

## INTERIM REPORT

## Issues Relating to the Appointment of Utility Districts Boards of Commissioners

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## **Executive Summary**

Public Chapter 838 and Public Chapter 848 were passed by the General Assembly in June 2002. These acts directed the Tennessee Advisory Commission on Intergovernmental Relations (TACIR) to perform a study of the size, composition and selection of boards of commissioners of utility districts. It also required TACIR to study the current provisions of TCA § 7-82-307 and consider whether a new mechanism should be created which would permit changes concerning such boards to be handled locally rather than employing the present legislative method that requires amending the general bill by introducing general bills of local application directly affecting only one utility district. TACIR was also to consider whether alternative legislative methods should be developed and placed in the general law as options for local action as well as incorporating a petition method to allow the subscribers to trigger an election for a change to the board.

## **Utility District Boards of Commissioners**

Based on research conducted by TACIR staff, there are three primary methods for selecting commissioners. The most common method of selecting commissioners is appointment by county executive. 53 percent (99 out of 188) of the districts use this method to select their commissioners. Selection by board members is the method used by 30 percent (57 out of 100) of the utility districts. 14 percent (26 out of 188) of the districts have their commissioners elected by the customers. The remaining 3 percent (6 out of 188) of utility districts use other methods for selecting board commissioners.

The vast majority of utility districts have three member boards. 87 percent (163 out of 188) of the boards have three members. 9.5 percent (18 out of 188) of the boards have five members. 1.5 percent (3 out of 188) of the boards have four members. 1 percent (2 out of 188) of the boards have two members, and 1 percent (2 out of 188) of the boards have seven members.

There are few composition requirements in the Utility District Law. One general requirement in the law is that only people who reside or own property within a utility district may serve on the board. Some utility districts also have additional composition requirements.

## Methods for Changing the Boards of Commissioners

There are many exceptions to the general provisions of TCA § 7-82-307. Each of the exceptions in the statute is so narrowly drawn that it often applies to only one utility district. In order to change the size of a board or the method used to select the commissioners, TCA § 7-82-307 must be amended by a general bill of local application.

The large number of exceptions in the statute can make it difficult to determine what size a utility district's board should be or what method it should use to select the district's commissioners. Most of the individuals interviewed by the staff for this report agreed that the statute should be simplified in some manner.

The alternative methods for handling changes to the boards include allowing the changes to be handled at a local level and allowing the Utility Management Review Board to oversee the

changes. The need for new methods for handling commissoner changes to the boards would be eliminated if the utility districts' board sizes and methods of selection were limited to a select few.

## **Petition Method to Oust Commissioners**

In subsections (c) and (p) of TCA § 7-82-307, there are petition methods in the law that allow utility district customers to force a referendum on the issue of whether or not one or more members of a board of commissioners should be ousted.

The provisions provide that upon a petition of at least twenty percent of the customers of a utility district to the county executive of the county where the utility district is located or headquartered a referendum shall be called on the question of whether a member or members of the board of commissioners should be ousted and new board member(s) appointed or elected. In the referendum, at least fifty-one percent of the customers of the utility district must approve the removal of the board member(s). There are exceptions in the statute that prevent this method from being used in every district.

Almost all the experts and stakeholders interviewed for this study agreed that a petition method enabling customers to oust board members should be retained in the law. Some of the experts suggested that the minimum number of signatures required on the petition to trigger a referendum and the minimum number of votes required to oust a board member may be somewhat high. The high thresholds required to trigger an election and approve a removal may serve to deter customers from using the petition method to oust ineffective or unresponsive commissioners.

## Conclusion

The General Assembly required TACIR to examine the "hows" of changing the utility district boards but not the "whys." The reason why many of these boards are changed can be summed up in one word: accountability. Boards are sometimes perceived as not being responsive to the needs of their customers. A board may suddenly raise rates without explanation or there may be water delivery problems that are not solved despite complaints from customers. It is often situations like this that drive the amendments to TCA § 7-82-307. It is assumed that the problems in a district will be solved by changing the method of selecting the board members or increasing the number of members on a board or by replacing the commissioners altogether. However, there is no guarantee that the successors on a board will be anymore responsive to the customers than their predecessors.

During discussions about the study, the Commission members determined that it would be advisable to examine additional methods for improving the accountability of utility district boards and other issues related to utility districts. It was decided by the Commission members that the TACIR study would be expanded beyond the study parameters outlined in Public Chapter 838 and Public Chapter 848. Over the next year, the Commission staff will examine these additional issues. A complete report with recommendations will be issued before the 2004 legislative session.

## Introduction

The Tennessee Advisory Commission on Intergovernmental Relations (TACIR) was directed by the General Assembly in 2002 to review TCA § 7-82-307, the statute which governs the state's utility district boards. When TCA § 7-82-307 was first passed in 1937, utility districts were required to have a three-member board of commissioners, and vacancies on the boards were to be filled by a vote of the other board members still in office.

There are now numerous exceptions to the original provisions of the law. For example, boards can range in size from one to seven members, and the exceptions have allowed different utility district boards to establish different composition requirements. In addition, the methods for selecting a commissioner now include appointment by county executive, election by customers and the original method, selection by board members, among a few others. The labyrinth of provisions can make it difficult for a utility district to determine which exception it falls under.

The exceptions are the result of frequent amendments to the statute. Currently, the statute is over twenty-four pages long with thirty-nine different subsections. Each year since 1987, the state legislature has considered and passed one or more amendments to TCA § 7-82-307. These frequent amendments to the statute, making it one of the most confusing statutes to follow, have caused state legislators to consider whether there might be a better way of making changes to existing entities. Consequently, the General Assembly passed two acts, Public Chapter 838 and Public Chapter 848, which directed the TACIR to conduct a study of TCA § 7-82-307 and to consider whether new mechanisms should be created to handle changes to the boards. Specifically, the acts required that TACIR:

- Perform a study of the size, composition and selection of boards of commissioners of utility districts;
- Study the current provisions of TCA § 7-82-307 and consider whether a new mechanism should be created which would permit changes concerning such boards to be handled locally rather than employing the present legislative method that requires amending the general bill by introducing general bills of local application directly affecting only one utility district; and
- Consider whether alternative legislative methods should be developed and placed in the general law as options for local action as well as incorporating a petition method to allow the subscribers to trigger an election for a change to the board.

It is in response to these legislative directives that the TACIR engaged in a study of TCA § 7-82-307 and is considering the changes that might be made to the law. The following materials document the work the TACIR has done in relation to the study.

The General Assembly passed the Utility District Act (codified as TCA § 7-82-101 *et seq*) in 1937. At that time, there was a demand for water in outlying areas but municipal utilities often refused or were unable to provide water for people in these localities. The Utility District Act enabled the creation of utility districts to provide water to these rural areas. Most of the districts that exist today were created during the 1950's and 1960's and were financed initially with grants from the Farmers' Home Administration.

