

**MINUTES  
ROANE COUNTY COMMISSION  
REGULAR MEETING  
JANUARY 14, 2013**

**STATE OF TENNESSEE  
COUNTY OF ROANE**

**BE IT REMEMBERED**, that the County Commission of Roane County, Tennessee convened in regular session in Kingston, Tennessee on the 10<sup>th</sup> day of December 2012 at 7:00 P.M.

The Commission was called to order by **Bailiff Herbert Griffin**.

Invocation was given by **Commissioner Tedder**.

The Pledge of Allegiance to the Flag of the United States of America was led by **Bailiff Herbert Griffin**.

Present and presiding was the Honorable **James Brummett** and the following Commissioners: **Bacon, Berry, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder. (14)**

Absent: **Cantrell (1)**

**THEREUPON Chairman Brummett** announced the presence of a quorum. Also present was the Honorable **Ron Woody**, County Executive, County Attorney **Tom McFarland**, Deputy Clerk **Bobbie Tipton** and Zoning Officer **Kay Christopher**.

**APPROVE MINUTES OF THE DECEMBER 1, 2012 MEETING.**

**MOTION** was made by **Commissioner Forrester** with second by **Commissioner Johnson** to approve the minutes of the December 10, 2012 meeting.

Motion to approve **Passed** upon unanimous voice vote.

**ACCEPTANCE OF COMMITTEE REPORTS AND CORRESPONDENCE:**

- 1. Minutes** of Property Committee 12-17-2012.
- 2. Minutes** of Public Utilities 08-2012.
- 3. Minutes** of Public Utilities 09-2012.
- 4. Minutes** of Public Utilities 10-2012.
- 5. Minutes** of Public Utilities 11-2012.
- 6. Minutes** of Fire Board 11-13-2012.
- 7. Minutes** of Fire Board 12-11-2012.

8. **Minutes** of Sheriff's Liaison Committee 12-03-12.
9. **Minutes** of Public Records Committee 12-05-12.
10. **Minutes** of Committee on Committees 12-06-12.
11. **Lawsuit** Roane County vs. Timothy & Jamie Holloway.
12. **Lawsuit** Donald L. & Sherri Wyrick Bankruptcy Court.
13. **Letter** from Senator Yager to TDEC in support of Recycling Equipment Grant Proposal.
14. **Letter** from DOT relative to support for State Industrial Access Road serving Project Inductor in Roane County.

Motion to receive the Committee Reports and Correspondence was made by **Commissioner Moore** with second by **Commissioner Tedder**.

**Commissioner Berry** discussed items # 8 and it was also noted that item # 10 showed Carolyn Granger was added to the Industrial Review Board, but it should be the **Environmental Review Board**.

Motion to adopt **Passed** upon unanimous voice vote.

#### **NOTARIES:**

The following persons desiring to be elected as a Notary Public in Roane County were presented to the Commission by Deputy Clerk **Bobbie Tipton**  
: Barbara D. Agee, Molly C. Bingham,  
Barry L. Carrier, E. Scott Dykes, Stephanie Ferguson, Teresa Frady, Rita S. Johnson, Penny L. Miller, Barbara J. Morgan, Roberta B. Mount, Terasia O. Papa, Beth Spense, Karen M. Tucker, Amy D. West and Monika Wiesmayer.

Motion to elect was made by **Commissioner Tedder** with second by **Commissioner Bacon**.

Motion **Passed** upon unanimous voice vote.

#### **HEARING OF DELEGATION:**

Sharon Brown of Rockwood addressed the issue of the bad roads in Pioneer Village.

Helen Rhea of Blair Road addressed her displeasure of the Blair Convenience Center being closed.

**COUNTY ATTORNEY'S REPORT:**

No report but answered questions from the Commissioner Goddard regarding Zoning Lawsuits and Commissioner Berry regarding a Road in Rockwood.

