



JASON E. MUMPOWER
Comptroller

UMRB Special Called Meeting

- I. Call to Order
- II. Witt Utility District
- III. Adjournment



JASON E. MUMPOWER
Comptroller

Entity Name: Witt Utility District

Staff Summary: The Witt Utility District (“Witt”) is a water-only utility district that serves roughly 2,100 customers in Hamblen and Jefferson Counties. Witt’s Board of Commissioners (“the Board”) is comprised of three individuals: Michael Rouse, Michael Phagan, and Michael Sellars. Witt’s General Manager is Benjamin Harris.

The Division of Investigations within the Tennessee Comptroller’s Office released a report on May 17, 2023, summarizing its investigation into Witt. The investigation resulted in the indictments of Witt’s manager Benjamin Harris, and his brother, Joseph Harris, who serves as the district water treatment operator.

The Board’s regularly scheduled meetings are held on the second Thursday of every month. The Board canceled its June 8, 2023 regularly scheduled meeting, but held a special-called meeting on June 13, 2023. Board staff is not aware of any actions taken to remedy the failure of internal controls that resulted in the actions underlying the May 17, 2023 investigative report, or any action to prevent further financial malfeasance.

The Utility Management Review Board (“UMRB”) has recently been involved with the East Sevier County Utility District (“ESCUD”) to oust its prior Board members. ESCUD contracted with Witt, and Witt was able to remedy many of ESCUD’s ongoing problems.

UMRB staff recommends the UMRB initiate a contested case hearing to determine whether the Board should be removed. One finding in the report provides:

“The District made questionable overtime payments to Benjamin Harris totaling at least \$67,292. From January 2022 to August 2022, Benjamin Harris received questionable overtime payments totaling at least \$67,392 for approximately 1,664 hours. Investigators found timecard documentation for other employees; however, they found no documentation or authorization supporting Benjamin Harris’ time worked or claimed overtime compensation. For the period in question, Benjamin Harris was paid an average of 18.65 total daily hours work (5-day work week) and 52 overtime hours per week, including one week he was paid for 73 hours of overtime. The failure of management to review and approve employee time records increases the risk that time will be reported and paid incorrectly. By the end of August 2022, Benjamin’s pay was changed from an hourly wage to salaried compensation.”

While this particular issue may have been remedied, it highlights the Board’s failure to implement proper internal controls to prevent such abuse from occurring, especially in light of its current failure to implement additional controls to prevent similar issues. The Board members have a responsibility to be good stewards of public funds so to prevent such excessive costs from being incurred.



JASON E. MUMPOWER
Comptroller

The members of the Board have also been inappropriately compensated during at least the last 5 years. UMRB staff has requested copies of the Annual Training Statements which each Board member is required to complete and file locally by January 31 of each year. Board members are ineligible to receive compensation and benefits if these training statements are not filed appropriately. Tenn. Code Ann. § 7-82-308(f)(4).

Witt has not provided UMRB staff with documentation that it has adopted or amended its policies or made personnel changes to prevent or limit future bad acts since the release of the May 17, 2023 investigative report. UMRB staff is unaware of the Board having considered or discussed the possibility of such changes at any of its properly noticed meetings.

The Tennessee Board of Utility Regulation (“TBOUR”) will assume all business of the UMRB on July 1, 2023, pursuant to Public Chapter 463. Therefore, any action that the UMRB takes today will continue under TBOUR.

Staff Recommendation:

The UMRB should order as follows:

1. The UMRB hereby initiates a contested case hearing to determine whether Witt’s current Board members should be removed from office, pursuant to Tenn. Code Ann. §§ 7-82-307 and 702. UMRB staff and counsel shall prepare the matter for hearing, including having the matter docketed with the Secretary of State’s Administrative Procedures Division.
2. UMRB staff is authorized to close the contested case should Witt’s current Board members resign, including by nonsuit, motion to dismiss, or whatever other action is necessary.
3. UMRB staff shall determine the total amount of illegal pay and benefits each Board member has received during the period in which they have served and not filed an annual training statement.



Jason E. Mumpower, Comptroller of the Treasury

May 17, 2023

Witt Utility District Manager and Brother Indicted

District serves customers in Hamblen and Jefferson counties

An investigation by the Tennessee Comptroller's Office, working in conjunction with the Tennessee Bureau of Investigation, has resulted in the indictments of Witt Utility District manager Benjamin Harris and his brother, Joseph Harris, who serves as the district water treatment operator.

