

**MINUTES  
ROANE COUNTY COMMISSION  
REGULAR MEETING  
FEBRUARY 11. 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 11<sup>th</sup> day of February, 2013 at 7:00 P.M.  
The Commission was called to order by **Bailiff Lloyd Cook**.

Invocation was given by **Commissioner Cantrell**.

The Pledge of Allegiance to the Flag of the United States of America was led by Lloyd Cook.

Present and presiding was the Honorable **James Brummett** and the following Commissioners: **Bacon, Berry, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder**. (15)

Absent: -0-

**THEREUPON** Chairman **Brummett** announced the presence of a quorum. Also present was the Honorable **Ron Woody**, County Executive, , County Attorney **Tom McFarland**, County Clerk **Barbara J. Anthony**, Deputy Clerk **Bobbie Tipton**, Zoning Officer **Kay Christopher**, and Building & Codes Inspector **Glenn Coffey**.

**APPROVE MINUTES OF THE JANUARY 14, 2013 MEETING.**

**MOTION** was made by **Commissioner Forrester** with second by **Commissioner Nelson** to approve the minutes of the 14 th day of January, 2013 meeting.

Motion **Passed** upon unanimous voice vote.

**ACCEPTANCE OF COMMITTEE REPORTS AND CORRESPONDENCE:**

1. **Minutes** Board of Zoning Appeals 09-05-12.
2. **Minutes** Planning Commission 11-14-12.

3. **Minutes** Planning Commission 12-19-12.
4. **Minutes** Beer Board 01-08-13.
5. **Road List** for Roane County.
6. **Lawsuit**- Order of Dismissal re: Timothy & Crystal Romines.
7. **Decision** Making Analysis - location of UT Agricultural Office.
8. **Lawsuit** - Petition for Contempt re: C.L. & H. Hagaman.
9. **Lawsuit** - Petition for Contempt re: Jane Janamae McInnis.
10. **Report**-Roane County Public Wastewater Department.
11. **Letter** from ETED to Executive Ron Woody relative to promoting economic growth 01-15-13.
12. **Letter** from TVA to Dennis Ferguson, Road Supervisor re: request to abandon two (2) roads 01-23-13.
13. **Letter** from Volkswagen Group 01-23-13.
14. **Letter** to Senator Yager, Representative Calfee, and Representative Travis re: Caney Creek Bridge. 01-15-13.
15. **Memo** to ERB re: Shared Profits with Individual Schools 01-16-13.
16. **Email** with attachment re: a major highway projects under Construction and development in Roane County 01-14-13.
17. **Letter** from Christofer Mowry, President, Babcock & Wilcox M Power re: Small Modular Reactor (SMR) 01-14-13.
18. **Letter** from Paula Mitchell of TDEC re: Roane County Hazardous Waste Event. 01-14-13.
19. **Decision** Making Analysis # 11- Asset Disposition: Six (6) Acre Parcel currently Utilized by Michael Dunn on Gallaher Road.
20. **Letter** from Marjorie Earick resigning from her position as School Board Member for the 5/6 District effective 1-17-13.
21. **Minutes** Committee on Committee 1-30-13.
22. **Letter** to Executive Woody from TVA re: TVA'S commitment to License several parcels for Roane County use.

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

Commissioners **Berry, Kelley** and **Moore** discussed several items in the correspondence and reports.

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

**NOTARIES:**

The following persons desiring to be elected as a Notary Public in Roane County were presented to the Commission by County Clerk **Barbara Anthony**: Sandra J. Armstrong, Idella F. Davidson, Susanne Fischer, Candace Hill, Deborah J. Phipps and Sandra Steele.

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

Motion **Passed** upon unanimous voice vote.

**HEARING OF DELEGATION:** None

**COUNTY ATTORNEY'S REPORT:**

Attorney McFarland answered questions from the commission regarding the status of lawsuits.

**COUNTY EXECUTIVE'S REPORT:**

The County received \$106,162.24 from the City of Kingston Water Department due to the overbilling of water/sewer services at the Roane County Jail. A 6" meter was installed instead of the 4" meter, thus the water reading was over-inflated. The county will review the calculation to insure reimbursement is correct.