## **Utility District Powers**

A board of commissioners has the authority to exercise by vote, ordinance or resolution the powers of the utility district. The powers of a utility district are contained in TCA § 7-82-304. A utility district has the power to:

- Sue and be sued;
- Acquire, hold and dispose of real and personal property of every kind within or without the district;
- Make and enter into contracts, conveyances, mortgages, deeds of trust, bonds or leases;
- Incur debts, borrow money, issue negotiable bonds and provide for the rights of the bond holders;
- Fix, maintain, collect and revise rates and charges for any service;
- Pledge all or part of its revenues;
- Make covenants in connection with the issuance of bonds, or secure the payment of bonds;
- Use any right-of-way, easement or other similar property right necessary or convenient in connection with the acquisition, improvement, operation or maintenance of a utility, held by the state or any political subdivision thereof;
- Issue interest-bearing bond anticipation notes for all purposes for which bonds can be legally authorized and issued by such district; and
- Provide funding to chambers of commerce and economic and community organizations.

## **Boards of Commissioners**

# Methods of Selecting Board Commissioners, Board Size and Terms of Office of the Commissioners

The provisions governing the methods of selecting the commissioner, the sizes of the boards and the terms of office of the commissioners are in TCA § 7-82-307. The three primary methods for selecting commissioners are 1) appointment by county executive, 2) selection by board members and 3) election by customer. A few utility districts use other methods for selecting commissioners which are outlined in the statute. The boards have anywhere from one to seven members. The terms of office vary by district. Some districts have staggered terms. The statute also places certain qualifications on the composition of the boards of some utility districts. TCA 7-82-308 (d) specifies that only people who reside or own property within the utility district are eligible for election to a board.

## **Compensation of the Commissioners**

TCA 7-82-308 provides that generally commissioners will not receive compensation for service on the board. However, if the board duly adopts a resolution, a commissioner may receive per diem payments for no more than 12 meetings of the board in any calendar year. In some counties, the district customers must also approve the resolution. Commissioners may receive anywhere from \$50 to \$500 per meeting based on the number of customers served, the location of the district and the type of utility service provided by the district. Group medical insurance coverage and group life insurance coverage may be provided for commissioners if it is provided for the district employees. The cost of such insurance coverage cannot exceed the per-person cost of the district's insurance coverage for its employees.

## Powers of the Board of Commissioners

The powers of the board are outlined in TCA § 7-82-309. In addition to the powers listed below, the statute gives the commissioners the authority to reimburse expenses of board members and officials or employees of the utility district subject to certain limitations. A board has the power to:

- Exercise by vote, ordinance or resolution all of the general and specific powers of the district;
- Make all rules, regulations and bylaws for the management of the district and board;
- Lease, purchase, sell, convey and mortgage the district's property and to execute all instruments, contracts, mortgages, deeds or bonds on behalf of the district;
- Inquire into any matter relating to the affairs of the district, compel by subpoena the attendance of witnesses and the production of books and papers material to any such inquiry, administer oaths to and examine witnesses;

- Appoint and fix the salaries and duties of officers, experts, agents and employees it deems necessary; and
- Do all things necessary or convenient to carry out its functions.<sup>1</sup>

## **Requirements for the Boards of Commissioners**

TCA § 7-82-308 establishes certain requirements for the boards. At the first meeting of a utility district board and at the first meeting of each calendar year thereafter, a board must elect a commissioner to serve as president and a commissioner to serve as secretary. The secretary must keep records of the commission proceedings. These records will be available for public inspection. A board must meet once each quarter. The meetings are subject to the Open Meetings Act. Pursuant to TCA § 7-82-402, the board of commissioners of each utility district is required to create and maintain a set of rules and regulations for dealing with customer complaints.

## **Utility Management Review Board**

It is the duty of the Utility Management Review Board (UMRB) to provide technical assistance to the boards of commissioners. In addition, TCA § 7-82-702 stipulates that the UMRB has the authority to review a board's decision relating to a customer's protest that the rates are too high or low. If a utility district board fails to establish rules and regulations for dealing with customer complaints or fails to act in accordance with such rules and regulations, the UMRB has the authority to establish an alternate mechanism for dealing with customer complaints.

<sup>&</sup>lt;sup>1</sup>Commissioners of gas utility districts and utility districts in certain counties cannot exercise these powers.

## **Utility District Boards of Commissioners**

As a part of the study, TACIR was required to study the methods for selecting the utility district board commissioners, the size of the boards, and the composition requirements.<sup>2</sup>

## **Methods for Selecting Commissioners**

The three primary methods of selecting board commissioners are:

- appointment by county executive,
- selection by board members,
- election by customers.

A small percentage of the districts use other methods to select commissioners.

## **Appointment by County Executive**

The most common method of selecting board commissioners is appointment by county executive. 53 percent (99 out of 188) of the districts use this method to select their commissioners. The general provisions of TCA § 7-82-307 provide that the utility board members must submit three nominees, listed in order of preference, to the county executive. The county executive has the authority to appoint one of the nominees to the vacant position on the board or reject all of the nominees. If the county executive rejects all three nominees, then the board of commissioners has to submit three additional nominees to the county executive for consideration. If the county executive rejects these nominees, then the process would continue until the position is filled. There are, however, exceptions to these general provisions in the statute.

## **Selection by Board Members**

30 percent (57 out of 188) of the utility districts use this method to select their commissioners. This was the original method for selecting board commissioners when the Utility District Law was passed in 1937. Generally, when vacancies occur, a new commissioner is elected or a retiring commissioner is reelected by a vote of the other board commissioners who are still in office. In the event two commissioners cannot agree upon a commissioner to fill any vacancy, then they certify that fact to the county executive who will then appoint a commissioner to fill the vacancy.

## **Election by Customers**

14 percent (26 out of 188) of the districts have their commissioners elected by the customers. Before the election, the board of commissioners will usually hold a meeting where the customers may nominate candidates for the vacant position. Only those individuals who are customers and reside in the utility district may be elected to serve on the district's board. Only customers may vote in the election. Commissioners are elected by a plurality vote. The procedures for nominating and electing commissioners vary in some utility districts.

 $<sup>^{2}</sup>$ A complete listing of the size and method of selection of each of the utility district boards of commissioners is located in Appendix 3.

## **Other Methods**

The remaining 3 percent (6 out of 188) of utility districts use other methods for selecting board commissioners. For example, one utility district's commissioners are appointed by the county commission. One district reported that its commissioners are appointed by the county executive and board members. The commissioners of one district are selected by the other board members and approved by the county executive. In another district, the board members select the commissioner but their selection must be approved by the county. One district's board of commissioners is appointed by the county executive but the secretary/treasurer is elected. The board members in another district are appointed but one member is elected at large.