**COUNTY EXECUTIVE'S REPORT:**

- Note the Facilities Report that is and will continue to be attached to any Property Committee Minutes
- Note also the formats of committees associated with the County Executive's Office reflects more specific details of activities of the committee's work/actions
- Should expect next month a filing of a DMA on the U.T. Extension Facility along with a resolution. We have not finalized the DMA but it appears we will be recommending expansion of the old juvenile building adjacent to the Ambulance Department in Midtown
- Should expect next month a filing of a DMA on the Disposition of the Roane County Schools' Edgewood property leased to Michael Dunn. We have not finalized the DMA but it appears we will be recommending the donation of the property to Michael Dunn Center/Foundation.
- Jail water bill issue: Kingston City Water has verbally admitted to having a meter problem. We are working with Kingston to credit our account
- 2014 Budget Forms have been distributed
- Property Committee Resolution #12-96-03 regarding decals on vehicles will need to be re-examined. Apparently we have few vehicles in compliance.
- Letter to Mayor Mason will be filed in next Commission package, re: Metro Government
- Based on our Codes Enforcement and action by the Commission, we have started the first demolition of a private ownership property. Demolition of an old house on Rose Bailey Lane should be completed in about two weeks. Our cost to the taxpayer is \$7,200.

- We are starting to get calls on trash in people's yards so we need to be prepared for additional action.
- Letter to Senator Yager and our State Representatives regarding a feasibility study and cost of the Caney Creek Bridge should be mailed this week and be in the next month's Commission packet.
- Convenience Centers, Solid Waste, Recycling update:  
The Solid Waste Committee and the Property Committee have been discussing and planning changes in our solid waste operation for almost two years now.
  - First, I would like to say that Solid Waste is still an evolving operation. From throwing our waste in outhouses, creeks, the side of the road to 6 cu. yd. green boxes on the side of the road, to 6 cu. yd. green boxes in convenience centers, to now super-centers, we are trying to work toward getting away from a 6 cu. yd. box to compactors. With the super-center concept, we are also undertaking a mass recycling effort.
  - Second, as we look at the evolving solid waste system, we have made large investments into the super-centers and there is more work to be done. Specifically dealing with the Blair Center. Here are the facts we based our decision of closing the center on:
    1. Property was not owned by the county
    2. Property was too small for compactor to allow sufficient turn around.
    3. Property was too small for sufficient recycling
    4. Hard to invest in the site when we did not own the property
    5. We have two (2) sites within 2 and 4 miles of Blair.

Even if we dealt with these issues, the biggest issue we had was leakage since we were so close to the creek. We wanted to eliminate potential fines from the Tennessee Department of Environment (TDEC). We closed the site prior to us being forced to close, or receiving fines. Current regulations for permitting all convenience centers require them to be at least 50 feet away from a blue line water stream. The Blair Center is 10 feet away.

I apologize for not communicating our facts with the public but we were left with little choice but to close the center.

**SPECIAL ORDERS:**

None

**OLD BUSINESS:**

Resolution # 11-12-02

A Resolution to place in surplus certain Roane County vehicles.

WHEREAS, the Roane County Animal Shelter and the Sheriff's Department have determined that certain vehicles (as described below) are no longer of use to their departments:

<b>Dept.</b>	<b>Make</b>	<b>Model</b>	<b>Year</b>	<b>VIN</b>	<b>DISPOSITION</b>
Animal Shelter	Ford	F-150	1994	1FTDF15Y4RNA43468	Sell on GovDeals
Animal Shelter	Ford	Bronco XL	1996	1FMEU15H6TLB39529	Sell on Gov Deals
Sheriff's Department	Ford Ford Dodge	Explorer Explorer 3500 Van	2006 2005 2001	1FMEU72E06UA80070 1FMZU72K25ZA75459 2B5WB35Z51K540823	Determine if there is a need in other county departments, sell on GovDeals, or donate to VFD if recommended by Fire Board

WHEREAS, the Roane County Animal Shelter & the Sheriff's Department now seek to have said vehicles declared surplus, and

NOW, THEREFORE, BE IT RESOLVED that these vehicles are hereby declared surplus property and they may be disposed of as described above.

SECTION 1. All resolutions in conflict herewith be and the same are repealed insofar as such conflict exists.

SECTION 2. This resolution shall become effective upon passage, the public welfare requiring it.

Upon motion of **Commissioner Moore**, seconded by **Commissioner Tedder** the following Commissioners voted Aye: **Bacon, Berry, Brummett, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder (14)**

The following Commissioners Passed: **-0-**  
The following Commissioners voted No: **-0-**

THEREUPON, the County Commission Chairman announced to the Commission that said resolution had received a constitutional majority and ordered same spread of record.

**NEW BUSINESS**

Resolution # 01-13-01

A Resolution authorizing Roane County to refund to: John and Claudia Young, 133 At Crumley Way, Rockford, TN 37853, the sum of \$339.00.

WHEREAS, taxes on the following parcel were changed by the Property Assessor's office.