In your packet under Reports and Correspondence you will find Correspondence Item #7 which is DMA #12, an analysis of the location of the U.T. Agricultural Extension Office. A resolution in your packet will reference this DMA.

Household Hazardous Waste Day is scheduled for May 11, 2013.

The handout at your seats is Correspondence Item #22, a letter from TVA granting, under a license agreement, properties in the Swan Pond area for a Volunteer Fire Station and an Office of Emergency Services facility.

**SPECIAL ORDERS:**

**Election to fill a vacancy on the Roane County Board of Education for District 5/6 caused by the resignation of Marjorie Earick.**

Vic King was nominated by **Commissioner Collier**. **Chairman Brummett** asked three (3) times for further nominations, he announced the nominating process closed.

After a ten minute recess, **Chairman Brummett** informed the Commission that the nomination could not be accepted until the resignation of Ms Earick was accepted by the School Board.

Motion was made by **Commissioner Forrester** with second by **Commissioner Ellis** to have a meeting on March 11, 2013 at 6:30 pm before the regular County Commission meeting. This meeting will be to hear from any person wishing to be nominated for the position of member to the Roane County Board of Education for District 5/6.

Motion **Passed** upon unanimous voice vote.

**OLD BUSINESS:**

**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 adopt was made by **Commissioner Moore** with second by **Commissioner Berry**.

Upon roll call vote the following Commissioners voted **Aye: Bacon, Berry, Ellis, Forrester, Johnson, Nelson (6)**

The following Commissioners **Passed: Cantrell, Collier, East, Granger, Kelley (5)**

The following Commissioners voted **No Brummett, Goddard, Moore, Tedder (4)**.

Thereupon the chairman announced that the resolution **failed** for lack of majority 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.**

**WHEREAS**, the Revenues and Expenditures of the above noted fund have changed due to: Adjusting Preliminary Revenue and Expenditure Estimates, and

**WHEREAS**, the Roane County Schools desire to revise current Revenue and Expenditure estimates to more accurately reflect actual costs and current data projections, and

**WHEREAS**, the Roane County Board of Education has approved this budget revision at its December meeting, and respectfully submits this budget amendment for approval.

**NOW, THEREFORE, BE IT RESOLVED** that Education Capital Projects Fund (177) be amended as follows:

Account Description	Account #	Approved 12/13 Budget	Proposed Amendment	Amended 12/13 Budget
<b>REVENUE:</b>				
Sale of Property	44540	0	147,980	147,980
Contributions & Gifts	44570	5,000,000	(843,609)	4,156,391
Other Loans Issued	49500	0	397,650	397,650
<b>TOTAL REVENUE &amp; OTHER SOURCES</b>			<b>(297,979)</b>	
<b>EXPENDITURES:</b>				
Engineering Services	91300 321	100,000	(18,084)	81,916
Building Construction	91300 706	4,284,775	(2,354,489)	1,930,286
Building Improvements	91300 707	897,174	1,801,863	2,699,037
<b>TOTAL EXPENDITURES AND OTHER USES</b>			<b>(570,710)</b>	

Revenue and Other Sources Over (Under)

Expenditures and Other Uses	39000	<u>(351,674)</u>	<u>272,731</u>	<u>(78,943)</u>
MEMO: ENDING FUND EQUITY	EST	<u>347,857</u>	<u>272,731</u>	<u>620,588</u>
MEMO: UNASSIGNED FUND BALANCE	EST	<u>0</u>	<u>0</u>	<u>0</u>
MEMO: RESTRICTED/COMMITTED/ASSIGNED	EST	<u>347,857</u>	<u>272,731</u>	<u>620,588</u>

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

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder (15)**

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

Thereupon, the Chairman announced that said Resolution had received a constitutional majority and ordered same spread of record.

**ZONING RESOLUTIONS:**

**Resolution # 02-13-01Z**

**IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE**

**A RESOLUTION** authorizing the county attorney to file a lawsuit regarding an unsafe building and overgrown vegetation on property designated as Tax Map 55I, Gp. B, Parcel 11.00.