## Size

The vast majority of utility districts have three member boards. 87 percent (163 out of 188) of the boards have three members. 9.5 percent (18 out of 188) of the boards have five members. 1.5 percent (3 out of 188) of the boards have four members. 1 percent (2 out of 188) of the boards have two members, and 1 percent (2 out of 188) of the boards have seven members.

## Composition

There are few composition requirements in the Utility District Law. A general requirement in the law is that only people who reside or own property within a utility district may be elected to serve on the board.<sup>3</sup> Some utility districts also have additional composition requirements.<sup>4</sup>

One utility district requires that a commissioner must not hold any other elected office and must have graduated from high school.<sup>5</sup> This district also requires that one commissioner shall be elected from each of the areas formerly served by Southwest Bedford Public Utility District, the Northwest Bedford Public Utility District, the Bedford Public Utility District and the Normandy Road Cooperative.<sup>6</sup> One member of the board must also be elected from the county at large.<sup>7</sup>

Another utility district specifies that when the board is composed entirely of commissioners appointed by the county executive then the board will include an equal number of residents of each civil district of the county within the district's service area and one resident of any municipality within the district's service area.<sup>8</sup> One gas utility district requires that a commissioner will be elected from each of five different gas utility district service zones.<sup>9</sup> A commissioner must also be a qualified voter of the zone that the individual is to represent on the board.<sup>10</sup>

<sup>3</sup>TCA § 7-82-308(d) <sup>4</sup>TCA § 7-82-307 <sup>5</sup>TCA § 7-82-307(t) <sup>6</sup>*Ibid.* <sup>7</sup>*Ibid.* <sup>8</sup>TCA § 7-82-307(x) <sup>9</sup>TCA § 7-82-307(bb) <sup>10</sup>*Ibid.* 

## Methods for Changing the Boards of Commissioners

Public Chapter 838 and Public Chapter 848 directed TACIR to look at the current provisions of TCA § 7-82-307 and consider whether a new mechanism should be created which would permit changes concerning the utility district boards to be handled locally. They also required TACIR to consider whether alternative legislative methods should be developed and placed in the general law as options for local action.

## **Current Method**

There are many exceptions to the general provisions of TCA § 7-82-307. Each of these are so narrowly drawn that they often apply to only one utility district. For example, TCA § 7-82-307 (kk) stipulates that "in any natural gas utility district having a service area that lies entirely within any county having a population of not less than 16,000 nor more than 16,500, according to the 1980 federal census or any subsequent federal census, there shall be a five-member board of commissioners." More than one utility district might fall within this provision but it is unlikely because of its narrow parameters.

Due to these narrowly drawn exceptions, TCA § 7-82-307 must be amended by a general bill of local application in order to change the size of a board or the method used to select a board's commissioners. A general bill of local application will restrict a change in TCA § 7-82-307 to the utility district(s) that fall within certain parameters such as districts that are located in a county with a certain size population.

The large number of exceptions can make it difficult for a utility district to determine what size its board should be or what method it should use to select its commissioners. Most of the individuals interviewed by the staff for this study agreed that the statute should be simplified in some manner.

## **Alternative Methods for Changing the Boards of Commissioners**

## Local Government

One way of dealing with changes to boards would be to amend the law to allow the changes to the boards be made locally rather than by amending TCA § 7-82-307. The method for handling changes to the boards at a local level might be patterned after the procedures used to create utility districts. In order to create a utility district, a petition for the incorporation of a utility district is submitted to the Utility Management Review Board (UMRB) for review and comment, and to the county executive of any county in which the proposed district is situated.<sup>11</sup> The petition must be signed by at least twenty-five owners of real property who reside within the boundaries of the proposed district.<sup>12</sup>

<sup>11</sup>TCA § 7-82-201 <sup>12</sup>Ibid. After receiving the petition, the county executive schedules a public hearing on the proposed utility district.<sup>13</sup> The UMRB comments on the petition and forwards its comments to the county executive.<sup>14</sup> If at the public hearing the county executive finds that the public convenience and necessity and the creation of the district is economically sound and desirable the county executive enters an order approving the creation of the district.<sup>15</sup>

A procedure similar to this could be created to handle changes to the boards at a local level. A petition to change the size or method of selecting the board or the composition requirements for the board could be submitted to the UMRB and the county executive of the county where the district is headquartered or located would outline the reasons why the change should be made to the board. There could be a requirement in the law that the petition be signed by a minimum of twenty-five utility district customers who reside or own real property in the district. The UMRB could comment on the proposed change and submit its comments to the county executive. The county executive could then hold a public hearing on the proposed change to the board after giving proper public notice. After hearing public comment, the county executive would then enter an order approving or disapproving the change to the board.

One of the main advantages of this method is that the county executive is likely to be familiar with the district and its problems. This may enable him/her to make a better decision based on what is right for the district and its customers. It also may be easier for members of the public to give input on the proposed change. The greatest drawback to this method is that as an elected official the county executive may be politically pressured into making an inappropriate decision.

## **Utility Management Review Board**

An alternative mechanism might involve amending the law to give the UMRB the authority to approve changes to the structure of the boards. Customers who reside or own property would be able to petition the UMRB for a change to the board. Public notice would be given and a public hearing held before the UMRB. Before making a decision on whether or not to approve the change, interested parties would be given the opportunity to make comments at the hearing on the proposed change. After the hearing, the UMRB would then make its decision on whether or not to approve the change.

An advantage to using this method would be that the decisions would be made by an objective body. The UMRB would not be as prone to political pressure as elected officials. Since the UMRB members have experience and expertise in the field of utility district management, they may be better equipped than a county executive to decide if a change should be made to a board. A disadvantage to using this method could be that if the hearing were required to be held in Nashville there could be a limit to public comment since customers may not have the time or money to travel to participate in the hearing in person or perhaps participate via telecommunications. Board members would have to rely only on information received in the

<sup>&</sup>lt;sup>13</sup>TCA § 7-82-202

<sup>&</sup>lt;sup>14</sup>Ibid. <sup>15</sup>Ibid.

petition and at the public hearing in making its decision. The UMRB might not be able to make a well-informed decision if it received inadequate information about the situation.

## Restricting the Size and Method of Selection of the Boards of Commissioners

When the Utility District Law was first passed, there was only one method for selecting commissioners and only one board size. If TCA § 7-82-307 were amended to limit the board sizes and methods of selection, then changes to the boards would cease to be an issue. Limiting the size of the utility district boards and methods of selection would be one effective way of eliminating the problems and controversies which arise out of making changes to the boards. It would also help eliminate the confusion that often arises when trying to interpret TCA § 7-82-307.

