection, and referral to state or federal agencies.

IV. Why Enforcement Is So Difficult

Despite the federal and state laws prohibiting robocalls, enforcement is restricted by several hurdles:

1. Many robocalls are routed through foreign entities beyond U.S. jurisdiction.
2. Spoofed numbers obscure the true source, making investigation difficult and time-consuming.
3. Telecommunications Infrastructure complicates the FCC's ability to determine the source/provider. Calls often pass through multiple carriers and resellers, complicating accountability. With so many telecom intermediaries, (VOIP, Wi-Fi calling, gateway providers), it is almost impossible to determine everywhere the call has been routed before reaching the public.
4. There are limited resources available for enforcement and agencies prioritize the largest or most egregious cases, leaving many complaints unresolved.
5. Counties cannot block calls, regulate carriers, or prosecute most offenders.

V. What This Means for Anderson County

The problem is real, and illegal, but largely outside local control. Frustration stemming from the inundating calls is understandable but there is no legal authority at the county level to directly stop any of the calls.

Relief depends on stronger involvement from the state-level, increased accountability measures for telecom providers, and enhanced coordination with federal regulators, as well as additional resources to meet the operational requirements for enforcement across a broader spectrum.

VI. Potential Paths Forward

While local enforcement options are limited, it is not uncommon for a county to educate the public on scam identification and reporting, as well as document residents complaints/reports of scam activity. This is already an action that Anderson County takes by notifying the community with scam alerts on local media platforms, educating residents and providing resources for reporting potential scams.

Anderson County is already taking action locally to protect its citizens, and the Board of Commissioners have requested guidance from state representatives. Attached is an additional letter our office has prepared to be sent to our State representatives asking them to advocate for state legislation empowering the Attorney General and regulating telecom intermediaries through coordination with the Department of Justice, Federal Communications Commission, and Federal Trade Commission.

IN SUMMARY

Robocalls are already illegal, but enforcement is limited by jurisdictional constraints, caller anonymity, and federal resource limitations. Counties lack authority to stop these communications directly. While the most realistic solutions lie at the state level (particularly those focused on telecommunications accountability, data-driven enforcement, and improved coordination) any policy response must consider practical operational hurdles, limited resources, and the inherent difficulty of regulating interstate and international call traffic. Meaningful state action will also be constrained without effective coordination with federal agencies that already face significant enforcement capacity challenges.

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CASSANDRA M. POWELL, PARALEGAL

cpowell@andersoncountyttn.gov

February 9, 2025

Via Email & US Mail:

rep.ed.butler@capitol.tn.gov

Rep. Ed Butler

425 Rep. John Lewis Way N.

Suite 578 Cordell Hull Building

Nashville, TN 37243

Via Email & US Mail:

rep.rick.scarbrough@capitol.tn.gov

Rep. Rick Scarbrough

423 Rep. John Lewis Way N.

Suite 614 Cordell Hull Bldg.

Nashville, TN 37243

Re: Continued Proliferation of Illegal Robocalls and Scam Text Messages

Dear Representatives Butler and Scarbrough:

I write on behalf of the Anderson County Commission to request your guidance and assistance regarding the ongoing proliferation of illegal robocalls and scam text messages impacting the residents and businesses of Anderson County. This correspondence follows concerns raised by constituents and subsequent discussion by the Commission regarding the limited effectiveness of existing enforcement mechanisms.

As you are well aware, robocalls, spoofed calls, and unsolicited scam text messages are already prohibited under federal law, and primary enforcement authority rests with federal agencies, including the Federal Communications Commission. Despite these legal prohibitions, local governments continue to receive a high volume of complaints, while meaningful enforcement remains limited due to jurisdictional constraints, caller anonymity, interstate and international call routing, and finite federal resources.

Anderson County recognizes that counties lack authority to regulate telecommunications providers or directly prevent these communications. Nevertheless, the Commission seeks your assistance in identifying whether there are realistic state-level tools, policy initiatives, or legislative options that could help address this issue, particularly those focused on telecommunications provider accountability, data collection and coordination, and collaboration with federal regulators.