The investigation covers the period July 1, 2021, through March 15, 2023, and outlines a number of findings. Some of these include:

- Benjamin Harris misappropriated at least \$12,000 by paying a contractor with district money to install a new roof and gutters on his personal residence.
- Benjamin Harris received questionable overtime payments of at least \$67,392 from January to August 2022. Investigators found no documentation to support this work. During this eight month period, Harris was paid for an average of 18.65 total daily hours worked (5-day work week).
- Benjamin Harris purchased concrete with district funds, and he used a portion of it to construct a small porch on a board commissioner's farm.
- Benjamin and Joseph Harris used the district's bobcat to perform work at a private business.
- On multiple occasions, Benjamin Harris traveled in a district-owned truck to a sports bar in Knoxville after normal working hours. Harris admitted to consuming alcoholic beverages during these visits.
- Employees of the district worked on their personal vehicles in the district's maintenance garage.
- Investigators questioned the use of \$5,243 in district funds that were spent to purchase items such as food, fuel, and supplies that were not supported with itemized receipts or documentation.
- The district did not solicit competitive sealed bids for multiple purchases and projects.



Based upon this investigation, on May 15, 2023, the Hamblen County Grand Jury indicted Benjamin Harris for one count of theft of property over \$10,000, one count of theft of property of \$1,000 or less, and three counts of official misconduct. Joseph Harris was also indicted on one count of official misconduct.

"Our investigators have noted numerous deficiencies within this utility district that require corrective action," said Comptroller Mumpower. "The board failed in its fiduciary responsibility to ensure the best use of funds for projects and failed to provide adequate oversight of manager decisions, operations, and expenses."

To view the investigative report, go to tncot.cc/doireports. To view a map depicting Comptroller investigations, go to tncot.cc/mappinginvestigations.

If you suspect fraud, waste, or abuse of public money in Tennessee, call the Comptroller's toll-free hotline at 800.232.5454, or file a report online at: tncot.cc/fraud. Follow us on twitter [@TNCOT](https://twitter.com/TNCOT) and Instagram [@tncot](https://www.instagram.com/tncot).

Media contact: John Dunn, Director of Communications, 615.401.7755 or john.dunn@cot.tn.gov





COMPTROLLER'S INVESTIGATIVE REPORT

Witt Utility District

May 17, 2023

Jason E. Mumpower
Comptroller of the Treasury



DIVISION OF INVESTIGATIONS



JASON E. MUMPOWER
Comptroller

May 17, 2023

Witt Utility District Board of Commissioners
4255 S Davy Crockett Parkway
Morristown, TN 37815

Witt Utility Management:

The Office of the Comptroller of the Treasury conducted an investigation of selected records of the Witt Utility District, and the results are presented herein.

Copies of this report are being forwarded to Governor Bill Lee, the State Attorney General, the District Attorney General of the 3rd Judicial District, certain state legislators, and various other interested parties. A copy of the report is available for public inspection in our Office and may be viewed at <http://www.comptroller.tn.gov/ia/>.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jason E. Mumpower", is written over a faint, larger version of the signature.

Jason E. Mumpower
Comptroller of the Treasury

JEM/MLC

INVESTIGATIVE REPORT

Witt Utility District

The Office of the Comptroller of the Treasury, in conjunction with the Tennessee Bureau of Investigation, investigated allegations of malfeasance related to the Witt Utility District. This investigation was limited to selected records for the period July 1, 2021, through March 15, 2023. The results of the investigation were communicated with the Office of the District Attorney General of the 3rd Judicial District.

BACKGROUND



Witt Utility District (district) in Morristown, Tennessee, provides water service to approximately 2,200 customers in Hamblen and Jefferson counties. The district operates and maintains its own water treatment plant. The district is governed by a three-person board of commissioners (board), who are appointed to four-year terms by the Hamblen and Jefferson County Mayors. The board has the responsibility to establish and

maintain an adequate system of internal controls. District manager Benjamin Harris manages daily operations for the district, and his brother, Joseph Harris, is the district water treatment operator.