Reason: SBE Appeals Commission

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
039G	B	024.00	2010	\$269.86	\$167.00
039G	B	024.00	2011	\$271.00	\$172.00

NOW, THEREFORE, BE IT RESOLVED, that **ROANE COUNTY** is hereby authorized to refund to: John and Claudia Young, 134 At Crumley Way, Rockford TN 37853, the sum of \$339.00.

Upon motion of **Commissioner Kelley**, seconded by **Commissioner Moore**.

The following Commissioners voted Aye **Bacon, Berry, Brummett, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder (14)**

The following Commissioners passed: **-0-**

The following Commissioners voted No: **-0-**

Therefore, the County Chairman announced to the Court that said resolution had received a constitutional majority and ordered same spread record.

**See Attachment**

**Resolution # 01-13-02**

**A Resolution authorizing Roane County to refund to: Covenant Health, 1410 Centerpoint Blvd, Bldg B, Suite 401, Knoxville, TN 37932, the sum of \$4,200.00.**

WHEREAS, taxes on the following parcel were changed by the Property Assessor's office.

Reason: SBE appeal

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
026F	G	008.00P	2010	\$610.00	\$610.00
026F	E	09.00P012	2010	\$256.00	\$256.00
026F	E	011.00P005	2010	\$956.00	\$956.00
026F	E	012.00P003	2010	\$ 10.00	\$ 10.00
026F	E	013.00P001	2010	\$ 16.00	\$ 16.00
026F	E	014.00P	2010	\$489.00	\$489.00
026F	G	014.00P002	2010	\$1,577.00	\$1,577.00
026F	G	030.00P009	2010	\$286.00	\$286.00

NOW, THEREFORE, BE IT RESOLVED, that ROANE COUNTY is hereby authorized to refund to: Covenant Health, 1410 Centerpoint Blvd, Bldg B, Suite 401, Knoxville TN 37932, the sum of \$4,200.00.

Upon motion of **Commissioner Kelley**, seconded by **Commissioner Moore**.

The following Commissioners voted Aye **Bacon, Berry, Brummett, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder (14)**

The following Commissioners passed: **-0**

The following Commissioners voted No: **-0-**

Therefore, the County Chairman announced to the Court that said resolution had received a constitutional majority and ordered same spread record.

**Resolution # 01-13-03**

**A Resolution amending the General Purpose School Fund (141) reflecting changes in Revenue/Expenditure estimates for the 2012/2013 fiscal year.**

Motion to send to the Budget Committee was made by **Commissioner Collier** with second by **Commissioner Kelley**.

Motion **Passed** upon unanimous voice vote.

**Resolution # 01-13-04**

**A Resolution amending the Education Capital Projects Fund (177) reflecting changes in Revenue/Expenditure estimates for the 2012/2013 fiscal year.**

Motion to send to the Budget Committee was made by **Commissioner Collier** with second by **Commissioner Kelley**.

Motion **Passed** upon unanimous voice vote.

**Resolution # 01-13-05**

**A Resolution amending Roane County Resolution # 03-11-12 to add a County Legislative body representative to the Roane County Environmental Review Board.**

**WHEREAS;** Roane County Resolution #03-11-12 specifies that the Roane County Environmental Review Board shall consist of five (5) to seven (7) general members and one (1) to two (2) student member(s), to be appointed by the County Executive and confirmed by the County Commission; and

**WHEREAS,** a request has been made that a member of the County Legislative Body be appointed as a member of the Roane County Environmental Review Board and the Committee on Committees has made a recommendation.

**NOW, THEREFORE, BE IT RESOLVED** that the Roane County Committee on Committees has recommended that Carolyn Granger be appointed to the Roane County Environmental Review Board as the County Legislative Body representative.

**BE IT FURTHER RESOLVED** that the term of the County Legislative Body representative should run coterminous with the Commission term. Therefore, Carolyn Granger's term on the RCERB shall expire on August 31, 2014.

**BE IT FURTHER RESOLVED** that the WHEREAS clause referring to the membership of the Roane County Environmental Review Board shall be deleted and the following language shall replace said WHEREAS clause:

"WHEREAS, the membership of the Roane County Environmental Review Board shall consist of five (5) to seven (7) general member(s), one County Legislative Body representative member, and one (1) to two (2) student member(s), which shall be appointed by the County Executive and confirmed by the County Commission; and"

**UPON MOTION** of **Commissioner Berry**, seconded by **Commissioner Collier**, the following Commissioners voted Aye: **Bacon, Berry, Brummett, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Tedder (12)**

The following Commissioners passed: **-0-**

The following Commissioners voted No: **Nelson (1)**

**THEREUPON** the County Chairman announced to the Commission that said resolution had received a constitutional majority and ordered same spread of record.