Specifically, we respectfully request your guidance as to:

- Whether existing state authorities or agencies have a role that could be strengthened or better utilized;
- Whether legislative action could support improved coordination between Tennessee and federal enforcement efforts; and
- What practical, enforceable measures—if any—might reasonably be pursued at the state level, given operational and resource limitations.

Our goal is to better understand how the State of Tennessee may assist local governments and residents in mitigating the ongoing impact of illegal robocalls and scam communications. Any insight or direction you can provide would be greatly appreciated.

Thank you for your continued service and for your consideration of this matter. We look forward to your guidance.

Sincerely,

A handwritten signature in black ink that reads "James Brooks Jr." with a stylized flourish at the end.

James W. Brooks, Jr., Esq.
Anderson County Law Director

cc: Mayor Terry Frank
Anderson County Board of Commissioners

**ANDERSON COUNTY GOVERNMENT
SUMMARY OF BUDGET AMENDMENTS**

January 8, 2026

<u>PAGE NO.</u>	<u>ITEM NO.</u>	<u>FUND - DEPARTMENT</u>	<u>AMOUNT</u>
Group 1 Financial Reports			
Cash & Fund Balance, Sales Tax, ARPA and Grant Reports			
Group 2 Purchasing Contracts & Surplus Vehicles - Legal Review - Commission Approval			
1	3A	The Lamar Companies, Tourism, Contract #26-0078	
1	#4 4A	7 EMS Tuition Contracts, Contract #'s 26-0081-0087	
Group 3 Consent Agenda - Transfers (No Commission Action Necessary)			
2	1	General Fund 101 - EMS	\$ 12,000.00
2	2	General Fund 101 - Property Assesor	\$ 373.00
2	3	Fund 143 - Central Cafeteria	\$ 6,500.00
3	20	General Fund 101 - Veteran's Office	\$ 2,000.00
Group 4 - Appropriations - School (Commission Approval by Board Vote)			
3	4	Fund 143 - Central Cafeteria	\$ 5,151.08
4	#5 5	Fund 141 - Fiscal Services	\$ 45,632.00
4	6	Fund 141 - Fiscal Services	\$ 10,000.00
4	7	Fund 141 - Fiscal Services	\$ 50,000.00
Group 5 - Transfers - School (Commission Approval by Board Vote)			
5	#6 8	Fund 141 - Fiscal Services	\$ 39,383.06
Group 6 - Appropriations - NonSchool (Commission Approval by Board Vote)			
5	9	General Fund 101 - General Administration	\$ 9,980.63
6	10	General Fund 101 - Animal Control	\$ 1,000.00
6	#11 11	General Fund 101 - Office on Aging & Sr. Center	\$ 2,800.00
6	12	General Fund 101 - Sheriff	\$ 8,675.25
7	15	General Fund 101 - EMS	\$ 2,536.00
9	18	General Fund 101 - Finance (ARC Grant)	\$ 1,715,681.00
9	19	General Fund 101 - Finance (EOC Grant)	\$ 3,923,920.00
Group 7 - Appropriations - General Fund Unassigned Fund Balance (Commission Approval by Board Vote)			
<i>Put on 2/5-3/26</i>			
Group 8 - Transfers - NonSchool (Commission Approval by Board Vote)			
7	13	General Fund 101 - Sheriff (Payroll)	\$ 8,000.00
7	14	General Fund 101 - Sheriff (Payroll)	\$ 110,000.00
8	#16 16	Fund 131 - Highway (Payroll)	\$ 190,800.00
8	17	Fund 131 - Highway (Payroll)	\$ 15,000.00
Group 9 - Miscellaneous			
10	A	Report on Debt Obligation <i>put on highlighted</i>	Information
10	B	FY 26/27 Budget Calendar & Guidelines <i>No Mot</i>	Motion To Approve
10	C	Unfinished Business - Park Rd. (Refer to Highway Committee) <i>No Mot</i>	Motion To Approve
10	D	New Business - County Planner Position <i>No Mot</i>	Motion To Approve
Group 10 - Additional Items not discussed during budget committee (requires 3/4 majority vote)			

Annette Prewitt

From: Commissioner Tracy Wandell
Sent: Wednesday, February 4, 2026 10:44 AM
To: Annette Prewitt; Tim Isbel
Subject: Operations Agenda Request 2/9/2026

Good morning Chairman Isbel,

I respectfully request the following items be added to the Operations agenda.