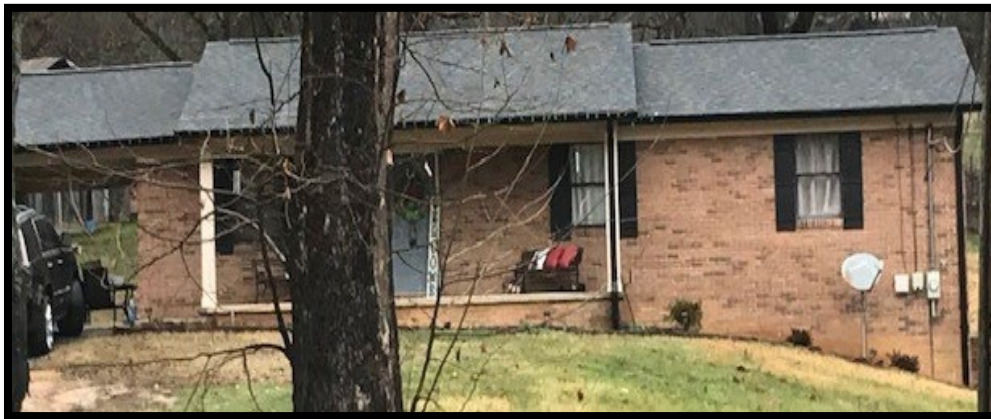
RESULTS OF INVESTIGATION

1. DISTRICT MANAGER BENJAMIN HARRIS MISAPPROPRIATED DISTRICT FUNDS TOTALING AT LEAST \$12,000

Investigators determined that district manager Benjamin Harris misappropriated district funds totaling at least \$12,000. The district paid a home improvement contractor (contractor) material and labor costs for a new roof and gutters on district buildings; however, the payment to the contractor also included material and labor costs for a new roof and gutters on Benjamin Harris' personal residence (**Refer to Exhibit 1**). In May 2022, the district purchased 300 bundles of shingles (approximately 100 squares) from a hardware store totaling at least \$10,017 and paid the contractor an additional \$25,700 to remove and install shingles at the district office and fueling station. At Benjamin Harris' direction, the contractor first installed approximately 27 squares of these shingles on Benjamin Harris' personal residence. The contractor then installed approximately 65 squares of shingles on the district office and fueling station, leaving eight squares remaining, which the contractor kept as payment for other purchased materials. In September

2022, the district paid the same contractor an additional \$9,000 to remove and install new gutters for the district office. According to the contractor, Benjamin Harris did not personally pay any material or labor costs for his new roof or gutters, and Benjamin Harris instructed the contractor how to bill the district to include but conceal the installation of the new roof and gutters on Benjamin's personal residence. The contractor estimated the average material and labor costs for the projects on Benjamin Harris' personal residence, paid by the district, would total \$10,500 (\$6,500 in labor and \$4,000 in materials) for the roof and \$1,500 for gutters, had Benjamin Harris paid for the work himself. The board did not give Benjamin Harris consent or approval to use district funds to make improvements to his personal residence.

Exhibit 1



Benjamin's personal residence with new roof and gutters

Summary of Misappropriation and District Payments			
	Total District Payments	District Buildings*	Benjamin's Residence*
Shingles	\$ 10,017.00	\$ (6,017.00)	\$ 4,000.00
Shingles Installation Labor	25,700.00	(19,200.00)	6,500.00
Gutters	\$ 9,000.00	\$ (7,500.00)	\$ 1,500.00
Total	\$ 44,717.00	\$ (32,717.00)	\$ 12,000.00

** Costs estimated by the contractor*

2. BENJAMIN HARRIS, JOSEPH HARRIS, AND OTHER DISTRICT EMPLOYEES USED DISTRICT FUNDS AND OTHER ASSETS FOR PRIVATE PURPOSES

Investigators determined that Benjamin Harris, Joseph Harris, and other district employees used district funds and other assets for private purposes. Tenn. Code Ann. § 7-82-113 provides that all

expenditures of money made by a utility district must be made for a lawful district purpose. Investigators noted the following improprieties:

- A. In August 2022, Benjamin Harris ordered 5.5 cubic yards of concrete with district funds costing \$955, and a portion of the concrete was delivered to a board commissioner's farm where Benjamin Harris had performed several projects. According to Benjamin Harris, a portion of the concrete was used for a small porch on the commissioner's farm that Benjamin Harris constructed for the commissioner's personal benefit. Investigators were unable to determine how much of the 5.5 cubic yards of concrete was used at the commissioner's farm. Benjamin Harris asserted the commissioner did not know the district paid for the concrete. The commissioner issued Benjamin Harris a payment in March 2022, for \$2,200; however, investigators were unable to determine if the payment covered and included the concrete used for the porch construction.

- B. Benjamin Harris and Joseph Harris used a compact track loader (bobcat) owned by the district at a private business in Knoxville, which was not related to authorized district business for their personal benefit. The district purchased a new bobcat for \$79,655 for district use, and Benjamin Harris had it delivered to a private business in Knoxville on November 18, 2022 (**Refer to Exhibit 2**). Benjamin Harris was considered a contractor and used the district bobcat on a construction project (**Refer to Exhibit 3**) at the private business. Benjamin Harris estimated he saved approximately \$1,000-\$2,000 by using the district bobcat on the construction project. Additionally, an employee of the private business told investigators he used the district bobcat to rework a ramp needed for access to inventory. Investigators were unable to determine the hours Benjamin Harris and Joseph Harris worked at the private business while paid by the district or the hours the district bobcat was used at the private business. Benjamin Harris told investigators that he and Joseph Harris primarily drove district trucks to the private business to work on the construction project. Benjamin Harris was compensated approximately \$210,000 for his work on the project.

