

BE IT RESOLVED THAT THE ANDERSON COUNTY COMMISSION MET IN REGULAR SESSION ON DECEMBER 16, 2019 WITH THE FOLLOWING COMMISSIONERS PRESENT: CHUCK FRITTS, TRACY WANDELL, ROBERT JAMESON, RICK MEREDITH, DENVER WADDELL, JOSH ANDERSON, SHAIN VOWELL, TIM ISBEL, ROBERT MCKAMEY, JERRY WHITE, STEVE MEAD, JERRY CREASEY, THERESA SCOTT, PHIL YAGER AND BOB SMALLRIDGE. ABSENT: CATHERINE DENENBERG.

Prayer was led by Commissioner Vowell.

Pledge of Allegiance led by Commissioner Scott.

1. Commissioner McKamey made a motion to amend the Consent Agenda to add under the Waste Management Funds a donation to Clinton High School basketball of \$300.00 for a Washington trip. Seconded by Commissioner Meredith. Motion carried by voice vote.

Motion carried by voice vote to approve Consent Agenda as amended.

- Approval and corrections of November 18, 2019 County Commission.
- Notary and Notary Bonds
- Courtesy Resolutions/Proclamations(Exhibit A)
 - Resolution-Jim Woodward
 - Resolution-Tim Thompson
 - Resolution-Dr. Curtis Sexton
- Waste Management Funds
 - Lake City Elementary School is requesting funds for the Safety Patrol trip to Washington DC.
 - Norris Elementary School is requesting funds for the Safety Patrol trip to Washington DC.
 - Clinton High School Basketball is requesting funds for a trip to Washington.

Notaries

Erica Anderson

Amanda Licavoli

Laura Cordell

Donna C Miller

Aubree Farmer

Regina Palmer

Brittany Hamby

Sandra H Smith

James Harness

Kathleen F Townsend

Shea M Headrick

Keith C Turnbill

Rebecca Hurst

Shane West

Susan Kintz

Notary Bonds

Nationwide Mutual Ins

Bond at Large

Alyssa Duncan

Cathy F Brown

State Farm

Josephine Suggs

Robbie H Lowe

Paula S McQueen

James R Miller Jr

SBCA

Donna S Card

Sara Hugh Boring

Western Surety Company

Joann Adkins

Cherie K Phillips

Kristi Freels

Paula Sellers

Carolyn Jeanette Stevens

Travelers

Jennifer Hill

Lisa K Armes

CBIC

Dawn Flatford

Merchants

Larry D Perry

RLI

Bethany A Bisceglia

2. Commissioner McKamey made a motion to amend the Regular Agenda to move the Operations Committee Report up to item 6a. Seconded by Commissioner Mead. Motion carried by voice vote.

Commissioner Isbel made a motion to add the discussion of a meeting with Rusty Wallace Chevrolet concerning 205 Main Street to the top of the Operations Committee Report. Seconded by Commissioner Scott. Motion carried by voice vote.

Commissioner Creasey made a motion to add the discussion of FFA agreement funding under New Business. Seconded by Commissioner Mead. Motion carried by voice vote.

Commissioner Isbel made a motion to add to the Purchasing Committee Report the discussion of taking ownership over the equipment for Solid Waste. Seconded by Commissioner McKamey. Motion carried by voice vote.

Motion carried by voice vote to approve Regular Agenda as amended.

Public Hearing

3. Commissioner Scott made a motion to defer the rezoning of the property at 1127 Oliver Springs Highway Clinton for 30 days allowing the new process to go through and that the residents further then the property owners family members be contacted. Seconded by Commissioner Creasey. Motion carried by voice vote

4. Commissioner Mead made a motion to approve the proposed amendments to the Anderson County Zoning Resolution.(Exhibit B) Seconded by Commissioner Scott. Motion carried by voice vote.

Operations

5. Commissioner White made a motion to approve that Rusty Wallace Chevrolet be allowed to do a Phase 1 Environmental at 205 Main Street Clinton. Seconded by Commissioner McKamey. Voting aye: Fritts, Wandell, Jameson, Meredith, Anderson, Vowell, Isbel, McKamey, White, Mead, Creasey, Scott, Yager and Smallridge. Voting no: Waddell. Absent: Denenberg. Motion passed.

6. Commissioner McKamey made a motion that the Mayor and Finance Director explain the sales agreement and funding options to purchase the Mariner Point building for the Senior Center. Seconded by Commissioner Creasey. Motion carried by voice vote. Voting no Scott and Waddell.

7. Commissioner McKamey made a motion to purchase the Faith Promise Church building and to use the funding process and sales agreement as the Mayor has presented. Seconded by Commissioner Mead.

Commissioner Fritts made a motion to amend to add 60 days to the contract. Seconded by Commissioner Mead. Motion carried by voice vote. Voting no: Waddell and Scott.

Voting aye for the purchase of Faith Promise Building as presented: Fritts, Vowell, Isbel, McKamey, Mead and Smallridge. Voting no: Wandell, Jameson, Meredith, Waddell, Anderson, White, Creasey, Scott and Yager. Absent: Denenberg. Motion failed.

8. Commissioner Isbel made a motion to approve the stream restoration project with Stantec with the contingency that they work with CRESO and Arcadis. Seconded by Commissioner Mead. Motion carried by voice vote.

9. Commissioner Yager made a motion to approve the Senior Center Lease Agreement Extension with amendments. Seconded by Commissioner Mead. Motion carried by voice vote.

10. Commissioner Yager made a motion to approve the Sheriff's office lease of surplus vehicles to Roane State Community College, Briceville Volunteer Fire Department, Claxton Volunteer Fire Department and Marlow Volunteer Fire Department. Seconded by Commissioner Scott. Motion carried by voice vote.

11. Commissioner Isbel made a motion to approve that the Law Director form a mediation panel for the Carl Clifford Smith case and that Commissioner Wandell and Commissioner Yager be included on panel. Seconded by Commissioner Scott. Motion carried by voice vote.

12. Commissioner Fritts made a motion to consider the purchase of the Faith Promise Church building for a future County Commission location. Motion died for lack of second.

Purchasing

13. Commissioner Mead made a motion to approve the following contracts. Seconded by Commissioner Yager. Motion carried by voice vote.

- Safe Baby Grant, Juvenile Court-Thirty-two month grant to fund the development and implementation of a specialized infant and toddler court. Grant total is \$300,000.00 at \$100,000.00 per fiscal year.
- Patterson Dental, Dental Clinic-Twelve month contract for Eaglesoft Dental software.

14. Commissioner Yager made a motion to approve the following contracts. Seconded by Commissioner Mead. Motion carried by voice vote.

- Canon, BOE Business Office-Five year lease of copier. Pricing from State Wide Contract.
- Canon, BOE Business Office-Five year lease of copier. Pricing from State Wide Contract.
- Canon, BOE Business Office-Five year lease of copier. Pricing from State Wide Contract.
- Norris Health and Rehab, EMS-Two year contract for Transportation Services provided by EMS to the facility.
- NHC Healthcare Oak Ridge EMS-Two year contract for Transportation Services provided by EMS to the facility.
- Summit View Rocky Top EMS-Two year contract for Transportation Services provided by EMS to the facility.
- Diversicare, EMS-Three year contract for Transportation Services provided by EMS to the facility.

Commissioner Scott made a motion to amend this motion to defer for 30 days the two year contract with Wakefield & Associates Inc. for the EMS for accounts receivable services to assist with collection of past due accounts. Seconded by Commissioner Creasey. Motion carried by voice vote.