**Resolution # 01-13-06**

**A Resolution establishing a Donation Acceptance Policy for State and Federal personal property.**

**WHEREAS**, Roane County periodically has access to receive various state and federal personal property.

**NOW, THEREFORE, BE IT RESOLVED** that the Roane County Commission does hereby establish the following policy known as the Donation Acceptance Policy for State and Federal Personal Property for all departments of the Roane County Government.

**Donation Acceptance Policy**

1. Before a department applies for State or Federal surplus property, the department shall, at minimum, write a

justification letter. The justification letter shall, at minimum, include:

- a. The intended use and benefit of the personal property,
- b. Any cost associated with getting the asset into use, such as moving expense, rebuilding and/or replacement of parts,
- c. Any annual cost of operations and maintenance,
- d. Any restriction of use placed on the asset by the donor including how and/or when the asset can be surplusd by the local government,
- e. Any savings to Roane County that may be derived from the acceptance of the property.

2. The justification letter shall be filed with:

- a. The committee or committees which assist and advise the department on administration and management issues,
- b. The Property Committee, and in the event a Property Committee does not exist, the Budget Committee.

3. The justification letter shall be filed with the Roane County Commission

**BE IT FURTHER RESOLVED** that this policy shall go into effect immediately upon passage.

**UPON MOTION** of **Commissioner Collier**, seconded by **Commissioner Kelley**, the following Commissioners voted Aye: **Bacon, Berry, Brummett, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Nelson, Tedder (13)**

The following Commissioners passed: -0-

The following Commissioners voted No: -0-

**THEREUPON** the County Chairman announced to the Commission that said resolution had received a constitutional majority and ordered same spread of record.

**Resolution # 01-13-07**

**A Resolution establishing a Vehicle Procurement Policy.**

**WHEREAS;** Roane County continues the development of a capital asset replacement schedule and capital asset program; and

**WHEREAS,** in the development of a Capital Asset Program (specifically Vehicle Procurement), it has been determined that

a declaration should be made from the requesting department of the new asset(s).

**NOW, THEREFORE, BE IT RESOLVED** that the Roane County Commission does hereby establish the following policy known as the Vehicle Procurement Policy for all departments of Roane County Government.

### Vehicle Procurement Policy

1. Before the procurement of a vehicle, a budget must be established and the requesting department must make a written declaration to the Office of the County Executive stating:
  - a. The vehicle being procured shall replace an existing vehicle which shall become surplus to the requesting department, or
  - b. The vehicle being procured shall be added to the existing department's fleet, or
  - c. The procurement shall cause the old asset to be surplus and used by the department for replacement parts.
  
2. Upon the declaration being made, the Roane County Property Committee, or in the event a Property Committee does not exist, the Budget Committee, shall take action to:
  - a. Upon surplus to the department's use, allow a transfer to another governmental department upon the other governmental department following this same policy,
  - b. Upon adding to the fleet, insuring that same has been fully disclosed during the budget adoption or at a later County Commission meeting,
  - c. Upon being used for replacement parts, surplus with County Commission's authorization and taken off of the county's insurance policy
  - d. Upon final surplus for any department's use, then appropriate resolution shall be approved by the Roane County Commission allowing the vehicle to be

transferred to an outside Roane County Government operation or sold according to the Roane County Purchasing Policy.

**BE IT FURTHER RESOLVED** that this policy shall go into effect immediately upon passage.

**UPON MOTION** of **Commissioner East**, seconded by **Commissioner Tedder**, the following Commissioners voted Aye: **Bacon, Berry, Brummett, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Nelson, Tedder. (13)**

The following Commissioners passed: **-0-**

The following Commissioners voted No: **-0-**

**THEREUPON** the County Chairman announced to the Commission that said resolution had received a constitutional majority and ordered same spread of record.

Motion duly made by **Commissioner Berry** with second by **Commissioner Granger**, the January 14, 2013 meeting stood adjourned at 8:25 P.M.

**APPROVED:**

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**Chairman James Brummett**

**Attest:**

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County Clerk Barbara J. Anthony