Exhibit 2



District bobcat purchased in November 2022

Exhibit 3



Photos of the construction project at the private business taken on January 26, 2023

- C. On December 16, 2022, investigators found a trailer owned by the district at a board commissioner's farm. The district manager stated the trailer was there for repairs and was used only for district business. Investigators were unable to determine if the trailer was at the farm for repairs, district business, or personal use.
- D. Employees at the district were allowed to use district equipment and the maintenance garage to work on their personal vehicles. Based on interviews with employees, investigators determined employees used district equipment to perform maintenance on their personal vehicles after normal work hours with parts and supplies purportedly purchased with their personal funds. For example, investigators found Benjamin Harris' personal vehicle inside the district's garage on a workday morning with the hood up and a tire removed (**Refer to Exhibit 4**). Investigators were unable to determine if work was performed on personal vehicles during normal working hours and if any district maintenance supplies were used for private purposes.

Exhibit 4



Benjamin Harris' personal vehicle in the district's garage on December 16, 2022 at 9:30am Eastern Time

- E. Benjamin Harris improperly used district funds and inventory to provide supplies, including pipe, to certain board commissioners and other private unaffiliated individuals. The

commissioners and other individuals were required to pay for the supplies; however, investigators were unable to determine if they paid for all supplies.

- F. On multiple occasions, Benjamin Harris traveled in a district-owned truck to a food and sports bar located in Knoxville after normal working hours. Benjamin Harris admitted to investigators that he consumed alcoholic beverages during these visits. Investigators could not determine whether these visits were for the benefit of the district or the extent of potential liability to the district.

3. THE DISTRICT MADE QUESTIONABLE OVERTIME PAYMENTS TO BENJAMIN HARRIS TOTALING AT LEAST \$67,392

From January 2022 to August 2022, Benjamin Harris received questionable overtime payments totaling at least \$67,392 for approximately 1,664 hours. Investigators found timecard documentation for other employees; however, they found no documentation or authorization supporting Benjamin Harris' time worked or claimed overtime compensation. For the period in question, Benjamin Harris was paid an average of 18.65 total daily hours worked (5-day work week) and 52 overtime hours per week, including one week he was paid for 73 hours of overtime. The failure of management to review and approve employee time records increases the risk that time will be reported and paid incorrectly. By the end of August 2022, Benjamin's pay was changed from an hourly wage to salaried compensation.

4. INVESTIGATORS IDENTIFIED QUESTIONABLE DISBURSEMENTS TOTALING AT LEAST \$5,243

Investigators identified at least \$5,243 in questionable disbursements of district funds. In some instances, purchases for food, fuel, and supplies were not supported with itemized receipts or other documentation. Therefore, investigators could not determine whether these purchases were exclusively for the benefit of the district. The district should only make authorized expenditures and maintain adequate supporting documentation for all disbursements.

5. THE DISTRICT DID NOT SOLICIT COMPETITIVE SEALED BIDS FOR MULTIPLE PURCHASES AND PROJECTS

District management failed to document compliance with competitive bid requirements or provide a purchasing policy noting legal bid exceptions for multiple supply purchases and projects in 2022. Tenn. Code Ann. § 12-3-1212 requires competitive sealed bids for these types of disbursements (over \$25,000), other than certain exceptions that must be board authorized in a purchasing policy. The lack of competitive sealed bids for projects and purchases increases the risk for fraud, waste, and abuse, and could result in the district paying prices above market rates. In some instances, the district received quotes for certain projects. Our examination revealed the following deficiencies:

- A. The district received three quotes for a project requiring pipe installation; however, the district did not solicit competitive sealed bids as required for the project that cost at least \$860,591.

- B. The district did not solicit competitive sealed bids for the purchase of pipe totaling at least \$407,417.
- C. The district paid approximately \$44,717 for a new roof (\$35,717) and gutters (\$9,000) for the district office and fueling station without soliciting competitive sealed bids.

On May 15, 2023, the Hamblen County Grand Jury indicted Benjamin Harris for one count of Theft of Property over \$10,000, one count of Theft of Property \$1,000 or less, and three counts of Official Misconduct.