**WHEREAS**, Roane County, Tennessee adopted the Unsafe Building and Equipment Guidelines 115 (06 International Existing Building Code) by adoption of Resolution # 07-07-07, and,

**WHEREAS**, Roane County, Tennessee adopted regional zoning by adoption of Resolution #2101 on May 4, 1990.

**WHEREAS**, said property is located in an A-2 (Developing Agricultural) District.

**WHEREAS**, Hugh & Margie Kelly, having failed to comply with the Unsafe Building and Equipment Guidelines 115 (06 International Existing Building Code) by allowing an unsafe building on their property, and by violating Resolution #2709, by continually allowing conditions of overgrown

vegetation/accumulated debris on property identified as Map 55I, Gp. B, Parcel 11.00, is subject to the existing building code, and Roane County Zoning Regulations, Resolution #2709, and if they are, petitioning the court to enforce the same by granting injunctive and other relief.

**THEREFORE, BE IT RESOLVED:**

The county attorney is authorized to file a lawsuit to determine whether Hugh & Margie Kelly, having failed to comply with the Unsafe Building and Equipment Guidelines 115 (06 International Existing Building Code) by allowing an unsafe building on their property, and by violating Resolution #2709, by continually allowing conditions of overgrown vegetation/accumulated debris on property identified as Map 55I, Gp. B, Parcel 11.00, is subject to the existing building code, and Roane County Zoning Regulations, Resolution #2709, and if they are, petitioning the court to enforce the same by granting injunctive and other relief.

Upon motion by **Commissioner Moore**, seconded by **Commissioner Johnson**.

The following commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder (15)**

The following Commissioner passed: **-0-**

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

**THEREFORE**, the Chair announced to the Commission that said Resolution had received a constitutional majority and ordered same spread of record.

See attachment

**RESOLUTION # 02-13-02Z**

**A Resolution authorizing the county attorney to file a lawsuit regarding overgrown vegetation/accumulated debris on property of Richard Vankirk by violating Roane County Zoning Regulations, Resolution # 2790, for continually allowing conditions of overgrown vegetation/accumulated debris on property identified as Map 10Gm Gp. A Parcel 13.00**

**Withdrawn without objection.**

**RESOLUTION # 02-13-03Z**

**IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE**

**A RESOLUTION** authorizing the county attorney to file a lawsuit asking the court to declare whether Jerry Wade & Angel Macdermott, by operating a junkyard and/or outdoor storage/salvage operation, and allowing overgrown vegetation/accumulated debris on property designated as Tax Map 5, Parcel 7.00, is subject to Roane County Zoning Regulations, and if they are, partitioning the court to enforce the same by granting injunctive and other relief.

**WHEREAS**, Roane County, Tennessee adopted regional zoning by adoption of Resolution #2101 on May 4, 1990.

**WHEREAS**, said property is located in an A-2 (Developing Agricultural) District.

**WHEREAS**, Jerry Wade & Angel Macdermott, having failed to comply with Roane County Zoning Regulations by operating a junkyard-outdoor storage/savage operation, and allowing overgrown vegetation/accumulated debris in a Developing Agricultural District on property designated as Tax Map 5, Parcel 7.00 is subject to Roane County Zoning Regulations, and if they are, petitioning the court to enforce the same by granting injunctive and other relief.

**THEREFORE, BE IT RESOLVED:**

The county attorney is authorized to file a lawsuit to determine whether Jerry Wade & Angel Macdermott, by operating a junkyard and/or outdoor storage/salvage operation, and allowing overgrown vegetation/accumulated debris on property designated as Tax Map 5, Parcel 7.00 is subject to Roane County Zoning Regulations, and if they are, petitioning the court to enforce the same by granting injunctive and other relief.

Upon motion by **Commissioner Cantrell** seconded by **Commissioner Johnson**.

The following commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder (15)**

The following Commissioner passed: **-0-**

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

**THEREFORE**, the Chair announced to the Commission that said Resolution had received a constitutional majority and ordered same spread of record.