The method of selection favored by most of the experts who were consulted for this study is appointment by the county executive. The county executive must appoint a commissioner from a list of candidates supplied by the other board members still in office. This may help to ensure that a more qualified individual will be chosen for the position since the board members are familiar with the skills required for the position and are likely to recommend candidates who possess these skills.

As an elected official, the county executive is forced to consider many viewpoints when deciding whom to appoint to a utility district board. Therefore, a county executive may be able to make a more objective decision than customers or other board members. However, a county executive still may be prone to political pressure and may make a decision based on political motivations rather than what is best for the district. It has been suggested that it may be more equitable if the county executive appoints board members from a list of nominees provided by the customers rather than the current board members.

Those boards where the commissioners are selected by other board members are less likely to be responsive to their customers' needs. The reason for this is that it is more difficult for customers to get rid of ineffective commissioners when they are selected by other board members. Customers may be able to remove these commissioners only through ouster procedures. One advantage of using this selection method is that since the board members are familiar with the position and its duties they may be better equipped to decide who is qualified for a board position.

The board election method allows for greater public input than appointment by the county executive or selection by board members. Commissioners who are elected by customers tend to be more accountable to customers. A drawback to this method is that though this seems to be a more democratic method for selecting commissioners often there is a very low voter turnout for these elections. This means that in many cases a small number of customers determine who will sit on the board. When a utility district uses the election method, it may be easier for individuals who have personal agendas to get on the board. Individuals may make promises during the campaign they cannot or will not keep once they are elected.

Based on staff research, the size of a board does not appear to a problem for most districts. The overwhelming majority of the districts have three member boards. Restricting boards to three members would not be a burden for most districts. Some experts suggested that as

districts grow larger it might be advisable to require larger boards. This would allow for better customer representation. For example, when a district grows to a certain size based on the number of customers served, a utility district could be required to increase its board size from three to five members.

## **Petition Method to Oust Commissioners**

TACIR was required to consider adding a petition method to the law, which would allow customers to trigger an election for a change to the board. In subsections (c) and (p) of TCA § 7-82-307, there are petition methods in the law that allow utility district customers to force a referendum on the issue of whether or not one or more members of a board of commissioners should be ousted.<sup>16</sup> These are rather obscure provisions of the law that few people seem to be aware of.<sup>17</sup>

The provisions provide that upon a petition of at least twenty percent of the customers of a utility district to the county executive of the county where the utility district is located or headquartered a referendum shall be called on the question of whether a member or members of the board of commissioners should be ousted and new board member(s) appointed or elected. In the referendum, at least fifty-one percent of the customers of the utility district must approve the removal of the board member(s).

The petition method cannot be used in all utility districts. The petition method can be used only in water utility districts, not in gas utility districts. There are population restrictions which prevent this petition method from being used by customers in certain counties. There are also restrictions on the use of the petition method to oust board members in metropolitan counties. In addition, the petition method may not be used in any counties in the thirteenth senatorial district.

Almost all the experts and stakeholders interviewed for this study agreed that a petition method enabling customers to oust board members should be retained in the law. Some of the experts suggested that the current number of signatures required on the petition to trigger a referendum and the current number of votes required to oust a board member are rather high. These high thresholds required may serve to deter customers from using this method to oust ineffective or unresponsive commissioners.

<sup>&</sup>lt;sup>16</sup>In subsections (c) and (p) of TCA § 7-82-307, a "customer" is defined as any individual who receives bills for services from the water utility district and pays money for such services and who resides and is the owner of real property within the boundaries of the district.

<sup>&</sup>lt;sup>17</sup>This method for removing board members is separate from the General Ouster Law, codified at TCA §§ 8-41-101 *et seq.* 

# Conclusion

The General Assembly required TACIR to examine the "hows" of changing the utility district boards but not the "whys." The reason why many of these boards are changed can be summed up in one word: accountability. Boards are sometimes perceived as not being responsive to the needs of their customers. A board may suddenly raise rates without explanation or there may be water delivery or quality problems that are not solved despite complaints from customers. It is often situations like this that drive the amendments to TCA § 7-82-307. It is assumed that the problems in a district will be solved by changing the method of selecting the board members or increasing the number of members on a board or by replacing the commissioners altogether. However, there is no guarantee that the successors on a board will be anymore responsive to the customers than their predecessors.

During discussions about the study, the Commission members determined that it would be advisable to examine additional methods for improving the accountability of utility district boards and other issues related to utility districts. It was decided by the Commission members that the TACIR study would be expanded beyond the study parameters outlined in Public Chapter 838 and Public Chapter 848. Over the next year, the Commission staff will examine additional issues. A complete report with recommendations will be issued before the 2004 legislative session.

# Appendices

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#### CHAPTER NO. 838

#### SENATE BILL NO. 2364

#### **By Williams**

#### Substituted for: House Bill No. 3003

#### By Roach, Hagood

AN ACT To amend Tennessee Code Annotated, Section 7-82-307, relative to utility districts in any county having a population of not less than thirty-three thousand ten (33,010) nor greater than thirty-three thousand five hundred (33,500), according to the 1990 federal census or any subsequent federal census.

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

SECTION 1. Tennessee Code Annotated, Section 7-82-307(b)(1) is amended by deleting the words and punctuation "or any subsequent federal census." and by substituting instead the following:

or any subsequent federal census, or any county having a population of not less than thirty-three thousand ten (33,010) nor more than thirty-three thousand five hundred (33,500) according to the 1990 federal census or any subsequent federal census.

SECTION 2. (a) The Tennessee Advisory Commission on Intergovernmental Relations (TACIR) is directed to perform a study of the size, composition and selection of boards of commissioners of utility districts. TACIR shall also study the current provisions of Tennessee Code Annotated, Section 7-82-307 and consider whether a new mechanism should be created which would permit changes concerning such boards to be handled locally rather than employing the present legislative method that requires amending the general bill by introducing general bills of local application directly affecting only one utility district. As part of its study, TACIR should consider whether alternative legislative methods should be developed and placed in the general law as options for local action, as well as incorporating a petition method to allow the subscribers to trigger an election for a change to the board. This study shall be conducted from TACIR's existing resources.

(b) All appropriate state departments and agencies shall provide assistance to TACIR. Groups representing utility districts shall be asked to provide information, analyses, and recommendations to TACIR.

(c) TACIR shall timely report its findings and recommendations, including any proposed legislation or interim reports, to the One Hundred Third General Assembly no later than February 28, 2003.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: June 28, 2002

John S. WILDER SPEAKER OF THE SENATE

JIMMY NAIFEH, SPEAKER

CON SON GOVENNOR

APPROVED this <sup>3'</sup> day of July 2002

#### **CHAPTER NO. 848**

### HOUSE BILL NO. 2996

### By Representatives McDonald, Newton, Bone, Fowlkes, Casada

#### Substituted for: Senate Bill No. 3112

#### **By Senator Graves**

AN ACT to amend Tennessee Code Annotated, Title 7; Title 64 and Title 69, relative to rural water development.