On May 15, 2023, the Hamblen County Grand Jury indicted Joseph Harris for one count of Official Misconduct.

The charges and allegations contained in the indictment are merely accusations of criminal conduct, and not evidence. The defendant is presumed innocent unless and until proven guilty beyond a reasonable doubt and convicted through due process of law.

[Witt Utility District Investigative Exhibit](#)

INTERNAL CONTROL AND COMPLIANCE DEFICIENCIES

The Witt Utility District Internal Control Manual provides that the board has responsibility to establish and maintain an adequate system of internal control to help ensure assets are not exposed to unauthorized access and use, transactions are properly recorded in the financial records, and financial information is reliable.

Our investigation revealed internal control and compliance deficiencies, some of which contributed to the district manager's misappropriation of district funds without prompt detection. These deficiencies included:

Deficiency 1: The board did not sufficiently oversee projects, manager decisions, and expenses

The board failed in its fiduciary responsibility to ensure the best use of public funds for projects and failed to provide adequate oversight of manager decisions and expenses. Governing boards of entities responsible for spending public funds must sufficiently oversee management and hold them accountable for their decisions.

Deficiency 2: District management did not adequately account for consumable assets

District management did not adequately account for consumable assets. The failure to maintain adequate records of consumable assets weakens controls over these assets and increases the risk of inventory loss or misuse.

Deficiency 3: The board of commissioners and management failed to properly oversee district operations, which contributed to multiple purchasing deficiencies

Investigators noted the following purchasing deficiencies resulting from a lack of board and management oversight:

- Occasionally, district management issued purchase orders after purchases were made. This practice causes a purchase order to be an approval of payment rather than an approval of the purchase. The failure to properly and timely issue purchase orders increases the risk of unauthorized purchases.
- District management did not require or retain adequate supporting documentation for some disbursements. Investigators could not determine whether these disbursements were for the benefit of the district. Management should require and maintain adequate supporting documentation for all disbursements, such as invoices or receipts, so they can verify the payment is proper and reasonable.
- The district board did not establish or adopt formal written purchasing policies, including purchasing provisions for competitive sealed bids, legal bid exceptions, and credit cards. Tenn. Code Ann. § 9-2-102 requires that utility districts establish, document, and implement internal controls. The lack of formal written purchasing policies increases the risk of fraud, waste, and abuse.
- District management did not solicit competitive sealed bids for several purchases and projects that exceeded the bid threshold. Tenn. Code Ann. § 12-3-1212 requires competitive sealed bids for certain disbursements over \$25,000 other than certain exceptions that must be authorized by the board in a purchasing policy as provided in Tenn. Code Ann. § 7-82-801. The lack of competitive sealed bids for projects and purchases over the bid threshold increases the risk of fraud, waste, and abuse.
- In some instances, district management did not maintain invoices or other supporting documentation identifying district vehicles for which parts were purchased. Therefore, investigators were unable to determine if all purchases were exclusively for district vehicles or for personal use.
- District management did not adequately account for fuel usage. The district owns a mobile storage fuel tank near the maintenance shop. District employees were not required to enter the vehicle's odometer mileage during fueling at the mobile tank; therefore, investigators were unable to determine if fuel was used exclusively for district purposes.

- District management did not always label district vehicles, including those used by Benjamin Harris and Joseph Harris, as property of the district. Benjamin Harris and Joseph Harris were allowed to take district-owned vehicles home. Investigators could not determine if Benjamin Harris and Joseph Harris used the district vehicles for personal use or if any personal use was properly reported for tax purposes.

Deficiency 4: Management failed to properly oversee district operations, which contributed to multiple payroll deficiencies

Investigators noted the following payroll deficiencies resulting from a lack of management oversight:

- District management did not sign employees' timecards as evidence of review and approval. Management's failure to review and approve time records increases the risk of improper or incorrect payroll payments.
- District management did not require employees to submit a dated and signed timesheet as evidence of hours worked. The district internal control manual requires department supervisors verify payroll by examining employee submitted timesheets. Instead, employees submitted timecards as evidence of hours worked. In certain instances, employees entered time worked on their timecard instead of using the time clock to stamp their timecard. Management's failure to require timesheets and review for accuracy as required by the internal control manual, increases the risk of improper payroll payments.

Deficiency 5: The district did not issue official consecutively prenumbered receipts for some collections

In some instances, district employees did not issue official consecutively prenumbered receipts for water collections. Tenn. Code Ann. § 9-2-104 requires official consecutively prenumbered receipts to be issued for all collections. Without official consecutively prenumbered receipts, investigators were unable to determine if all funds had been accounted for properly. The practice of not issuing official consecutively prenumbered receipts weakens internal controls over collections and increases the risk of fraud and misappropriation.