**See attachment**

**NEW BUSINESS**

**Resolution # 02-13-01**

**IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE.**

**A RESOLUTION** authorizing **ROANE COUNTY** to refund to: Thomas and Anna Joldersma, 107 William Lane, Oak Ridge TN 37830, the sum of \$1,163.00.

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

Reason: State Board of Equalization appeal

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
039B	C	012.00	2010	\$953.00	\$572.00
039B	C	012.00	2011	\$985.00	\$591.00

**NOW, THEREFORE, BE IT RESOLVED**, that **ROANE COUNTY** is hereby authorized to refund to: Thomas and Anna Joldersma, 107 William Lane, Oak Ridge TN 37830, the sum of \$1,163.00.

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

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder (15)**

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 # 02-13-02**

**IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE.**

A **RESOLUTION** authorizing **ROANE COUNTY** to refund to: Frederick J and Marjorie Krampe, 106 Overlook Drive, Rockwood TN 37854, the sum of \$215.00.

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

Reason: adjust square footage to finished basement making it partially unfinished

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
075M	A	007.00	2012	\$4,037.00	\$215.00

**NOW, THEREFORE, BE IT RESOLVED**, that **ROANE COUNTY** is hereby authorized to refund to: Frederick and Marjorie Krampe, 106 Overlook Drive, Rockwood TN 37854, the sum of \$215.00.

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

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder (15)**

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 # 02-13-03

**IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE.**

**A RESOLUTION authorizing ROANE COUNTY to refund to: Gerald and Annette Hubbard, 16363 Blue Springs Road, Philadelphia TN 37846, the sum of \$52.00.**

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

**Reason: correct land size due to clerical error**

<b>Map</b>	<b>Group</b>	<b>Parcel No.</b>	<b>Year</b>	<b>Amount of tax paid</b>	<b>Refund</b>
129		005.01	2012	\$350.00	\$52.00

**NOW, THEREFORE, BE IT RESOLVED, that ROANE COUNTY is hereby authorized to refund to: Gerald and Annette Hubbard, 16363 Blue Springs Road, Philadelphia TN 37846, the**

**The following Commissioners passed: sum of \$52.00.**

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

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder (15)**

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 # 02-13-04**

**A Resolution establishing an advisory committee for financial consideration of non-profit organizations in Roane County**

**WHEREAS**, the citizens of Roane County deserve the most efficient, economical, and responsive local government possible; and

**WHEREAS**, the Budget Committee annually receives requests for funding from non-profit organizations during the budget deliberations; and

**WHEREAS**, it is in the best interest of the citizens of Roane County that an advisory committee be established for financial consideration of non-profit organizations; and

**WHEREAS**, the members of the Non-Profit Committee shall be: Commissioners Carolyn Granger (convening chair), George Nelson, Nick Forrester, Fred Tedder, and Ron Berry; and

**WHEREAS**, the Roane County Budget Committee shall periodically refer matters to the Non profit Committee and the Non-Profit Committee shall meet and make recommendations to the Budget Committee in a timely manner.

**NOW, THEREFORE, BE IT RESOLVED** by the Roane County Commission that the Non-Profit

Committee is hereby established and the membership will consist of Commissioners Carolyn

Granger (convening chair), George Nelson, Nick Forrester, Fred Tedder, and Ron Berry.

UPON MOTION of **Commissioner Moore** seconded by **Commissioner Cantrell** the following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder. (15)**

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 # 02-13-05**

**A RESOLUTION to establish an audit committee for Roane County**

**WHEREAS**, *Tennessee Code Annotated* (T.C.A.) Section 9-3-405, encourages county governments to establish an independent Audit Committee, and provides that the Tennessee Comptroller of the Treasury (Comptroller) may require an Audit Committee in counties that (1) are in noncompliance with the accounting and financial reporting standards required by the Governmental Accounting Standards Board or (2) have recurring findings from the annual audit for three or more consecutive years that are determined by the Comptroller's office to be a material weakness in internal control or material noncompliance with government auditing standards; and