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

SECTION 1. Tennessee Code Annotated, Section 7-82-307, is amended by adding the following language as a new, appropriately designated subsection:

() (1) Notwithstanding any provision of law to the contrary, any water utility district having not less than three thousand (3,000) taps and approximately three-hundred fifty (350) miles of water lines in any county having a population of not less than one hundred thirty thousand four hundred (130,400) nor more than one hundred thirty thousand five hundred (130,500), and in any county having a population of not less than seventy-two hundred (7,200) nor more than seventy-three hundred (7,300) according to the 2000 federal census or any subsequent federal census, shall be governed by a five-member board. The terms of office of one new commissioner created pursuant to this act shall initially be for two (2) years and the term of the second new commissioner shall be for four (4) years. The terms of office for commissioners serving on the effective date of this act shall be staggered as vacancies occur in such a manner that one (1) member shall initially be elected to a term of one (1) year; one (1) for a term of two (2) years; and one (1) for a term of three (3) years. Thereafter all terms of office shall be four (4) years.

(2) A vacancy occurring on the board of commissioners of any such utility district after the effective date of this act shall be filled by vote of the customers of the utility district at the first regular meeting of the district's board of commissioners that occurs more than forty (40) days after the vacancy occurs. The board of commissioners shall schedule such meeting at seven o'clock p.m. (7:00 p.m.). No person shall serve on a board unless the person is a customer of the utility district. As used in this subsection, "customer" means a person who is periodically billed for utility service rendered by the district and who pays money for such service.

(3) A vacancy on the board due to the expiration of a term, or due to an increase in the number of members on the board, or due to any other reason, shall be filled as follows:

(A) For each vacancy, the incumbent commissioners shall select three (3) nominees, in accordance with any residency requirements that may apply to the office vacated, or to be vacated, and shall prepare a ballot for each vacancy. Other nominees may be placed on the ballot by submitting, twenty (20) days prior to the election, a nominating petition signed by not less than ten (10) customers who are residents of the county within which the vacancy occurs. Write-in votes for unlisted candidates shall also be considered. A vacancy shall be filled by a plurality of the votes cast for each seat.

At least thirty-five (35) days prior to the election, the (B) incumbent commissioners of the utility district shall mail written notice of such meeting and election to all customers and shall list any vacancies to be filled. If the commissioners fail to set the date for the meeting, fail to mail notice of the meeting, fail to hold the meeting, or fail to hold the election, the county executive shall cause such things to be done upon petition of any twenty (20) customers of the district.

### SECTION 2.

The Tennessee Advisory Commission on Intergovernmental (a) Relations ("TACIR") is directed to perform a study of the size, composition and selection of boards of commissioners of utility districts. TACIR shall also study the current provisions of Tennessee Code Annotated, Section 7-82-307 and consider whether a new mechanism should be created which would permit changes concerning such boards to be handled locally rather than employing the present legislative method that requires amending the general bill by introducing general bills of local application directly affecting only one utility district. As part of its study, TACIR should consider whether alternative legislative methods should be developed and placed in the general law as options for local action, as well as incorporating a petition method to allow the subscribers to trigger an election for a change to the board. This study shall be conducted from TACIR's existing resources.

(b) All appropriate state departments and agencies shall provide assistance to TACIR. Groups representing utility districts shall be asked to provide information, analyses, and recommendations to TACIR.

TACIR shall timely report its findings and recommendations, (c) including any proposed legislation or interim reports, to the One Hundred Third General Assembly upon concluding their study.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

**PASSED: June 26, 2002** 

NAIFEH. SPEAKER SE OF REPRESENTATIVES

JOHN S. WILDER

SPEAKER OF THE SENATE

QUIST GOVERNOR DON

APPROVED this 3<sup>rd</sup> day of July 2002

# Appendix 3

Utility District	County	Service	Number of Commissioners	Method of Selection	Grand Division	Number of Customers
25	Smith	Water	3	Elected	Middle	574
Alpha-Talbott	Hamblen Jefferson	Water	3	Appointed by County Executive	East	5,500
Arthur Shawanee	Claiborne	Water	3	Appointed by County Executive	East	2,465
Bakewell - Union Fork	Hamilton	Water	3	Appointed by County Executive	East	1,196
Bangham	Putnam Jackson Overton	Water	3	Appointed by County Executive	Middle	
Bean Station	Grainger Hawkins	Water	3	Appointed by County Executive	East	2,144
Bedford	Bedford	Water	5	Elected	Middle	4,451
Belvidere Rural	Franklin	Water	5	Elected	Middle	456
Big Creek	Grundy	Water	4	Appointed by County Executive	Middle	3,323
Bloomingdale	Sullivan	Water	3	Appointed by County Executive	East	4,875
Blountville	Sullivan	Water	3	Elected	East	3,701
Bon Aqua-Lyles	Hickman	Water	3	Selected by Board Members	Middle	2,475
Bondecraft	Cumberland White	Water	3	Appointed by County Executive	East	1,004
Bristol-Bluff City	Sullivan	Water	3	Appointed by County Executive	East	1,814
Brownlow	Johnson	Water	3	Selected by Board Members	East	188
Cagle- Freedonia	Sequatchie	Water	3	Appointed by County Executive	Middle	447
Calhoun- Charleston	Bradley McMinn	Water	4	Selected by Board Members	East	668
Carderview	Johnson	Water	3	Selected by Board Members then approved by the County	East	260

## **Utility District Boards of Commissioners**

Utility District	County	Service	Number of Commissioners	Method of Selection	Grand Division	Number of Customers
Castalian	Sumner	Water	5	Elected	Middle	
Springs-						
Bethpage						2,510
Catoosa	Cumberland	Water	3	Selected by Board	East	
				Members		2,891
Cedar Grove	Carroll	Water	3	Selected by Board	West	
	Henderson			Members		515
Center Grove-	Franklin	Water	5	Elected	Middle	
Winchester						1,964
Chanute-Pall	Fentress	Water	3	Selected by Board	Middle	
Mall	Pickett			Members		347
Cherokee Hills	Polk	Water	3	Elected	East	118
Chinquapin	Sullivan	Water	3	Selected by Board	East	
Grove				Members		792
Chuckey	Greene	Water	3	Appointed by	East	
,	Washington			County Executive		3,120
Citizens Gas	Scott Morgan	Gas	5	Elected	East	8,527
Claiborne	Claiborne	Water-	3	Appointed by	East	
County		Sewer-		County Executive		
		Gas		and Board		
				Members		6,010
Clarksburg	Carroll	Water	3	Appointed by	West	
J			_	County Executive		519
Clay Gas	Clay	Gas	3	Appointed by	Middle	
			_	County Executive		140
Clearfork	Claiborne	Water	3	Selected by Board	East	
	Campbell		_	Members		575
Cold Springs	Johnson	Water	3	Selected by Board	East	
			_	Members		232
Consolidated	Rutherford	Water	5	Appointed by	Middle	
				County Executive		22,561
Cookeville Boat	Putnam	Water	3	Appointed by	Middle	
Dock Road	Dekalb		_	County Executive		
Doon noud	Donaid					2,050
Cordell Hull	Smith	Water	3	Elected	Middle	681
County Wide	Crockett	Water	5	Appointed by	West	
	0.0000		Ĭ	County Executive		3,200
Crab Orchard	Cumberland	Water	3	Selected by Board	Fast	0,200
	Samoonand	1100	Ĭ	Members		5,030
Crockett Mills	Crockett	Water	5	Selected by Board	West	0,000
	GIOGRE	vvalor	5	Members		312