15. Commissioner Scott made a motion to approve a contract with Energy Systems Group for the county for twenty years for energy savings services. Seconded by Commissioner Yager. Motion carried by voice vote. Voting no: Waddell.

16. Commissioner White made a motion to approve a five year extension on a contract with Waste Connections for Solid Waste. Seconded by Commissioner Mead. Motion carried by voice vote. Voting no: Wandell.

17. Commissioner White made a motion to approve a contract with City Tele-Coin for the Sheriff's Department for twelve months with a four year renewal option for inmate video visitation services. Seconded by Commissioner Scott. Motion carried by voice vote.

18. Commissioner Jameson made a motion to approve a lease with Teresa Portwood for Office of Aging for the senior center for twelve months with a 30 day termination clause. Seconded by Commissioner Yager. Motion carried by voice vote.

Budget

19. Commissioner Fritts made a motion to approve the following school transfer. Seconded by Commissioner Yager. Voting aye: Fritts, Wandell, Jameson, Meredith, Waddell, Anderson, Vowell, Isbel, White, Mead, Creasey, Scott, Yager and Smallridge. Voting no: none. Absent: McKamey and Denenberg. Motion passed.

Increase Expenditure Code:

141-72220-524	Professional Development	\$21,577.55
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Decrease Expenditure Code:

141-71200-429	Instructional Supplies & Materials	\$21,577.55
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20. Commissioner Fritts made a motion to approve the following school appropriations. Seconded by Commissioner Scott. Voting aye: Fritts, Wandell, Jameson, Meredith, Waddell, Anderson, Vowell, Isbel, White, Mead, Creasey, Scott, Yager and Smallridge. Voting no: none. Absent: McKamey and Denenberg. Motion passed.

<u>Decrease Reserve Code:</u>		
141-39000	Unassigned Fund Balance	\$100,000.00
(amendment will be from 141-34675 Committed for Capital Outlay and a JE will replenish the reserve for 39000)		
<u>Increase Expenditure Code:</u>		
141-72620-718	Maintenance-Motor Vehicles	\$100,000.00
<u>Decrease Reserve Code:</u>		
141-39000	Unassigned Fund Balance	\$10,170.00
(amendment will be from 141-34585 Restricted for Capital Projects and a JE will replenish the reserve for 39000)		
<u>Increase Expenditure Code:</u>		
141-72620-399	Maintenance- Other Contracted Services	\$10,170.00
<u>Increase Revenue Code:</u>		
141-43551-SEFFS	School Based Health Services- Special Education Fees for Service	\$10,000.00
<u>Increase Expenditure Code:</u>		
141-72220-524-SEFFS	Professional Development	\$10,000.00
<u>Increase Revenue Code:</u>		
141-43551-SEFFS	School Based Health Services- Special Education Fees for Service	\$59,055.00
<u>Increase Expenditure Codes:</u>		
141-72220-189-SEFFS	Other Salaries and Wages	\$50,000.00
141-72220-201-SEFFS	Social Security	3,100.00
141-72220-204-SEFFS	Retirement	5,230.00
141-72220-212-SEFFS	Medicare	<u>725.00</u>
	Total Increased Expenditures	\$59,055.00

21. Commissioner Fritts made a motion to approve the following non-school appropriations. Seconded by Commissioner Jameson. Voting aye: Fritts, Wandell, Jameson, Meredith, Waddell, Anderson, Vowell, Isbel, White, Mead, Creasey, Scott, Yager and Smallridge. Voting no: none. Absent: McKamey and Denenberg. Motion passed.

<u>Decrease Reserve Code:</u>		
115-34535	Anderson County Library- Restricted for Other Purposes	\$134.00
<u>Increase Expenditure Code:</u>		
115-56500-351	Rentals	\$134.00
<u>Decrease Reserve Code:</u>		
115-34535-1001	Local Restricted Reserve	\$3,102.00
<u>Increase Expenditure Codes:</u>		
115-56500-399-1000	Other Contracted Services	\$1,650.00
115-56500-711-1000	Furniture and Fixtures	<u>1,452.00</u>
	Total Increased Expenditures	\$3,102.00
<u>Increase Expenditure Codes:</u>		
128-58110-302	Advertising	\$15,000.00

128-58110-302-4000	Advertising-Move to Anderson County	\$20,000.00
128-58110-316-1000	Contributions- Rocky Top	<u>10,000.00</u>
	Total Increased Expenditures	\$45,000.00
<u>Decrease Reserve Code:</u>		
128-34535	Restricted Fund Balance	\$45,000.00
<u>Increase Revenue Code:</u>		
101-48130-3001	Revenue for ORRCA	\$10,002.04
<u>Increase Expenditure Code:</u>		
101-54410-599-ORRCA	Civil Defense-Other Charges- ORRCA	\$10,002.04
<u>Increase Revenue Code:</u>		
118-49700	Insurance Recovery	\$951.00
<u>Increase Expenditure Code:</u>		
118-55130-338	Repairs & Maintenance- Vehicle	\$951.00
<u>Decrease Reserve Code:</u>		
116-34530	Restricted for Public Health & Welfare	\$17,000.00
<u>Increase Expenditure Codes:</u>		
116-55732-321	Engineering Services	\$17,000.00

22. Commissioner Fritts made a motion to accept the updated Anderson County Compensation Plan to include that the format for EMS (Fund 118) be consistent with the Sherriff's office format. Seconded by Commissioner Jameson. Voting aye: Fritts, Wandell, Jameson, Meredith, Waddell, Anderson, Vowell, Isbel, White, Mead, Creasey, Scott, Yager and Smallridge. Voting no: none. Absent: McKamey and Denenberg. Motion passed.

23. Commissioner Yager made a motion to accept the proposed updated Min-Mid-Max compensation structure. Seconded by Commissioner Meredith. Voting aye: Fritts, Wandell, Jameson, Meredith, Waddell, Anderson, Vowell, Isbel, White, Mead, Creasey, Scott, Yager and Smallridge. Voting no: none. Absent: McKamey and Denenberg. Motion passed.

Finance

24. Commissioner Meredith made a motion to approve the complete ESG project of \$7,866,213.00 and to get a bond to cover expenses. Seconded by Commissioner Mead. Voting aye: Fritts, Jameson, Meredith, Anderson, Vowell, Isbel, White, Mead, Creasey, Scott, Yager and Smallridge. Voting no: Wandell and Waddell. Absent: McKamey and Denenberg. Motion passed.

25. Commissioner Mead made a motion to approve resolution 19-12-791 authorizing the issuance of not to exceed seven million eight hundred thousand and 20/100 dollars (\$7,800,000.00) general obligation bonds of Anderson County Tennessee.(Exhibit C) Seconded by Commissioner Yager. Voting aye: Fritts, Jameson, Meredith, Anderson, Vowell, Isbel, Mead, Creasey, Scott, Yager and Smallridge. Voting no: Wandell and Waddell. Absent: McKamey and Denenberg. Motion passed.

26. Commissioner Meredith made a motion to refinance Fund 151 General Debt Service Series 2010 Bonds and Series 2011D Bonds, refinancing Fund 152 Rural Elementary Debt Service Series 2011E Bonds and refinancing Fund 156 Rural High School Debt Service Series 2011F Bonds. All

refinancing to occur without extending existing terms. Seconded by Commissioner Yager. Voting aye: Fritts, Wandell, Jameson, Meredith, Waddell, Anderson, Vowell, Isbel, White, Mead, Creasey, Scott, Yager and Smallridge. Voting no: none. Absent: McKamey and Denenberg. Motion passed.