- 1) Robert Campbell and Associates – New River / Rosedale clean water discussion
- 2) PILT Revenue – TWRA, DOE, TVA, and any others
- 3) State Route 116 – emergency maintenance request
- 4) Animal Shelter updates – numbers, parking, audit, new tracking system, and other updates

It is my understanding that an item will be added from our recent commission meeting to discuss the EOC FEMA grant and related funds associated. Looking to see plan for what the funds are ear marked for.

Thank you. Let me know if any questions.

Respectfully,

Tracy



Tracy Wandell
Anderson County Commissioner
District 1
865-388-0921 cell
twandell@andersoncountytn.gov

From: Annette Prewitt <aprewitt@andersoncountytn.gov>
Sent: Tuesday, February 3, 2026 2:51 PM
To: Commissioner Anthony Allen <aallen@andersoncountytn.gov>; Chad McNabb <chadmcnabbtn@gmail.com>; Commissioner Denise Palmer <dpalmer@andersoncountytn.gov>; Commissioner Ebony Capshaw <ecapshaw@andersoncountytn.gov>; Commissioner Jerry White <jwhite@andersoncountytn.gov>; Joshua Anderson <joshandersondistrict3@gmail.com>; Commissioner Michael Foster <mfoster@andersoncountytn.gov>; Commissioner Phil Yager <pyager@andersoncountytn.gov>; Robert Smallridge <rjsmal@yahoo.com>; robertmckamey@comcast.net; Sabra Beauchamp <sbeauchamp@andersoncountytn.gov>; Shain Vowell <jsvowell1@gmail.com>; Commissioner Shelly Vandagriff <svandagriff@andersoncountytn.gov>; Commissioner Steve Verran <sverran@andersoncountytn.gov>; Commissioner Tracy Wandell <twandell@andersoncountytn.gov>; ufp_bob@comcast.net
Subject: Reminder

Reminder: Tomorrow, Wednesday February 4, is the deadline for the Operations Agenda.



Anderson County Water Authority

MINUTES DECEMBER 17, 2025

MEMBERS PRESENT

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

OTHERS PRESENT

JEFF ELROD HOUSTON DAUGHERTY
JOHN MITCHELL MICHAEL SWISHER
KEVIN BOWLING NIKKI SWISHER
JEREMIAH SWEAT GORDON COX
JOE SAVAGE LISA SWISHER
BOB SWISHER JOSH ANDERSON
ERIC GAMBLE

On December 17, 2025, Commissioner Horton called the ACWA Board Meeting to order at 9: 00 a.m.

- I. Motion by Commissioner Rose to approve November 18, 2025, Minutes, Second by Commissioner Bowles, 4 ayes, 1 absent, motion carried.
- II. Motion by Commissioner Bowles to approve December 17, 2025, Agenda, Second by Commissioner Rose, 4 ayes, 1 absent, motion carried.
- III. Motion by Commissioner Bowles to approve November 2025 Invoice History Report, Second by Commissioner Shelton, 4 ayes, 1 absent, motion carried.
- IV. Motion by Commissioner Rose to approve November 2025 Expenditure Report, Second by Commissioner Bowles, 4 ayes, 1 absent, motion carried.
- V. Motion by Commissioner Rose to approve November 2025 Revenue Report, Second by Commissioner Bowles, 4 ayes, 1 absent, motion carried.
- VI. Motion by Commissioner Bowles to approve November 2025 Profit and Loss Report, Second by Commissioner Shelton, 4 ayes, 1 absent, motion carried.
- VII. **Public comments**- Gordon Cox addressed the room regarding utility markers in front of his property. Jeff explained it was related to Norris's project and a potential sewer



Continued.....

plant. CCI is involved in the engineering of this project for Norris and spoke to the attendees on this matter. ACWA does not have anything to do with the project and suggests citizens have a conversation with the City of Norris.