Utility District	County	Service	Number of Commissioners	Method of Selection	Grand Division	Number of Customers
Crockett Public	Crockett	Gas	3	Selected by Board		
	0.001.01	040	Ū.	Members		1,071
Cross Anchor	Greene	Water	3	Appointed by	East	.,
				County Executive		2,345
Cumberland	Davidson	Water	3	Appointed by	Middle	
	Wilson			County Executive		12,229
Cumberland	Montgomery	Water	3	Appointed by	Middle	
Heights				County Executive		1,077
Cumberland of	Roane	Water	3	Appointed by	East	
Harriman				County Executive		3,483
Cunningham	Montgomery	Water	3	Selected by Board	Middle	
	Dickson			Members		
	Cheatham					3,460
Dekalb	Dekalb	Water	3	Appointed by	Middle	
				County Executive		3,508
DeWhite	White Dekalb	Water	3	Appointed by	Middle	
				County Executive		1,902
Double Springs		Water	3	Appointed by	Middle	
	Jackson			County Executive		1,803
Dry Run	Johnson	Water	2	Selected by Board	East	
				Members		150
Dyersburg	Dyer	Water	3	Selected by Board	West	
Suburban				Members		
Consolidated			-			1,728
East Fork	Overton	Water	3	Selected by Board	Middle	7/0
				Members		763
East	Montgomery	Water	3	Selected by Board	Middle	
Montgomery	Cheatham			Members		
	Robertson		2	A serve a last a state state se	<b>F</b> +	3,857
East Sevier	Sevier	Water-	3	Appointed by	East	0.41
Factoida	Cocke	Sewer	3	County Executive	Fact	241
Eastside	Hamilton	Water	3	Appointed by	East	1 450
Elk River	Coffee	Cas	3	County Executive	Middlo	1,450
EIK RIVEI	Franklin	Gas	3	Selected by Board Members	Midule	12,372
Fairview	Giles	Water	3	Appointed by	Middle	12,372
	GII62	vvalei	ى ك	County Executive	wiidule	1,061
Fall Creek Falls	Van Buren	Water	3		Middle	1,001
	Bledsoe	vvalei	3	Members	MIGUIE	1,273
Fall River Road	Lawrence	Water	4	Appointed by	Middle	1,273
		VVCICI		County Executive	muuic	890
				County EXECUTIVE		070

Utility District	County	Service	Number of Commissioners	Method of Selection	Grand Division	Number of Customers
Fentress	Fentress	Water	3	Appointed by	Middle	
County				County Executive		3,509
First UD Carter	Carter	Water	3	Elected	East	2,244
First UD Hardin	Hardin	Water	3	Appointed by	West	,
				County Executive		1,924
First UD	Hawkins	Water	3	Appointed by	East	
Hawkins				County Executive		6,200
First UD Knox	Knox	Water-	3	Appointed by	East	,
		Sewer		County Executive		24,744
First UD Tipton	Tipton	Gas	3	Selected by Board	West	
	, i			Members		5,337
Foster Falls	Marion	Water	3	Appointed by	East	,
				County Executive		255
Gibson County	Gibson	Gas	5	Elected	West	9,643
Gibson County	Gibson	Water	3	Appointed by	West	
Municipal				County Executive		3,256
Gladeville	Wilson	Water	3	Appointed by	Middle	
			_	County Executive		4,151
Glen Hills	Greene	Water	3	Appointed by	East	.,
0.0111110	0.0010	indio.	, s	County Executive	2001	3,829
Grandview	Cumberland	Water	3	Selected by Board	East	0,027
	Rhea		_	Members		447
Griffith Creek	Marion	Water	3	Elected	East	
	Grundy	indio.	, s	2.0000	2001	433
H. B. & T.S.	Williamson	Water	3	Appointed by	Middle	100
		mator	0	County Executive	in a die	4,396
Hallsdale-	Knox	Water-	3	Selected by Board	East	.,
Powell		Sewer	, s	Members	2001	22,693
Hampton	Carter	Water	3	Appointed by	East	22,070
i lamp to ri	Gartor	mator	0	County Executive	Last	1,310
Harbor	Benton	Water	3	Appointed by	East	1/010
	Domon	Water	0	County Executive	Last	182
Hardeman-	Hardeman	Gas	3	Selected by Board	West	102
Fayette	Fayette	Cus	0	Members	11031	2,841
Harpeth Valley	Davidson	Water-	3	Appointed by	Middle	2,011
ria pour vanoy	Davidson	Sewer	0	County Executive	Middle	13,019
Hendersonville	Sumner	Water	3	Appointed by	Middle	.0,017
	Connict		Ŭ	County Executive		13,250
Hillsville	Coffee	Water	3	3	Middle	10,200
TIMSTIC	Franklin	VVUICI	5	Members		
	Grundy			- Monibolo		2,388
	Grunu y					۷,300