**WHEREAS**, the Comptroller and the Government Finance Officers Association of the United States and Canada recommends that all county governments establish an Audit Committee as a best practice and to assist the County Commission in the oversight of the public funds and financial reporting process; and

**WHEREAS**, the Roane County Commission realizes the need, especially in today's current environment of fewer available resources, for increased transparency and accountability of public funds, and that the County Commission is ultimately responsible for ensuring that management is meeting its internal control and financial reporting responsibilities; and

**WHEREAS**, the County Commission finds it to be in the best interest of Roane County to establish an Audit Committee; and

**WHEREAS**, the committee will be made up of the following citizens who have agreed to serve: Suzy Clay Jones (Convening Chair), Harriet Walker, Doris Thompson, Wade McCullough, and Nick Forrester;

**NOW THEREFORE BE IT RESOLVED** by the County Commission of Roane County, meeting this 11<sup>th</sup> day of February, 2013, that:

**SECTION 1.** Pursuant to the provisions of T.C.A. § 9-3-405, the County Commission of Roane County does hereby establish an Audit Committee to provide independent review and oversight of the county's financial reporting processes and the county's internal controls, a review of the external auditor's report and follow up on management's corrective action, and compliance with laws, regulations, and ethics.

**SECTION 2.** The Audit Committee will consist of five (5) members, to-wit: **Suzy Clay Jones, Harriet Walker**, (to serve two-year terms) and **Doris Thompson, Wade McCullough, and Nick Forrester** (to serve four-year terms). Thereafter all members shall be appointed to serve four (4) year terms. For the purpose of establishment of the initial committee and the terms of membership, the date of establishment shall be March 1, 2013.

**SECTION 3.** Meetings of the Audit Committee shall be held in accordance with the provisions of **T.C.A. § 9-3-405**. Meetings shall be subject to the open meetings provisions of T.C.A. Title 8, Chapter 44, except that upon a majority vote of those members in attendance for the public portion of a meeting, the Audit Committee may hold confidential, nonpublic executive sessions to discuss the following items as

authorized in T.C.A. § 9-3-405:

**(1)** Items deemed not subject to public inspection under T.C.A. §§ 10-7-503 and 10-7-504, and all other matters designated as confidential or privileged;

**(2)** Current or pending litigation and pending legal controversies;

**(3)** Pending or ongoing audits or audit related investigations;

**(4)** Information protected by federal law; and

**(5)** Matters involving the reporting of illegal, improper, wasteful, or fraudulent activity under T.C.A. § 9-3-406, where the informant has requested anonymity. The Audit Committee will follow Roberts Rules of Order. Each year at its first meeting, the committee will elect a chairman, vice-chairman, and secretary. Meeting agendas will be prepared by the chairman and provided in advance to members along with appropriate briefing materials. Minutes of the Audit Committee meetings will be filed in the Office of County Clerk.

**SECTION 4.** The committee shall have access to the services of a financial expert, either through a committee member or an outside party engaged by the committee for this purpose. Such financial expert should, through both education and experience, and in a manner specifically relevant to the county government sector, possess (1) an understanding of generally accepted accounting principles and financial statements; (2) experience in preparing or auditing financial statements of comparable entities; (3) experience in applying such principles in connection with the accounting for estimates, accruals, and reserves; (4) experience with internal accounting controls; and (5) an understanding of Audit Committee functions.

**SECTION 5.** The duties and responsibilities of the Audit Committee are:

(a) To carefully review, upon completion of the county's annual audit, all audit findings in audit report and consult with the external auditors regarding any irregularities and deficiencies disclosed in the annual audit. The Audit Committee is empowered to meet with management to discuss audit findings and/or disagreements with the external auditors. The committee should satisfy itself that appropriate and timely corrective action has been taken by management to remedy any identified weaknesses. The committee should determine what corrective action, if any, should be recommended to the County Commission.

(b) To consider the effectiveness of the internal control system, including information technology security and control, review the effectiveness of the system for monitoring compliance with laws and regulations, and review the process for communicating the county's ethics policies to county personnel and monitoring compliance therewith.