27. Commissioner Meredith made a motion to add the Financial Management Committee Minutes to the County Commission Minutes. Seconded by Commissioner Yager. Motion carried by voice vote.

Departments

Circuit Court Clerk

28. Commissioner Meredith made a motion to approve Rex Lynch, Angie Perez, Shalea Prickett, Amanda Vowell and Emily Wallace to be approved as Judicial Commissioners with a term ending August 31, 2022. Seconded by Commissioner Waddell. Motion carried by voice vote.

Human Resources

No action at this time.

Director of Schools

No action at this time.

Mayor

29. Commissioner Mead made a motion to approve resolution 19-12-788 authorizing Anderson County to submit a 2020 Community Development Block Grant application.(Exhibit D) Seconded by Commissioner Meredith. Motion carried by voice vote.

30. Commissioner Scott made a motion to approve resolution 19-12-790 encouraging the support of Legislation which directs TennCare to reimburse ground ambulance providers at a rate not less than the current Medicare fee schedule and adding funding to the 2020-2021 state budget.(Exhibit E) Seconded by Commissioner Yager. Motion carried by voice vote.

31. Commissioner Scott made a motion to approve resolution 19-12-793 authorizing the County Mayor to enter into a Payment-In-Lieu-Of-Tax Agreement with the Department of Energy.(Exhibit F) Seconded by Commissioner Yager. Motion carried by voice vote.

32. Commissioner Jameson made a motion to approve the recommendation of the Mayor to appoint Bill Riggs as Chairman of the Civil Service Board. Seconded by Commissioner Yager. Motion carried by voice vote.

33. Commissioner Anderson made a motion to approve the recommendation of the Mayor to approve Ernie Bowles to fill the unexpired term of the vacancy of member Duane Stooksbury term

expiring 9/2022 on the Anderson County Water Authority. Seconded by Commissioner Jameson. Motion carried by voice vote.

34. Commissioner Meredith made a motion to approve the recommendation of the Mayor to appoint James Cooper and Hugh Von Evans term expiring 9/2022 to the Anderson County Development Corporation. Seconded by Commissioner Mead. Motion carried by voice vote.

35. Commissioner Jameson made a motion to approve the recommendation of the Mayor to appoint Jerry White term expiring 9/2025 to the Regional Solid Waste Board. Seconded by Commissioner Scott. Motion carried by voice vote.

36. Commissioner Anderson made a motion to approve the recommendation of the Mayor to re-appoint Tommy Mariner term ending 1/23 to the 911 Board. Seconded by Commissioner Smallridge. Motion carried by voice vote.

Law Director

No action at this time.

Resolutions

37. Commissioner Anderson made a motion to approve resolution 19-12-789 establishing meeting dates and times for the Anderson County Board of Commissioners.(Exhibit G) Seconded by Commissioner Yager. Motion carried by voice vote.

Executive Session

38. Commissioner Scott made a motion to go into Executive Session. Seconded by Commissioner Yager. Voting aye: Wandell, Jameson, Meredith, Waddell, Anderson, Vowell, Isbel, Mead, Creasey, Scott, Yager and Smallridge. Voting no: White. Absent: Fritts and Denenberg. Motion passed.

Old Business

No action at this time.

New Business

39. Commissioner Creasey made a motion for the Law Director to do a resolution to bring back to the January 2020 County Commission Meeting to support the future FFA Grant funding for the TDEC Oak Ridge operations. Seconded by Commissioner Mead. Motion carried by voice vote.

40. Commissioner Mead made a motion to add the letter dated 11-5-2019 that was distributed concerning TDEC to the County Commission minutes.(Exhibit H) Seconded by Commissioner Meredith. Motion carried by voice vote.

41. Commissioner Yager made a motion to approve a contract for the IT Department not to exceed \$34,000.00 to come from the undesignated funds. Seconded by Commissioner Meredith. Motion carried by voice vote.

<u>Decrease</u>		
101-39000	Unassigned	\$33,459.10
<u>Increase</u>		
101-52600-399	IT Other Contracted Services	\$33,459.10

Meeting adjourned.



Tracy Wandell, Chirman
County Commission



Jeff Cole
County Clerk



EXHIBIT PAGE

DECEMBER 16, 2019

EXHIBIT A: RESOLUTIONS FOR JIM WOODWARD, TIM THOMPSON AND DR. CURTIS SEXTON.

EXHIBIT B: AMENDMENTS TO ANDERSON COUNTY ZONING RESOLUTION.

EXHIBIT C: RESOLUTION 19-12-791 INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED SEVEN MILLIION EIGHT HUNDRED THOUSAND AN NO/100 DOLLARS (7,800,000.00) GENERAL OBLIGATION BONDS OF ANDERSON COUNTY TENNESSEE.

EXHIBIT D: RESOLUTION 19-12-788 AUTHORIZING ANDERSON COUNTY TO SUBMIT A 2020 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION.

EXHIBIT E: RESOLUTION 19-12-790 ENCOURAGING THE SUPPORT OF LEGISLATION WHICH DIRECTS TENNCARE TO REIMBURSE GROUND AMBULANCE PROVIDERS AT A RATE NOT LESS THAN THE CURRENT MEDICARE FEE SCHEDULE AND ADDING FUNDING TO THE 2020-2021 STATE BUDGET.

EXHIBIT F: RESOLUTION 19-12-793 AUTHORIZING THE COUNTY MAYOR TO ENTER INTO A PAYMENT IN LIEU OF TAX AGREEMENT WITH THE DEPARTMENT OF ENERGY.

EXHIBIT G: RESOLUTION 19-12-789 ESTABLISHING MEETING DATES AND TIMES FOR THE ANDERSON COUNTY BOARD OF COMMISSIONERS.

EXHIBIT H: LETTER CONCERNING FFA GRANT FUNDING AND TDEC.

***ALL ORIGINAL OF DOCUMENTS KEPT IN THE ANDERSON COUNTY CLERK'S CLINTON LOCATION LOCATED AT 100 N MAIN STREET ROOM 111.**

Anderson County, Tennessee

Board of Commissioners

RESOLUTION 19-11-795

RESOLUTION HONORING JAMES T. WOODWARD, SR.