Utility District	County	Service	Number of Commissioners	Method of Selection	Grand Division	Number of Customers
Hixson	Hamilton	Water	3	Appointed by	East	
				County Executive		20,500
Holston	Sullivan	Water	3	Appointed by	East	
				County Executive		890
Hornbreak	Obion	Water	3	Selected by Board	West	
				Members		507
Horton Highway	Marshall	Gas	3	Appointed by	Middle	
0.0	Williamson			County Executive		
	Rutherford					1,464
Humphreys	Humphreys	Gas	3	Selected by Board	Middle	
1 5	1 3			Members		5,537
Huntsville	Scott	Water	5	Elected	East	3,708
Intermont	Sullivan	Water	3	Selected by Board	East	
				Members		184
Iron City	Lawrence	Water	3	Appointed by	Middle	
5				County Executive		238
Jackson	Jackson	Water	3	Appointed by	Middle	
				County Executive		1,796
Jefferson-	Jefferson	Gas	5	Selected by Board	East	
Cocke	Cocke			Members		6,082
Knox-Chapman	Knox Blount	Water-	3	Appointed by	East	
	Sevier	Sewer		County Executive		9,020
LaGuardo	Wilson	Water	3	Elected	Middle	1,787
Lake	Lake	Gas	3	Elected	West	2,680
Lakeview	Hawkins	Water	3	Appointed by	East	
				County Executive		909
Leoma	Lawrence	Water	3	Selected by Board	Middle	
				Members		521
Luttrell-Blaine-	Union Knox	Water	3	Appointed by	East	
Corryton	Grainger			County Executive		1,967
Madison	Davidson	Water	3	Appointed by	Middle	
Suburban				County Executive		17,217
Mallory Valley	Williamson	Water	3	Selected by Board	Middle	
5 5				Members		3,225
Martel	Loudon	Water	3	Selected by Board	East	
				Members		1,200
Middle TN	Bledsoe	Gas	7	Elected	Middle	
Natural Gas	Cannon and					
	17 other					
	counties					45,049
Mid-Hawkins	Hawkins	Water	3	Selected by Board	East	
				Members		161

Utility District	County	Service	Number of Commissioners	Method of Selection	Grand Division	Number of Customers
Milcrofton	Williamson	Water	3	Appointed by	Middle	
				County Executive		2,693
Minor Hill	Giles	Water	3	Selected by Board	Middle	
				Members and		
				Approved by		
				County Executive		1,724
Mooresburg	Hawkins	Water	3	Elected	East	295
Mowbry	Hamilton	Water	3	Appointed by	East	
				County Executive		873
Natural Gas UD	Hawkins	Gas	3	Selected by Board	East	
of Hawkins				Members		
County						6,364
New Canton	Hawkins	Water	3	Appointed by	East	
				County Executive		127
New Market	Jefferson	Water	3	Appointed by	East	
				County Executive		1,419
New Prospect	Lawrence	Water	3	Elected	Middle	680
Nolensville/Coll	Williamson	Water	3	Appointed by	Middle	
ege Grove				County Executive		2,797
North Anderson	Anderson	Water	3	Appointed by	East	
	Campbell			County Executive		4,128
North Bledsoe	Bledsoe	Water	3	Appointed by	East	
				County Executive		100
North Overton	Overton Clay	Water	3	Appointed by	Middle	
	Pickett			County Executive		1,176
North Stewart	Stewart	Water	3	Selected by Board	Middle	
				Members		1,460
North UD of	Benton	Water	3	Appointed by	West	
Decatur and	Decatur			County Executive		
Benton						1,081
North UD of	Rhea	Water	3	Appointed by	East	
Rhea				County Executive		412
Northeast Henry	Henry	Water	3	Appointed by	West	
				County Executive		1,331
Northeast Knox	Knox	Water	3	Appointed by	East	
				County Executive		5,948
Northeast	Lawrence	Water	3	Appointed by	Middle	
Lawrence				County Executive		420
Northwest Clay	Clay	Water	3	Appointed by	Middle	
				County Executive		1,162

Utility District	County	Service	Number of Commissioners	Method of Selection	Grand Division	Number of Customers
Northwest	Dyer	Water	3	Selected by Board	West	
Dyersburg				Members		1,442
Northwest	Henry	Water	3	Appointed by	West	
Henry				County Executive		425
Oak Ridge	Anderson Roane	Gas	5	Elected	East	9,663
Ocoee	Bradley Polk	Water	3	Appointed by	East	
				County Executive		4,004
O'Connor	White	Water	3	Appointed by	Middle	
				County Executive		2,284
Old Gainesboro	Putnam	Water	3	Appointed by	Middle	
Road				County Executive		
						1,830
Old Hickory	Davidson	Water-	3	Appointed by	Middle	
		Sewer		County Executive		1,668
Old Knoxville	Greene	Water	3	Appointed by	East	
Highway				County Executive		2,204
Perryville	Decatur	Water	3	Selected by Board	West	
				Members		845
Persia	Hawkins	Water	5	Selected by Board	East	
				Members		1,326
Pinson	Madison	Water-	3	Selected by Board	West	
	Chester	Sewer		Members		662
Plateau	Morgan	Water-	3	Selected by Board	East	
		Sewer		Members		1,730
Pleasant View	Cheatham	Water	3	Selected by Board	Middle	
				Members		4,000
Poplar Grove	Tipton	Water-	3	Selected by Board	West	
	Shelby	Gas		Members		7,110
Powell-Clinch	Anderson	Gas	3	Selected by Board	East	
	Campbell			Members		13,370
Queback-	White	Water	3	Elected	Middle	
Walling						1,270
Reelfoot Lake	Lake Obion	Sewer	5	Four Members	West	
Reg.				Appointed and		
				One Member		
				Elected		585
Reelfoot UD of	Lake	Water	3	Selected by Board	West	
Lake County				Members		303

Utility District	County	Service	Number of Commissioners	Method of Selection	Grand Division	Number of Customers
Riceville	McMinn	Water	3	Appointed by County	East	
				Commission		829
River Road	Cheatham	Water	3	Selected by Board	Middle	
				Members		542
Roan Mountain	Carter	Water	3	Appointed by	East	
				County Executive		320
Roane Central	Roane	Water	3	Appointed by	East	
				County Executive		1,520
Russellville-	Hamblen	Water	3	Appointed by	East	
Whitesburg	Hawkins			County Executive		
, s	Greene					5,500
Sale Creek	Hamilton	Water	3	Appointed by	East	
				County Executive		458
Saltillo	Hardin	Water	3	Elected	West	625
Samburg	Obion	Water	3	Appointed by	West	
J. J				County Executive		305
Savannah	Hamilton	Water	3	Appointed by	East	
Valley	Meigs			County Executive		
	Bradley					5,100
Second South	Cheatham	Water	3	Selected by Board	Middle	-,
Cheatham			-	Members		2,632
Sevier	Sevier	Gas	3	Selected by Board	Fast	_,
	001101	040	, , , , , , , , , , , , , , , , , , ,	Members	2401	6,353
Sewanee	Franklin	Water-	5	Elected	Middle/E	0,000
	Marion	Sewer	, , , , , , , , , , , , , , , , , , ,	2.0000	ast	1,250
Shady Grove	Jefferson	Water	3	Appointed by	East	.,
enady erere	Sevier		, , , , , , , , , , , , , , , , , , ,	County Executive	2001	5,292
Siam	Carter	Water	3	Appointed by	East	0,272
Claim	Guitor	mator	0	County Executive	Last	915
Smith	Smith	Water	3	Appointed by	Middle	,
e mar	0		, , , , , , , , , , , , , , , , , , ,	County Executive		2,353
Sneedville	Hancock	Water	3	Appointed by	East	2,000
Onoouvino	Tidilloooli	Water	0	County Executive	Last	735
Soddy Daisy-	Hamilton	Water	5	Appointed by	East	/00
Falling Water		Trator	5	County Executive		3,652
South Blount	Blount	Water	3	Appointed by	East	J,UJZ
	Diouni	vvalor	5	County Executive	Lusi	9,800
South Bristol-	Sullivan	Water	3	Appointed by	East	7,000
Weaver Pike	JuilVall	VVALEI	J	County Executive	Lasi	2 072
Weavel Pike						2,072