Deficiency 6: The board did not authorize a formal written agreement with another utility district for work performed

During February 2023, the district began working on and overseeing a project for another utility district; however, the boards of both districts did not authorize a formal written agreement for the project. Without a formal written agreement, neither district had guidelines detailing performance responsibilities, obligations, liabilities, or expectations. Both district boards authorized a formal written agreement on March 9, 2023. The lack of an authorized formal written agreement between the districts increases each district's liability risks.

PRESENTMENT

STATE OF TENNESSEE

CASE NO. 23 CR 253

v.

BENJAMIN T. HARRIS
106 Overbay Hollow Rd.
Bean Station, TN

CHARGE: THEFT OVER \$10,000 BUT
LESS THAN \$60,000

[REDACTED] W, M

COUNT 1

The Grand Jurors for the CRIMINAL COURT for HAMBLEN COUNTY, TENNESSEE, meeting on Monday, May 15, 2023 in MORRISTOWN, after being duly sworn upon their oath present that BENJAMIN T. HARRIS, between May 1, 2022 and May 31, 2022, in the State and County aforesaid, and before the finding of this indictment, did unlawfully commit the offense of THEFT OVER \$10,000 BUT LESS THAN \$60,000, by knowingly using funds belonging to Witt Utility District to construct a new roof and guttering for his residence without the effective consent of Witt Utility District, and with the intent to permanently deprive the Utility District of the funds; a Class C felony in violation of T.C.A. 39-14-103, 105, and against the peace and dignity of the State of Tennessee.

Dan E. Armstrong
DAN E. ARMSTRONG, DISTRICT ATTORNEY GENERAL

WITNESSES: Summons for the State

Inv. [REDACTED]
TN Comptroller, 5401 Kingston Pike, Building 2, Suite 300.
Comptroller [REDACTED]

Dan E. Armstrong
DAN E. ARMSTRONG, DISTRICT ATTORNEY GENERAL

TRUE BILL: YES
 NO

April Lawson
Kristin E. Fielder
Perry Potts
Christy Somerville

Hunter Dalton
Stacy Peoples
[Signature]
Bruce Hodges

Amanda Fete
Patton Mouser
Fay Nettles
Cindy Moyer

[Signature]
FOREMAN OF THE GRAND JURY

WITNESS: Inv. [REDACTED] was sworn by me and testified before me in the Grand Jury Room on
Monday, May 15, 2023.

[Signature]
FOREMAN OF THE GRAND JURY

PRESENTMENT

STATE OF TENNESSEE

CASE NO. 23 CR 254

v.

BENJAMIN T. HARRIS
106 Overbay Hollow Rd.
Bean Station, TN

CHARGE: THEFT OF PROPERTY \$1,000
OR LESS

W, M

COUNT 1

The Grand Jurors for the CRIMINAL COURT for HAMBLEN COUNTY, TENNESSEE, meeting on Monday, May 15, 2023 in MORRISTOWN, after being duly sworn upon their oath present that BENJAMIN T. HARRIS, between August 1, 2022 and August 31, 2022, in the State and County aforesaid, and before the finding of this indictment, did unlawfully commit the offense of THEFT OF PROPERTY \$1,000 OR LESS, by knowingly using funds belonging to Witt Utility District to purchase concrete not used for the benefit of Witt Utility without the effective consent of Witt Utility District, and with the intent to permanently deprive the Utility District of the funds; a Class A misdemeanor in violation of T.C.A. 39-14-103, 105, and against the peace and dignity of the State of Tennessee.

Dan Armstrong
DAN E. ARMSTRONG, DISTRICT ATTORNEY GENERAL

WITNESSES: Summons for the State

Inv. [Redacted]
TN Comptroller, 5401 Kingston Pike, Building 2, Suite 300,

Dan Armstrong
DAN E. ARMSTRONG, DISTRICT ATTORNEY GENERAL

TRUE BILL: YES
 NO

Jodi Larson
Angie E. Fields
Terry Totten
C. W. Womack

Kimberly Dalton
Marla Hays
[Signature]
Bunny Hodges
Amanda Pitts
Patton Mowser
Hay Mattie
Cindy Moyers

[Signature]
FOREMAN OF THE GRAND JURY

WITNESS: [Redacted] was sworn by me and testified before me in the Grand Jury Room on
Monday, May 15, 2023.

[Signature]
FOREMAN OF THE GRAND JURY

km

5,000
Bund

PRESENTMENT

STATE OF TENNESSEE

CASE NO. 23CR255

v.