WHEREAS, it's always difficult when one of our most valuable and cherished employees retire; but today we pay tribute and honor the career of not only one of Anderson County's finest and most professional employees, but a *True American Hero*; and

WHEREAS, Jim Woodward will be retiring in January from his position as the Deputy Director of Operations and Chief Financial Officer for our school system after serving the citizens of Anderson County since 2004; and

WHEREAS, Anderson County has been very fortunate to have Jim and we are all very grateful for his tremendous accomplishments as he led the school system's financial affairs through difficult times and decisions, but due to Jim's tireless efforts he leaves the school system's 65 million dollar budget in the most stable financial position this county has experienced in three decades; and

WHEREAS, Jim has always been the consummate professional and has become the envy of many school financial directors across the state; however, prior to Jim being employed with Anderson County he had already developed a tremendous professional reputation among his peers through his notable work with the Department of Energy's contractors such as Lockheed Martin and Union Carbide; and

WHEREAS, Jim has been honored with many professional awards and honors during his career including: the *Who's Who of Executives and Professionals*; *Lockheed Martin President's Award*, four different times; Vice President Gore's prestigious "*Hammer Award*" for impeccable leadership in government service and the distinguished *Department of Energy's Professional Recognition Award*. He earned his Bachelor of Science Degree from the University of the Cumberlands and his Masters of Business Administration from Lincoln Memorial University; and

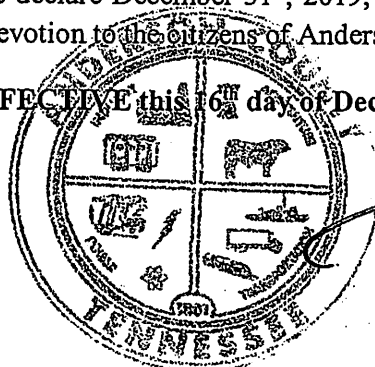
WHEREAS, despite his many professional accomplishments, we are most proud to call Jim a *True American Hero* for his combat service in Vietnam. Jim is not one to embellish his military career and seldom mentions it, but his thirteen (13) months in Vietnam saw him experience some of the fiercest combat assignments of the war as a Marine Corps forward observer. Jim would trek deep into the jungle behind enemy lines with a single partner to identify and locate opposing military forces and direct artillery, naval gunfire from battleships off the coast and close air support for ground operations. These highly dangerous missions earned him the *Navy Achievement Medal with Combat "V" Devise* for combat bravery and heroism in 1969.

NOW THEREFORE, BE IT RESOLVED by the Anderson County Board of Commissioners meeting in regular session this 16th day of December, 2019, that we congratulate our dear friend and colleague for his tremendous service to Anderson County and the DOE and we further honor him for his prestigious military service defending our great Nation.

BE IT FURTHER RESOLVED that we declare December 31st, 2019, as: "James "Jim" T. Woodward, Sr. Day" in Anderson County for his dedication and devotion to the citizens of Anderson County and the United States of America.

RESOLVED, DULY PASSED AND EFFECTIVE this 16th day of December, 2019.


Tracy Wandell, Chair, AC Commission




Terry Frank, Mayor

Anderson County, Tennessee
Board of Commissioners

RESOLUTION NO. 19-12-794

A RESOLUTION RECOGNIZING TIM THOMPSON FOR HIS 27 YEARS OF AIDING ECONOMIC AND INDUSTRIAL PROSPERITY IN THE STATE OF TENNESSEE AND ANDERSON COUNTY

WHEREAS, Tim Thompson has been a long-time fixture in the State of Tennessee and Anderson County, helping bring an estimated 18,000 jobs and more than \$3.5 billion in investments to the State through economic and industrial development; and

WHEREAS, Tim Thompson was managing the governor's office in Knoxville when it was announced in 1992 that he was moving to the State's Department of Economic and Community Development; and

WHEREAS, it was evident to those around him at that time, Tim wasn't just interested in a position – he wanted to make an impact in the world around him, by bringing jobs and prosperity to the people of our State through his tireless work; and

WHEREAS, in the days before GPS, Google maps, and websites and online information available at your fingertips, when a company was looking for a new location their representatives would make phone calls and put their trust in the hands of local economic developers; and

WHEREAS, Tim Thompson knew every industrial site and building within an 18-county region and the community data related to each of them, and he would often schedule a company prospect to visit between six and eight counties in one day, always keeping everything on schedule; and

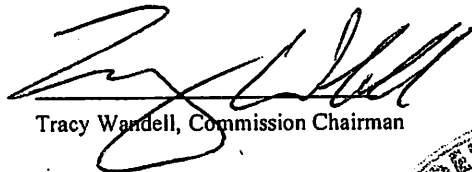
WHEREAS, Tim Thompson was named president of the Anderson County Economic Development Association in August 2004, and during his tenure, Tim has helped bring up to 5,000 jobs and an estimated \$1.7 billion in investments into Anderson County. And, after dedicating the last 27 years of his career to making the State of Tennessee and Anderson County a better place to work and live, Tim Thompson has decided to retire at the end of December 2019; and


WHEREAS, Tim Thompson was recognized for his career achievements in September 2019 with a Lifetime Member Award from the Tennessee Department of Economic and Community Development.

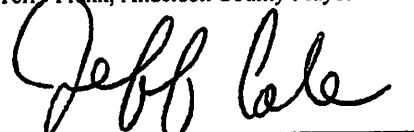
NOW THEREFORE, BE IT RESOLVED, that we, the members of the Anderson County Board of Commissioners and County Mayor Terry Frank, do gratefully recognize and honor Mr. Tim Thompson for his unwavering dedication to the betterment of the economic and industrial health of Tennessee and Anderson County, and wish him well in his retirement.

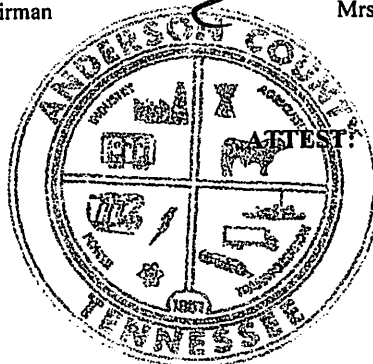
ADOPTED this 16th day of December, 2019.

APPROVED:


Tracy Wardell, Commission Chairman


Mrs. Terry Frank, Anderson County Mayor


Jeff Cole, County Clerk



Anderson County, Tennessee
Board of Commissioners

RESOLUTION NO. 19-12-787

WHEREAS, Dr. Curtis Sexton, a longtime resident of Rocky Top, Tennessee, is a seventh generation East Tennessean; and

WHEREAS, Dr. Sexton was educated in Scott County Schools, Monroe County Schools, and Tennessee Tech University, and graduated from the University of Tennessee College of Medicine in June 1962. Currently, he practices medicine part-time with Community Health of East Tennessee, Inc., in LaFollette, and is affiliated with numerous area hospitals; and

WHEREAS, in addition to the practice of medicine, Dr. Sexton is known as “a friend to public education”, and he was instrumental in the creation of The Education Foundation for Clinton City and Anderson County Schools more than 15 years ago; and

WHEREAS, Dr. Sexton also served as a member of the Anderson County School Board that voted to merge Lake City High School and Norris High School into the new Anderson County High School. He was also a big part of helping select Anderson County High School’s mascot – the Maverick – and the school colors of navy blue and gray; and

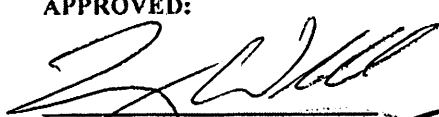
WHEREAS, in November 2018, Dr. Sexton was recognized by the Education Foundation as a Gail Martin Champion of Hope “for extraordinary commitment to the success of every student, every day”; and


WHEREAS, Dr. Sexton has been a longtime supporter of education and community activities within Anderson County, including as a member of the local Election Commission, the Lake City Optimist Club, the United Way, as a trustee for Carson-Newman College and the State Health Planning Council, the Anderson County and East Tennessee Regional Health Councils, the Tennessee Labor Workforce Board, the Anderson County Health Department Advisory Board, and the Health Facilities Commissioner. He also served as chairman of the Anderson County Emergency Medical Services Advisory Board and the Anderson County Schools Vocational Advisory Board. Dr. Sexton was also a founding board member for the Boys and Girls Club of North Anderson County. Additionally, he has worked with several ministries in the East Tennessee area and served for many years as a deacon at Main Street Baptist Church in Rocky Top.

