

Statements to put in CCR for selection of board members

TCA 7-82-402(c)6

(6) Notify its customers at least once a year that decisions by a utility district board of commissioners on customer complaints may be reviewed by the utility management review board pursuant to § 7-82-702(7), and notify its customers at least once a year of the method used to fill vacancies on the utility district's board of commissioners. This notice may be published in a newspaper of general circulation in the county or counties in which the district is situated along with the statement required to be published under § 7-82-401(d), or may be mailed annually to the district's customers in a separate correspondence, in any annual report or newsletter mailed to the district's customers or other writing provided annually to the district's customers.

There are three options to choose from depending on how the commissioners or board members are selected:

1. **Option 1** is for boards that are self-appointed by other board members:

Option 1

The Commissioners of _____ Utility District serve four year terms. Vacancies on the Board of Commissioners are filled by the vote of the remaining Commissioners in office. Decisions by the Board of Commissioners on customer complaints brought before the Board of Commissioners under the District's customer complaint policy may be reviewed by the Utility Management Review Board of the Tennessee Department of Environment and Conservation pursuant to Section 7-82-702(7) of Tennessee Code Annotated.

2. **Option 2** is for boards that are appointed by the county mayor:

Option 2

The Commissioners of _____ Utility District serve four year terms. Vacancies on the Board of Commissioners are filled by appointment by the _____ County Mayor from a list of three nominees certified by the Board of Commissioners to the _____ County Mayor to fill a vacancy. Decisions by the Board of Commissioners on customer complaints brought before the Board of Commissioners under the District's customer complaint policy may be reviewed by the Utility Management Review Board of the Tennessee Department of Environment and Conservation pursuant to Section 7-82-702(7) of Tennessee Code Annotated.

3. **Option 3** is for boards that are elected positions. Since there are so many variations, it is recommended that the attorney develop the appropriate language for board selection.