VII. Old Business-

New Business

A. MANAGER'S REPORT

1. **AUDIT REPORT-** Joe Savage with Parsons & Wright reviewed with the Manager and Board the 24/25 Audit.
2. **ACTION REPORT-**
 - a. **HINDS CREEK TOWNHOMES SUBDIVISION-** Manager Elrod informed the board after requesting a MOU from Mr. King, he still has not received it back. Manager Elrod stated that if he does not receive the signed MOU and it is followed through, ACWA will not accept this subdivision.
3. **ARP PROJECTS-** Manager Elrod reviewed and updated the following projects with the board.
 - a. **HPUD BOOSTER STATION UPDATE-** Still waiting on the pumping stations. Eric from CCI stated the delivery should be February 2026.
 - b. **AIRBASE SEWER PROJECT-** Manager Elrod stated the agreement has been signed, and we are waiting for the Contractor to begin inspecting and videoing the sanitary sewer collection system.
 - c. **INDUSTRIAL TANK-** Manager Elrod presented an appraisal to the Board for the property to purchase where the Industrial Tank is located. He will discuss it with the property owner. Manager Elrod requested approval for \$50,000 to offer for the property with a signed easement and await the property owner's response. Motion by Commissioner Shelton, Second by Commissioner Bowles, 4 ayes, 1 absent, motion carried.



Anderson County Water Authority

4. **WATER TREATMENT PLANT UPDATE-** Manager Elrod informed the board, himself and Commissioner Shelton held a meeting with state officials including Mr. Scarbrough and the Lieutenant Governor. The next step is hoping to have more direction within 90 days which path to pursue and options for a future Water Treatment Plant.
5. **CAPITAL BUDGET REVISION-** Manager Elrod requested on the attached exhibit page to mark out the line item for the 12” main replacement on Andersonville Hwy for this capital budget year approved in June to ensure the 12-inch pipe is the correct size for long-term development. He also stated it is not feasible to install the pipeline internally with the current setup until the future fiscal year with other expenses that need to be done. Motion by Commissioner Bowles to authorize Manager Elrod to reallocate \$130,00 for urgent capital improvements and defer the Andersonville project until next year pending study of size and cost, Second by Commissioner Rose, 4 ayes, 1 absent, motion carried.
6. **HOLIDAY SCHEDULE-**Manager Elrod requested a motion to observe the Christmas holiday for Thursday and Friday of this year. Motion by Commissioner Shelton, Second by Commissioner Rose, 4 ayes, 1 absent, motion carried.
7. **SURPLUS VEHICLES-** Assistant Manager Jeremiah Sweat requested from the board to list for sale on govdeals.com a 2013 F150 with almost 200,000 miles; he will set a reserve around \$2500. Motion by Commissioner Bowles to surplus as recommended, Second by Commissioner Rose, 4 ayes, 1 absent, motion carried.



B. OTHER REPORTS

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

4. ASSISTANT MANAGERS REPORT (JOHN)
 - A. **OVERTIME**- Assistant Manager John Mitchell discussed November 2025 overtime.
 - B. **WATER LOSS**- There was a water loss of 30.3% in November 2025.

MEETING ADJOURNED BY COMMISSIONER SHELTON 10:30AM

Jack Shelton

Rickey Rose

George Horton

Dusty Irwin

Ernest Bowles

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

F) Retirement Plan:

Removal of the six-month probationary period for new hires before the mandatory 5-percent contributions policy will change effective July 1, 2026.

17. Commissioner McNabb made a motion to ban groups soliciting funds at roadblocks outside the city limits. Second by Commissioner Foster. Motion passed by voice vote.