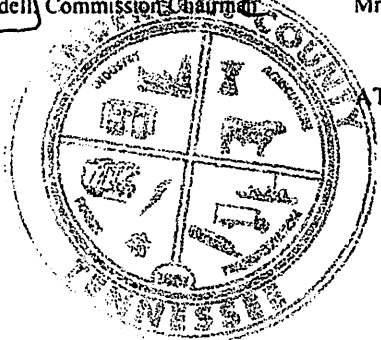
NOW, THEREFORE, BE IT RESOLVED that the Anderson County Board of Commissioners and the Anderson County Mayor do show our deepest appreciation for Dr. Sexton’s unending service and dedication to families, children, and the community and his efforts to make Anderson County a better place for generations to come. In recognition, we do hereby proclaim January 13, 2020, as Dr. Curtis Sexton Day in Anderson County.

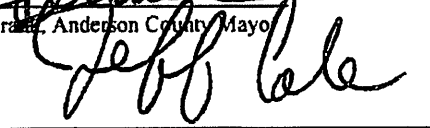
ADOPTED this 16th day of December, 2019.

APPROVED:


Tracy Wandell, Commission Chairman


Mrs. Terry Frank, Anderson County Mayor



ATTEST: 

Jeff Cole, County Clerk

Final Draft – Proposed Amendment to the Anderson County Zoning Resolution**New Section: 075-070****Public Notice: Use on Review; Re-zoning; Variance and/or Special Exception Requests.**

Notwithstanding any other provision of law or regulation to the contrary, including those embodied in this Resolution and specifically including Section 05-060 (Amendments to the Zoning Resolution), any request for rezoning, variance or special exception shall comply with the minimum standards embodied in *Tennessee Code Annotated, Title 13, Chapters 3 and 7*; however, nothing contained herein shall be deemed to expand the requirements of *Tennessee Code Annotated* and failure to comply with these recommendations shall not in any way nullify or void any re-zoning, variance or special exception granted by the Planning Commission, Board of Zoning Appeals or Board of Commissioners provided the minimum standards of public notice embodied in Tennessee law have been satisfied. Henceforth, the following public notice recommendations are established in an effort to provide additional efforts to further achieve adequate notice to the general public and those property owners immediately adjacent to, and surrounding the subject property.

Prior to any official public meeting and/or public hearing where any re-zoning, variance or special exception will be considered for approval by the Board of Zoning Appeals, Planning Commission, or Board of County Commissioners, the following public notice requirements shall be completed by the Anderson County Planning and Community Development Department:

- A) Newspaper of General Circulation in the County – no less than fifteen (15) days prior to the meeting where the matter will be discussed and considered for approval the date, time, location of the meeting and proposed action to be taken or considered shall be published in at least two different newspapers regularly published and circulated in Anderson County. At least one of the newspapers shall be published in the county seat of Clinton, Tennessee and the other shall be regularly circulated in the locale nearest the property requesting the zoning change, variance or special exception. The published public notice shall also contain the applicant's name, address, and map and parcel number for the subject property. Nothing contained in this resolution shall prevent the Planning and Community Development Department from charging the owner/applicant reasonable compensatory fees for the mandatory notice publications listed in this section.
- B) Anderson County Television (ACTV) – no less than fifteen (15) days prior to the meeting where the matter will be discussed and considered for approval the date, time, location of the meeting and proposed action to be taken shall be displayed on ACTV for no less than five (5) consecutive days prior to the meeting date. The displayed public notice shall also contain the owner/applicant's name, address, map and parcel number for the subject property.

- C) Anderson County Website – the meeting agenda for any meeting or public hearing of the Board of Zoning Appeals, Planning Commission and Board of County Commissioners where the proposed action will be discussed and considered for approval shall be displayed on the Anderson County Government website no later than the day after the agenda deadline and shall remain on the website until the day after the meeting date. The agenda shall specifically identify the proposed request or action to be taken, name of owner/applicant, physical address and the map and parcel number of the subject property, including date, time and location of the meeting or public hearing where the matter will be discussed and/or considered for approval.
- D) Certified Mail Notification – The owner/applicant of the subject property shall work with the Planning and Community Development Department to send all adjacent or contiguous property owners (including those property owners immediately across any public or private roadways) written notification of the meeting or public hearing date, time, location of the meeting and proposed action to be taken, no less than fifteen (15) days prior to the meeting where the matter will be discussed and considered for approval. The certified mail public notice shall also contain the owner/applicant's name, address, and map and parcel number for the subject property. The owner/applicant will at all times be financially responsible for the mailing and costs associated therewith for the certified mail notification(s). The Planning and Community Development Department will address and send all written notifications to the affected adjacent property owners and shall retain all return receipts demonstrating the adjacent property owners were sent notice of the proposed action and date, time and location of the meeting or public hearing. Addresses contained in the official property tax records of Anderson County will be utilized. The Planning and Community Development Department may charge reasonable expenses to the owner/applicant for the identification of the adjacent landowners, sending of the certified mail notices and retention of the receipt cards.
- E) Property Posting and Signage – Each property shall be continuously posted in a clear and conspicuous manner for a period of no less than fifteen (15) days prior to the meeting and/or public hearing where the matter will be discussed and considered for approval. Posting shall specifically state the date, time, location of the meeting and proposed action to be taken and shall also include the owner/applicant's name, address and map and parcel number of the subject property. Signage shall be no less than two (2) feet by four (4) feet utilizing contrasting colors; however, this specific size requirement shall not be imposed until the current on-hand inventory has been exhausted, but in no case no later than December 31, 2022. The Building Commissioner shall have the authority to design and approve said signage and assign staff member(s) to post the subject property at the most desirable location on the subject property for accomplishing public notice. Posting within the county right-of-way for public roads bordering subject property is preferred. All required signage will be the responsibility of the Community Planning and Development Department.

Resolution No. 19-12-791

INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED SEVEN MILLION EIGHT HUNDRED THOUSAND AND NO/100 DOLLARS (\$7,800,000) GENERAL OBLIGATION BONDS OF ANDERSON COUNTY, TENNESSEE

BE IT RESOLVED by the Board of County Commissioners (the "Board of Commissioners") of Anderson County, Tennessee (the "County") that for the purpose of financing, in whole or in part, (i) the construction of improvements to and the purchase of equipment for the courthouse, jail, Jolly Building and other public buildings and facilities, including improvements to promote energy savings (the "Project"); (ii) payment of architectural, engineering, legal, fiscal and administrative costs incident to the Project; (iii) reimbursement to the County for funds previously expended for any of the foregoing; (iv) payment of capitalized interest during construction of the Project and for up to six months thereafter; and (v) payment of the costs related to the issuance and sale of the bonds authorized herein, there shall be issued bonds, in one or more emissions, of said County in the aggregate principal amount of not to exceed \$7,800,000, which shall bear interest at a rate or rates not to exceed five percent (5.00%) per annum. The bonds shall be payable from ad valorem taxes to be levied on all taxable property within the territorial limits of the County.

BE IT FURTHER RESOLVED by the Board of County Commissioners of the County that the County Clerk of the County be, and is, hereby directed and instructed to cause the foregoing initial resolution relative to the issuance of not to exceed \$7,800,000 general obligation bonds to be published in full in a newspaper having a general circulation in the County, for one issue of said paper followed by the statutory notice:

NOTICE

The foregoing resolution has been adopted. Unless within twenty (20) days from the date of publication hereof a petition signed by at least ten percent (10%) of the registered voters of the County shall have been filed with the County Clerk of the County protesting the issuance of the bonds, such bonds will be issued as proposed.