BENJAMIN T. HARRIS
106 Overbay Hollow Rd.
Bean Station, TN

CHARGE: OFFICIAL MISCONDUCT

W, M

COUNT 1

The Grand Jurors for the CRIMINAL COURT for HAMBLEN COUNTY, TENNESSEE, meeting on Monday, May 15, 2023 in MORRISTOWN, after being duly sworn upon their oath present that BENJAMIN T. HARRIS, between November 18, 2022 and December 31, 2022, in the State and County aforesaid, and before the finding of this indictment, did unlawfully commit the offense of OFFICIAL MISCONDUCT by acting as a public servant and knowingly committing an act under color of office or employment that exceeded his official power and did so with intent to obtain a benefit, being using a Bobcat purchased with Witt Utility finances for private use; a Class E felony in violation of T.C.A. 39-16-402(a)(2), and against the peace and dignity of the State of Tennessee.



DAN E. ARMSTRONG, DISTRICT ATTORNEY GENERAL

WITNESSES: Summons for the State

TN Comptroller, 5401 Kingston Pike, Building 2, Suite 300,



DAN E. ARMSTRONG, DISTRICT ATTORNEY GENERAL

TRUE BILL: YES
 NO

Jodi [Signature]
Kayla E. Fields
Berry Potts
Chad Fontaine

[Signature]
[Signature]
[Signature]
[Signature]

FOREMAN OF THE GRAND JURY

WITNESS: [Redacted] was sworn by me and testified before me in the Grand Jury Room on Monday, May 15, 2023.

km

FOREMAN OF THE GRAND JURY

PRESENTMENT

STATE OF TENNESSEE

CASE NO. 23CR253

v.

BENJAMIN T. HARRIS
106 Overbay Hollow Rd.
Bean Station, TN

CHARGE: OFFICIAL MISCONDUCT

W, M

COUNT 2

The Grand Jurors for the CRIMINAL COURT for HAMBLEN COUNTY, TENNESSEE, meeting on Monday, May 15, 2023 in MORRISTOWN, after being duly sworn upon their oath present that BENJAMIN T. HARRIS, between May 1, 2022 and May 31, 2022, in the State and County aforesaid, and before the finding of this indictment, did unlawfully commit the offense of OFFICIAL MISCONDUCT by acting as a public servant and knowingly committing an act under color of office or employment that exceeded his official power and did so with intent to obtain a benefit, being using Witt Utility finances to purchase roofing materials and installation of a roof for his personal residence; a Class E felony in violation of T.C.A. 39-16-402(a)(2), and against the peace and dignity of the State of Tennessee.

Dan Armstrong
DAN E. ARMSTRONG, DISTRICT ATTORNEY GENERAL

WITNESSES: Summons for the State

Inv. [Redacted]
TN Comptroller, 5401 Kingston Pike, Building 2, Suite 300,
[Redacted]

Dan Armstrong
DAN E. ARMSTRONG, DISTRICT ATTORNEY GENERAL

TRUE BILL: YES
 NO

<u>God Lauer</u>	<u>James Dabbs</u>	<u>Amanda Vito</u>
<u>Kayla E. Ford</u>	<u>Shanna Beggs</u>	<u>Patton Mouser</u>
<u>Perry Felt</u>	<u>Bundy Hargis</u>	<u>Ray Mitchell</u>
<u>Cliff Womack</u>	<u>[Signature]</u>	<u>Crissy Meyer</u>

[Signature]
FOREMAN OF THE GRAND JURY

WITNESS: [Redacted] was sworn by me and testified before me in the Grand Jury Room on Monday, May 15, 2023.

[Signature]
FOREMAN OF THE GRAND JURY

PRESENTMENT

STATE OF TENNESSEE

CASE NO. 23CR254

v.