18. Commissioner McKamey made a motion to refer the Rail to Trails back to Operations. Second by Commissioner Capshaw. Motion passed by voice vote.

19. Commissioner Capshaw made a motion that Anderson County approach ACWA to pursue funds from TDEC to install a clean water well in the Rosedale Community. Second by Commissioner McNabb. Commissioner Foster replaced the motion that Commission would support ACWA's efforts in pursuing funds to install a clean water well in the Rosedale Community and for the Law Director to draft a letter in support to ACWA. Motion passed by voice vote.

20. Commissioner Isbel made a motion approving to request ACWA to establish a contact system for the customers of ACWA to address the specific requests on sewer and water complaints. Second by Commissioner McNabb. Motion passed by voice vote.

21. Commissioner Capshaw made a motion to approve the Law Director sending a second letter regarding scam calls to State Legislators Butler, Scarbrough, and Senator McNally for their feedback. Second by Commissioner Allen. Motion passed by voice vote.

22. Commissioner Capshaw made a motion to allow the Operations Chair and the Mayor along with the Law Director to draft a letter to the City of Oak Ridge to request a joint workshop to possibly meet semi-annually, amended by Commissioner Isbel to include all the municipalities. Second by Commissioner Wandell. Motion passed by voice vote.

Highway 61 Update – No Action.

Rules

23. Commissioner Foster made a motion to approve for the Law Director to research resolutions and proclamations, how we go about honoring people and putting rules in place just related to Anderson County to be part of the vote, when to vote or not vote on these. Second by Commissioner Yager. Motion passed by voice vote.

24. Commissioner Foster made a motion to refer standardizing agendas and minutes back to the Rules Committee. Second by Commissioner Beauchamp. Motion passed by voice vote.

Announcements

Reminder of the joint meeting with Planning Commission on January 29th at 5:30 in room 312.

Opioid will have a meeting on January 27th at 4:30 in room 312.

League of Women Voters will meet on Friday January 23rd with noon at the Oak Ridge Civic

Anderson County Board of Commissioners
OPERATIONS COMMITTEE
MINUTES
January 12, 2026
6:00 PM Room 312

Members Present: Tim Isbel, Josh Anderson, Ebony Capshaw, Michael Foster, Phil Yager, Tracy Wandell, Robert McKamey and Stephen Verran.

Members Absent: None

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

Commissioner Foster said the prayer.

Commissioner Wandell led the Pledge of Allegiance

Commissioner Capshaw made a motion that we add to the agenda to write a letter to Representative Rick Scarbrough and TVA concerning getting the permit for Anderson County Park Road improvements to Legislative. Motion passed.

Commissioner Yager requested to move Telehealth, Norris Water Treatment, Waste to Jobs Act, Rails to Trails, Briceville Water Update and Claxton Playground Update to Unfinished Business.

Commissioner Wandell made a motion to keep the items on top of the agenda.
Motion to move everything to Old Business failed.
Motion to leave agenda as is passed.
Motion to add discussion from Highway Committee to Legislative passed.

Appearance of Citizens
Jennifer Smith
Robin Graham
Heather Kiser

Intergovernmental

OPS > Commissioner Foster made a motion to defer Telehealth for Animals to the February Operations meeting. Second by Commissioner Wandell. Motion Passed.

Legislative

Commissioner Capshaw made a motion from the Highway Committee for approval to send a letter to State Representatives Butler and Scarbrough concerning applying for a TVA permit concerning the Anderson County Park Road shoreline erosion and for grant money to help with the repairs. Law Director and Mayor work together to draft the letters. Second by Commissioner Foster. Motion passed to forward to full commission for approval.

Commissioner Vowell requested to add to Legislative that the Anderson County Commission would draft a resolution of support to be sent to the State legislative body for a mental health facility to be constructed in this area.

Commissioner Verran made the motion. Second by Commissioner Capshaw. Motion passed to forward to full commission for approval.