Jeff Cole, County Clerk

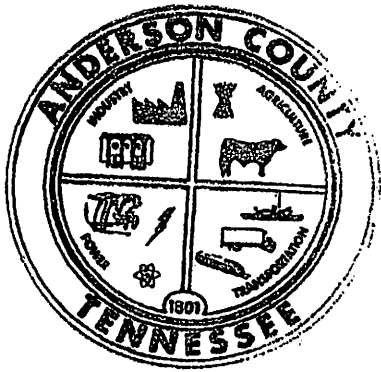
Adopted and approved this 16th day of December, 2019.

[Handwritten Signature]

/s/
County Mayor

ATTEST:
[Handwritten Signature]

/s/
County Clerk



STATE OF TENNESSEE)
COUNTY OF ANDERSON)

I, Jeff Cole, certify that I am the duly qualified and acting County Clerk of Anderson County, Tennessee, and as such official I further certify that attached hereto is a copy of excerpts from the minutes of a specially called meeting of the governing body of the County held on December 16, 2019; that these minutes were promptly and fully recorded and are open to public inspection; that I have compared said copy with the original minute record of said meeting in my official custody; and that said copy is a true, correct and complete transcript from said original minute record insofar as said original record relates to not to exceed \$7,800,000 General Obligation Bonds of said County.

WITNESS my official signature of said County on this the 16 day of December, 2019.

Jeff Cole
County Clerk

27477974.1



Anderson County, Tennessee
Board of Commissioners

Resolution #19-12-788

**A RESOLUTION AUTHORIZING ANDERSON COUNTY TO SUBMIT A 2020
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION**

WHEREAS, the Community Development Block Grant (CDBG) Program as administered by the State of Tennessee offers grants to local jurisdiction to fund sewer and water line extensions, sewer and water system upgrades, as well as community livability projects, and

WHEREAS, the 2020 (CDBG) for Anderson County utilizing their Three Star status will allow for a CDBG request up to but not to exceed \$630,000.00 in federal funding, and

NOW, THEREFORE, BE IT RESOLVED that the Anderson County Commission authorizes the Mayor to apply for Community Development Block Grant funds, up to but not to exceed \$630,000.00 in federal funding and \$129,036.00 in local match for a waterline extension project, and

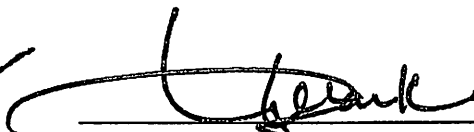
BE IT FURTHER RESOLVED that the matching funds will come from the Anderson County Water Authority general fund in the amount of 17% or \$129,036.00 of the total eligible project costs. The total CDBG grant application may be up to but will not exceed the amount of \$759,036.00.

Duly passed and approved this 16 day of December 2019

APPROVED:

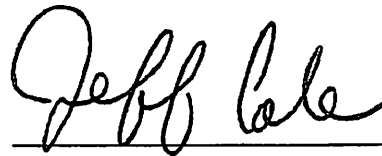


Tracy Wandell, Commission Chairman

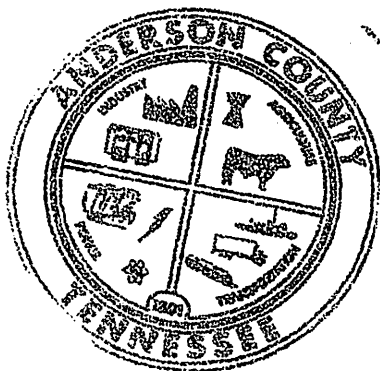


Terry Frank, Anderson County Mayor

ATTEST:



Jeff Cole, Anderson County Clerk



Anderson County, Tennessee
Board of Commissioners

RESOLUTION NO. 19-12-790

A RESOLUTION ENCOURAGING THE SUPPORT OF LEGISLATION WHICH DIRECTS TENNCARE TO REIMBURSE GROUND AMBULANCE PROVIDERS AT A RATE NOT LESS THAN THE CURRENT MEDICARE FEE SCHEDULE AND ADDING FUNDING TO THE 2020-2021 STATE BUDGET

WHEREAS, with the growth of our great state and the need for more and more services of all kinds, especially emergency medical services and the continuing rising costs of medical care, our agencies are constantly searching for more resources; and

WHEREAS, more rural hospitals are being closed and community clinics are being downsized, requiring great needs for ambulance services as the first line of care providers and transportation from remote areas; and

WHEREAS, Medicaid (TennCare) reimbursement has not increased since the inception of the TN Medicaid managed care system; and

WHEREAS, Medicare rates do not reflect the actual cost to operate ambulance services and TennCare rates are, in most cases, half of what Medicare provides, forcing limitations of services and placing a greater burden on local agencies and citizens; and

WHEREAS, ambulance services throughout the State, in order to meet growing emergency needs and reduce the burden on the local governments and taxpayers need assistance in improving funding for these lifesaving services.

THEREFORE, BE IT RESOLVED by the Anderson County Board of Commissioners meeting in regular session on this the 16th day of December 2019, that this body does hereby ask that we show our support for legislation which directs TennCare to reimburse ground ambulance providers at a rate not less than the current Medicare fee schedule; and

BE IT FURTHER RESOLVED that this body does hereby pray that our State Representatives and Senators be contacted and encouraged to support legislation which directs TennCare to reimburse ground ambulance providers at a rate not less than the current Medicare fee schedule; and

BE IT FURTHER RESOLVED that our delegates also request that the funding for this much needed change be provided within the Governor's FY20/21 budget; and

BE IT FURTHER RESOLVED, that though this increased funding does not cover the full cost of services, it will begin an effort to aid our communities as demand continues to increase for EMS system resources across the state including the costs of maintaining staff, equipment and training for pre-hospital emergency medical services, and filling the gap of the reduction in hospitals throughout Tennessee that is rendering EMS systems as the first line of care for many counties.

BE IT FURTHER RESOLVED, that this resolution provides that the county clerk shall send copies of this resolution to the members of the General Assembly representing Anderson County.

Adopted this 16th day of December, 2019

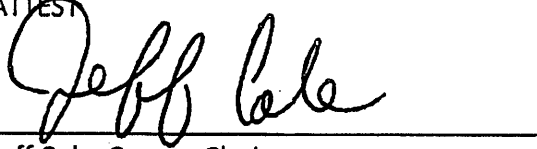
Vote Count YES: 14 NO: 0

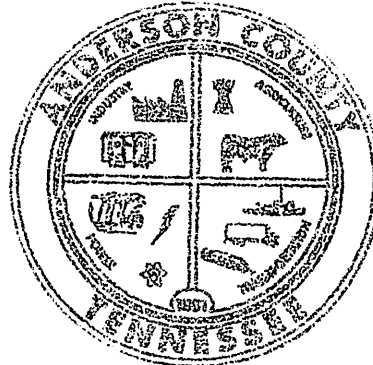
APPROVED:


Terry Frank, County Mayor


Tracy Wandell, Commission Chairman

ATTEST


Jeff Cole, County Clerk



Anderson County, Tennessee
Board of Commissioners

RESOLUTION NO. 19-12-793

A RESOLUTION AUTHORIZING THE COUNTY MAYOR TO ENTER INTO A
PAYMENT-IN-LIEU-OF-TAX AGREEMENT WITH THE DEPARTMENT OF
ENERGY

WHEREAS, Anderson County has requested that the U.S. Department of Energy (DOE) render financial assistance to the County in the form of a payment-in-lieu-of-taxes on real property acquired for nuclear and other energy purposes; and

WHEREAS, DOE has agreed to aid Anderson County by making a payment-in-lieu-of-taxes in the amount of the ad valorem tax revenue loss for tax year which Anderson County has suffered by virtue of removal of said real property from taxable ownership provided Anderson County will accept such payment in release of tax claims, if any, it may have against DOE or its contractors engaged in the performance of functions of DOE in Anderson County; and

WHEREAS, Anderson County is authorized by state law to accept financial assistance from Federal agencies and to make agreements and execute instruments containing such terms and conditions as may be necessary for the purpose of obtaining such financial assistance.