Utility District	County	Service	Number of Commissioners	Method of Selection	Grand Division	Number of Customers
South	Cumberland	Water	3	Selected by Board	East	
Cumberland				Members		2,794
South	Carter	Water	3	Appointed by	East	
Elizabethton				County Executive		2,044
South Giles	Giles	Water	3	Appointed by	Middle	
				County Executive		1,238
Southside	Smith	Water	3	Selected by Board	Middle	
				Members		912
Springcreek	Hardeman	Water	3	Selected by Board	West	
				Members		876
Stiggersville	Hawkins	Water	3	Selected by Board	East	
				Members		405
Suck Creek	Hamilton	Water	2	Appointed by	East	
	Marion			County Executive		176
Summertown	Lawrence	Water	3	Appointed by	Middle	
				County Executive		1,009
Sunbright	Morgan	Water	3	Elected	East	1,327
Surgoinsville	Hawkins	Water	3	Appointed by	East	
				County Executive		729
Swan Pond	Roane	Water	3	Appointed by	East	
				County Executive		247
Sylvia-TN City-	Dickson	Water	3	Appointed by	Middle	
Pond				County Executive		1,302
Tarpley Shop	Giles	Water	3	Selected by Board	Middle	
				Members		842
Tri-Cities	Sullivan	Water	3	Elected	East	
Sullivan						1,204
Tuckaleechee	Blount	Water	3	Appointed by	East	
				County Executive		2,874
Unicoi	Unicoi	Water	3	Elected	East	1,510
Unicoi County	Unicoi	Gas	5	Elected	East	
Gas						3,459
Upper	Cumberland	Gas	3	Selected by Board	East	
Cumberland				Members		
Gas						1,470
Walden's Ridge	Hamilton	Water	3	Appointed by	East	
	Sequatchie			County Executive		2,435
Warren County	Warren	Water	5	Appointed by	Middle	
				County Executive		6,750
Watts Bar	Rhea Meigs	Water	3	Appointed by	East	
	Roane			County Executive		2,300

Utility District	County	Service	Number of Commissioners	Method of Selection	Grand Division	Number of Customers
Webb Creek	Sevier	Water-	3	Appointed by	East	
		Sewer		County Executive		659
West	Cumberland	Water	3	Appointed by	East	
Cumberland				County Executive;		
				Sec/Tres is		
				elected		1,470
West Knox	Knox	Water-	3	Appointed by	East	
	Cumberland	Sewer		County Executive		16,205
West Overton	Overton	Water	3	Selected by Board	Middle	
				Members		1,969
West Point	Lawrence	Water	3	Selected by Board	Middle	
				Members		112
West	Carroll	Gas	3	Selected by Board	West	
Tennessee	Benton			Members		
	Weakley					12,772
West Warren-	Warren	Water-	7	Selected by Board	Middle	
Viola		Sewer		Members		2,703
West Wilson	Wilson	Water-	3	Appointed by	Middle	
		Sewer		County Executive		11,201
White House	Sumner	Water	3	Appointed by	Middle	
	Robertson			County Executive		
	Davidson					20,483
Witt	Hamblen	Water	3	Appointed by	East	
				County Executive		1,104
Wolfe Branch	Roane	Water	3	Selected by Board	East	
				Members		925
Woodlawn	Montgomery	Water	3	Appointed by	Middle	
				County Executive		2,685

## Policy Experts and Stakeholders Consulted for this Report

## **Comptroller's Office**

Ann Butterworth, Ex Officio Member, Utility Management Review Board, Assistant to the Comptroller for Public Finance
Bobby Lee, General Counsel for the Comptroller's Office
Mary Margaret Collier, Director, Division of Bond Finance, Comptroller's Office
Joyce Welborn, Legislative Auditor IV, Division of Local Finance, Comptroller's Office
David Bowling, Director, Division of Local Finance, Comptroller's Office
Bill Case, Audit Manager, Municipal Audit, Comptroller's Office
Greg Spradley, Senior Legislative Research Analyst, Comptroller's Office

## **Tennessee Association of Utility Districts**

Bill Dobbins, Executive Director John Hall, Utility Management Review Board/Region Coordinator

## **Department of Environment and Conservation**

Ron Graham, Executive Director of Utility Management Review Board and Executive Director of Division of Community AssistanceJim Poff, Deputy Director of Division of Community AssistanceJames Smith, Director of Division of Community Assistance

## **Utility Management Review Board**

David Norton, Board Member of the Hixson Utility District Donald Stafford, Manager of the Eastside Utility District Jack Lindsey, Manager of the Knox Chapman Utility District Ray Smith, Board Member of the West Tennessee Public Utility District Robert Scott, Manager of Gibson County Water District Serena Henson, Manager of the Northwest Utility District

## **County Executives**

David Fair, Carter County Larry Griffin, Crockett County Iliff McMahan, Jr., Cocke County Gary Holliway, Jefferson County Dick Greyson, Johnson County John Gentry, McMinn County Robert Duncan, Putnam County Ken Yager, Roane County Nancy Allen, Rutherford County Jeff Huffman, Tipton County Ken Rogers, Warren County George Janes, Washington County Willard Pope, Wayne County

## TACIR Members

Representative Randy Rinks, Chairman Mayor Tom Rowland, Vice Chairman Harry A Green, Executive Director

### Legislative

Senator Mae Beavers Senator Ward Crutchfield Senator Jo Ann Graves Senator Mark Norris Representative Tre Hargett Representative Kim McMillan Representative Randy Rinks Representative Larry Turner

### Statutory

Representative Tommy Head, Chairman, Finance Ways & Means Committee Senator Douglas Henry, Chairman, Finance Ways & Means Committee Comptroller John Morgan

Executive Branch Vacant Vacant

### Municipal

Victor Ashe, Mayor of Knoxville Sharon Goldsworthy, Mayor of Germantown Bob Kirk, Alderman, City of Dyersburg Tom Rowland, Mayor of Cleveland

### County

Nancy Allen, Rutherford County Executive Jeff Huffman, Tipton County Executive Ken Yager, Roane County Executive Richard Venable, Sullivan County Executive

Private Citizens David Coffey, Oak Ridge Thomas Varlan, Knoxville

Other Local Officials Brent Greer, TN Development District Association Vacant, County Officials Association Tennessee



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