BENJAMIN T. HARRIS
106 Overbay Hollow Rd.
Bean Station, TN

CHARGE: OFFICIAL MISCONDUCT

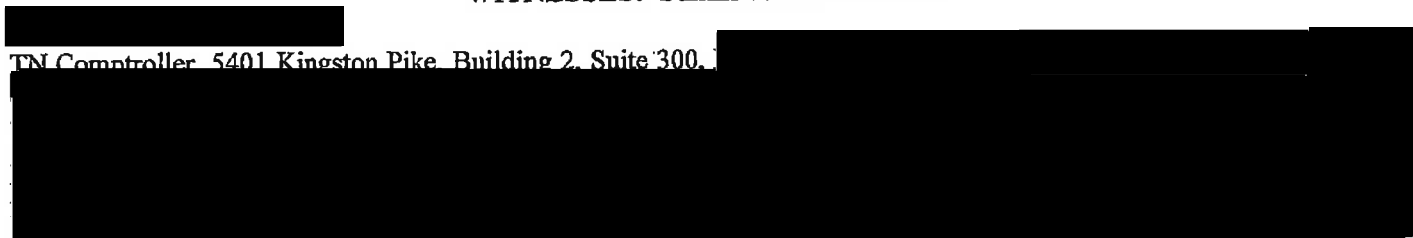
W, M

COUNT 2

The Grand Jurors for the CRIMINAL COURT for HAMBLEN COUNTY, TENNESSEE, meeting on Monday, May 15, 2023 in MORRISTOWN, after being duly sworn upon their oath present that BENJAMIN T. HARRIS, between August 1, 2022 and August 31, 2022, in the State and County aforesaid, and before the finding of this indictment, did unlawfully commit the offense of OFFICIAL MISCONDUCT by acting as a public servant and knowingly committing an act under color of office or employment that exceeded his official power and did so with intent to obtain a benefit, being using Witt Utility finances to purchase concrete for private use; a Class E felony in violation of T.C.A. 39-16-402(a)(2), and against the peace and dignity of the State of Tennessee.

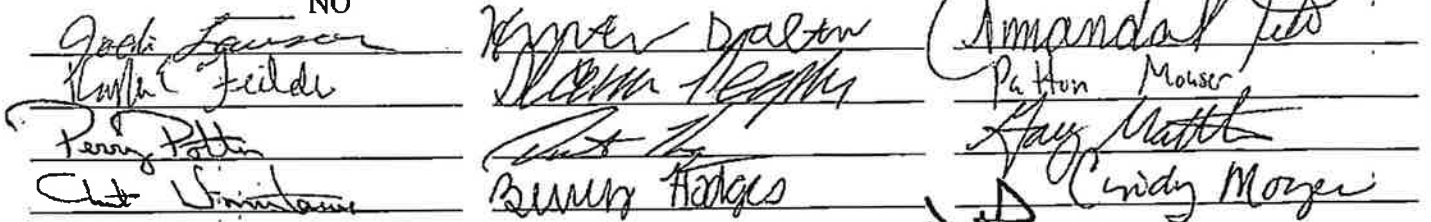

DAN E. ARMSTRONG, DISTRICT ATTORNEY GENERAL

WITNESSES: Summons for the State






DAN E. ARMSTRONG, DISTRICT ATTORNEY GENERAL

TRUE BILL: YES
 NO




FOREMAN OF THE GRAND JURY

WITNESS:  was sworn by me and testified before me in the Grand Jury Room on Monday, May 15, 2023.


FOREMAN OF THE GRAND JURY

km

5,00 Bond

PRESENTMENT

STATE OF TENNESSEE

CASE NO. 23CR256

v.

JOSEPH P. HARRIS
1062 Glades Rd.
Mohawk, TN

CHARGE: OFFICIAL MISCONDUCT

[REDACTED] W, M

COUNT 1

The Grand Jurors for the CRIMINAL COURT for HAMBLEN COUNTY, TENNESSEE, meeting on Monday, May 15, 2023 in MORRISTOWN, after being duly sworn upon their oath present that JOSEPH P. HARRIS, between November 18, 2022 and December 31, 2022, in the State and County aforesaid, and before the finding of this indictment, did unlawfully commit the offense of OFFICIAL MISCONDUCT by acting as a public servant and knowingly committing an act under color of office or employment that exceeded his official power and did so with intent to obtain a benefit, being using a Bobcat purchased with Witt Utility finances for private use; a Class E felony in violation of T.C.A. 39-16-402(a)(2), and against the peace and dignity of the State of Tennessee.

[Signature]
DAN E. ARMSTRONG, DISTRICT ATTORNEY GENERAL

WITNESSES: Summons for the State

[REDACTED]
TN Comptroller, 5401 Kingston Pike, Building 2, Suite 300,
[REDACTED]

[Signature]
DAN E. ARMSTRONG, DISTRICT ATTORNEY GENERAL

TRUE BILL: YES
 NO

[Signature]
[Signature]
[Signature]
[Signature]

[Signature] [Signature]
[Signature] [Signature]
[Signature] [Signature]
[Signature] [Signature]

[Signature]
FOREMAN OF THE GRAND JURY

WITNESS: [REDACTED] was sworn by me and testified before me in the Grand Jury Room on Monday, May 15, 2023.

km

[Signature]
FOREMAN OF THE GRAND JURY