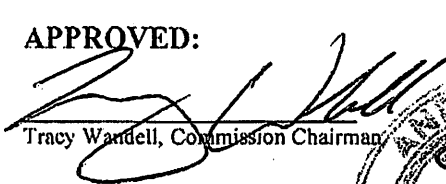
NOW, THEREFORE, BE IT RESOLVED by the Anderson County Board of Commissioners, meeting in regular session at Clinton, Tennessee, on December 16, 2019, that Anderson County is hereby authorized to accept from DOE payment-in-lieu-of-taxes in full satisfaction and release of any claims for taxes against DOE and its contractors based on or measured by the value of Federal property utilized by such contractors in the performance of activities of DOE in Anderson County, provided that the acceptance of this payment shall not operate in any manner in prejudice of Anderson County's eligibility for payment-in-lieu-of-taxes based on the benefits and burdens test prescribed in Section 168 of the Atomic Energy Act.

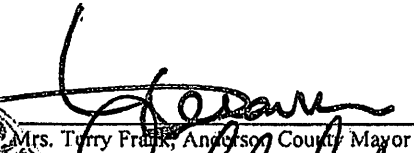
BE IT FURTHER RESOLVED that Terry Frank, Anderson County Mayor, is authorized to execute, for and on behalf of Anderson County, the transmittal of a request for payment and an agreement with DOE for payment-in-lieu-of-taxes in the amount of \$653,790.64 for 2019.

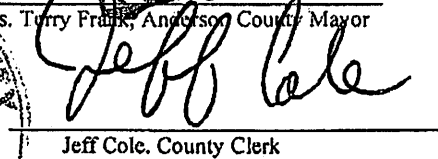
BE IT FURTHER RESOLVED that the calculated payment-in-lieu-of-taxes is based on the number of acres of DOE properties in the respective tax rate location. (See Exhibit A)

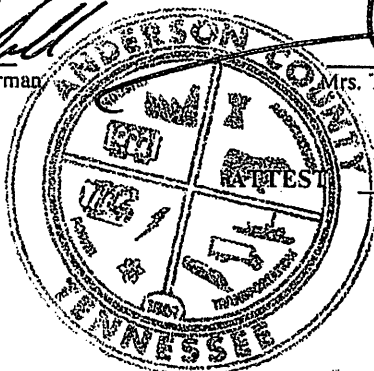
ADOPTED this 16th day of December, 2019.

APPROVED:


Tracy Wandell, Commission Chairman


Mrs. Terry Frank, Anderson County Mayor


Jeff Cole, County Clerk



Anderson County, Tennessee
Board of Commissioners
RESOLUTION No: 19-12-789

**RESOLUTION ESTABLISHING MEETING DATES AND TIMES FOR
 THE ANDERSON COUNTY BOARD OF COMMISSIONERS.**

WHEREAS, notice is hereby given to all County Commissioners and residents of Anderson County, and to all other interested persons, that open, public and regular meetings of the Anderson County Board of Commissioners will be held on the third Monday of each month for the 2020 calendar year excluding January and February which will be held on the third Tuesday each month due to the holidays, schedule is as follows:

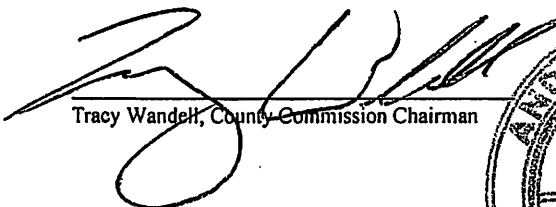
January 21, 2020 at 6:30 P.M. (Tuesday)
 February 18, 2020 at 6:30 P.M. (Tuesday)
 March 16, 2020 at 6:30 P.M.
 April 20, 2020 at 6:30 P.M.
 May 18, 2020 at 6:30 P.M.
 June 15, 2020 at 6:30 P.M.
 July 20, 2020 at 6:30 P.M.
 August 17, 2020 at 6:30 P.M.
 September 21, 2020 at 6:30 P.M.
 October 19, 2020 at 6:30 P.M.
 November 16, 2020 at 6:30 P.M.
 December 21, 2020 at 6:30 P.M.

WHEREAS, meetings will be conducted in Room 312 of the Anderson County Courthouse located at 100 North Main Street, Clinton, TN. 37716.

WHEREAS, the Commission Chairman and County Clerk reserve the right to call for Special Called Sessions of the Board of Commissioners as needed with due public notice.

NOW THEREFORE, BE IT RESOLVED, by the Anderson County Board of Commissioners meeting in regular session this 16th day of December, 2019, that we hereby approve and establish the above-recited meeting dates and times as the official calendar for the 2020 year.

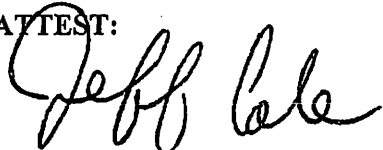
RESOLVED, DULY PASSED, APPROVED AND EFFECTIVE this 16th day of December 2019.


 Tracy Wandell, County Commission Chairman




 Terry Frank, County Mayor

ATTEST:


 Jeff Cole, County Clerk



EXHIBIT

H

STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
NASHVILLE, TENNESSEE 37243-0435

DAVID W. SALYERS, P.E.
COMMISSIONER

BILL LEE
GOVERNOR

November 5, 2019

Honorable Lamar Alexander
United States Senate
455 Dirksen Senate Office Building
Washington, DC 20510

RE: Clarification about FFA Grant Funding & Request for Additional Funding

Dear Senator Alexander:

Thank you for your continued leadership for Tennessee and our nation. We are particularly grateful for your work leading the Senate Appropriations Committee by producing a bill that provides funding to modernize our nuclear weapons facilities at Y-12 and accelerate cleanup of hazardous materials and facilities at the East Tennessee Technology Park, the Oak Ridge National Laboratory and the Y-12 National Security Complex. While these enhancements are positive, there was an outcome of the 2020 Energy and Water Appropriations bill, S. 2470, on September 12, 2019, that may negate their positive potential impact on our state. The bill reduces the prior level of funding for an area DOE describes as Community and Regulatory Support. Additionally, the accompanying committee report references funding for Community and Regulatory Support at the Oak Ridge Reservation and states that "none of these funds shall be applied to the Federal Facilities Agreement grant."

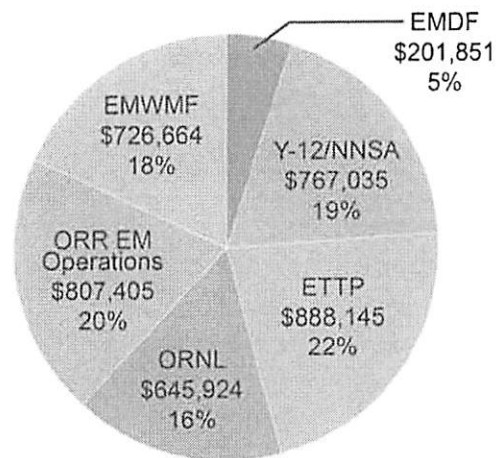
The Federal Facility Agreement ("FFA") created the procedures and responsibilities of the State of Tennessee, the U.S. Environmental Protection Agency, and the U.S. Department of Energy to ensure the 35,000 acre Oak Ridge Reservation (ORR) Superfund site is cleaned up to a level that is protective of human health and the environment. Since 1991, the FFA has allowed these parties to work cooperatively towards this goal. On the state side, the Tennessee Department of Environment and Conservation, through its Division of Remediation Oak Ridge Office (DoR-OR), has regulatory responsibility to oversee, evaluate and approve the planning, selection, and implementation of the Comprehensive Environmental Response Compensation and Liability Act (CERCLA), 42 USC §9601 *et. seq.*, response actions on the ORR. This work includes the management of ETTP, Y-12, and ORNL; the existing hazardous mixed-waste landfill (EMWMF); and remediation of groundwater.

A provision within the FFA recognizes the federal government’s legal obligation to reimburse the state’s costs under CERCLA and provides for a specific funding mechanism for DOE to use. Historically, the funding mechanism has taken the form of a series of grants usually made for five-year terms and funded annually. The grants have delivered the financial support for TDEC’s work evaluating and advancing DOE’s assessment and clean-up activities on the ORR. For nearly 30 years, this agreement, work plan and concurrent federal funding has facilitated effective and protective cleanup for both the ORR and surrounding East Tennessee communities. The appropriations language from September 12, 2019, puts the state’s ability to perform its role, the rate of clean-up progress and our mission for Oak Ridge at risk.

I recognize that there is active discussion between DOE, EPA and TDEC on important technical matters, such as the DOE proposed Environmental Management Disposal Facility (EMDF) onsite landfill. However, this step to eliminate DOE funding for TDEC’s work at Oak Ridge under the FFA might be based on a lack of understanding regarding present TDEC workload on the ORR and the mistaken belief that if there is no EMDF landfill, then required DOE oversight work would immediately cease or decrease on the ORR. As such, it may be helpful to share information regarding TDEC’s responsibilities and required activities under the FFA so your office would be aware of the scope of work in which our staff is engaged.

The current FFA Annual Work Plan (7/1/19-6/30/20) reflects required work by TDEC DoR-OR to provide coordination, review, comment and approval of each activity phase of the CERCLA process on the ORR. The 11-page plan’s scope of work (attached) includes 13 major assignment areas, but the EMDF is *just one* of these areas, noted by two sentences in the document. Instead, the vast majority of DoR-OR work involves oversight, evaluation and approval for the planning, selection and implementation of CERCLA actions related to ETTP, Y-12, ORNL and the operational EMWMF.

TDEC DoR-Oak Ridge Work Under FFA by Site



The proposed EMDF is a small part of the overall cleanup effort for the ORR, and represents *only 5%* of the funded work carried out by DoR-Oak Ridge.

Within the set of work activities undertaken by DoR-OR is review and approval of DOE documents. There are more than two dozen different types of documents designated for our staff to evaluate and approve, including proposed plans and records of decision. It's worth noting that the DOE-proposed EMDF is just one of these proposed projects under review. Many more projects are ongoing and in various steps of the process that will require action taken by DoR-OR staff.

When I visited your office with some of my staff in July, we spoke of the need to make decisions on the particular EMDF project. We then had a follow-up meeting with DOE and congressional staff in Nashville and focused on Record of Decision (ROD) language. The FFA follows the federal National Contingency Plan (NCP), 40 CFR part 300, regulations for performance on the investigation and cleanup process outlined for CERCLA. And, each of the documents requires regulatory approval by the state and EPA for DOE to move forward in the process. Regrettably, following the meeting in Nashville with DOE, we spent a couple of months in discussion between TDEC, DOE and EPA regarding a key matter related to the depth of the groundwater relative to the liner of the proposed facility. I am pleased to report that we have addressed that one major concern - "ROD language" - and are prepared to move forward to resolve other issues in the set of seven primary concerns outlined with you and your office.

I am sharing the big picture because of the role TDEC's DoR-OR plays in establishing, reviewing and adjusting annual priorities and milestones for DOE's comprehensive ORR "Planning Case." Even as "plus ups" in the appropriations process may accelerate cleanup and facilitate projects for the ORR, the DoR-OR is responsible for approving and overseeing those activities and all the remaining work required to de-list the ORR from the National Priorities List (NPL). **If the DoR-Oak Ridge Office is not adequately staffed and funded to review and approve the wide range of work underway and variety of critical projects planned for the ORR, then DOE cleanup could *slow dramatically*, if not stop altogether.**

In light of the information provided herein and the progress on the ROD language, I am requesting your assistance with restoring the DoR-OR office funding, removing the restriction as to the FFA grant, and also that consideration be given to increasing DoR-OR funding commensurate with an increase in the scope of work on the proposed EMDF as well as related to the Environmental Management (EM) program on the Oak Ridge Reservation.

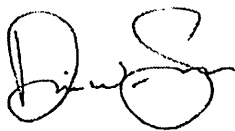
The ORR is arguably one of the most complex Superfund (NPL) sites in the United States in terms of volume and diversity of contaminants released to the environment. What makes the ORR even more unique is its proximity to significant populations and vibrant natural resources. For nearly three decades, the State of Tennessee, DOE, and EPA have worked under an effective FFA where oversight from the DoR-Oak Ridge Office has supported:

- o Demolition of more than 5.5M square feet of structures
- o Disposal of 28 million cubic feet of waste
- o Prevention of 4.61 tons of mercury entering the environment
- o Management/treatment of more than 782 million gallons of low-level wastewater
- o Transfer of more than 4,700 acres of land for reuse:
 - 1,281 acres for reindustrialization
 - 3,470 acres for conservation

Even in the midst of our dialogue over the proposed EMDF, this critical cleanup endeavor continues and TDEC remains committed to a constructive working relationship with DOE to ensure compliance with approximately 39 negotiated milestones for environmental cleanup over the next three years, as documented in the FFA.

I began with a salute to your demonstrated leadership and ability to take the long-view throughout your extraordinary public service to our state and nation. I am confident you see the need and benefit of enduring congressional support for the state's mission in Oak Ridge by continued funding for FFA activities that will enable vital cleanup for the ORR. These are incredibly complicated matters - on technical, environmental, fiscal and political levels - so I welcome your insight, input, and feedback on these important issues so we can continue moving forward for Tennessee.

Sincerely,



David W. Salyers, P.E.
Commissioner

cc: Colby Morgan, TDEC Division of Remediation, Deputy Director
Jay Mullis, U.S. Department of Energy, Oak Ridge Environmental Management, Manager
Steve Sanders, TDEC Division of Remediation, Director
Chris P. Thompson, TDEC Bureau of Environment, Senior Advisor
Mary Walker, U.S EPA Region 4, Regional Administrator

Attachment