(c) To establish a process by which employees, taxpayers, or other citizens may confidentially report suspected illegal, improper, wasteful or fraudulent activity under provisions of T.C.A. § 9-3-406.

(d) To annually present a written committee report detailing how it discharged its duties and any committee recommendations to the full County Commission.

**SECTION 6.** The Audit Committee will be adequately funded to carry out the duties and responsibilities as set out in this Resolution and under applicable law.

**SECTION 7.** This resolution creating the duties and responsibilities of the Audit Committee has been submitted to the Comptroller prior to approval by this legislative body, and this resolution conforms with the report issued by the Comptroller.

**UPON MOTION** of **Commissioner Collier**, seconded by **Commissioner Kelley**, the following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder (15)**

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 # 02-13-06**

### **IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE**

#### **A RESOLUTION allowing the transfer of ownership of the Old Edgewood School building and property (approximately 6 acres) to the Michael Dunn Center/Michael Dunn Foundation**

**WHEREAS;** The Roane County Board of Education on December 20, 2012 approved the Roane County Board of Education's release of any ownership of the Old Edgewood School Building and property (6 acres) on Gallaher Road to the Roane County Commission with the stipulation that the transfer shall be "for the purpose of donating the property to the Michael Dunn Center"; and

**WHEREAS,** The Roane County School's offer to the Commission shall be valid until June 20, 2013 (see attached School Resolution); and

**WHEREAS,** The Roane County Accounting and Budget Department has prepared a Decision Making Analysis (DMA) enclosed in the February County Commission packet under "Correspondence" outlining an analysis of a potential donation of property to the Michael Dunn Foundation.

**NOW, THEREFORE, BE IT RESOLVED** that the Roane County Commission does hereby approve the transfer of ownership either by a direct transfer of Warranty Deed, by a sale to Michael Dunn

Foundation with a county contribution of cash to purchase the property, by a transfer of deed to the Roane County Industrial Development Board and subsequent transfer to Michael Dunn Foundation, or by another means that may allow a legal transfer of property known as the Old Edgewood School building and property.

**BE IT FURTHER RESOLVED** that the legal description of the property shall be as described in the transfer documents and is known to be:

In the Third (3<sup>rd</sup>) Civil District of Roane County, Tennessee, approximately six (6) acres located on North Highway 58 on Gallaher Road, Map and Parcel Number 060.007.00, the Roane County School, Old Edgewood School and Property.

**BE IT FURTHER RESOLVED** that the Roane County Attorney shall insure proper and legal transfer of the above-described properties and property shall be transferred as a whole.

**BE IT FURTHER RESOLVED** that the property shall be restricted to retail or industrial use sales but proceeds of sales shall be restricted to purchase/construct or reimburse for purchase/construction for a Michael Dunn Center within Roane County.

**BE IT FURTHER RESOLVED** that a new facility shall bear the name “**Michael Dunn**”.

**UPON MOTION** of **Commissioner Berry**, seconded by **Commissioner Moore**, the following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder (15)**

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.

See attachment

**Resolution # 02-13-07**

**IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE**

**A RESOLUTION approving TVA and the Roane County Park Advisory Board's conceptual design and layout of the Swan Pond Recreation Area.**

**WHEREAS**, Roane County has considered building a sports complex for a number of years which included discussion of borrowing up to Eighteen (\$18) million for the purchase of land and other amenities during 2009; and

**WHEREAS**, with the contribution from TVA for land and site preparation and the TVA Foundation contribution, Roane County has the opportunity to now develop a sports complex within a capital projects plan; and

**WHEREAS**; TVA has committed to replace the recreational facilities previously provided by TVA at the Kingston Steam Plant; and

**WHEREAS**, the previous recreational facility consisted of a baseball/softball field and a group of soccer fields; and

**WHEREAS**, TVA is proposing to provide land under a license agreement and engineering; and design to enhance the recreational assets in the Swan Pond Community; and

**WHEREAS**, TVA will provide at its expense the construction of and maintenance of:

- Lakeshore Phase I (peninsula) – construction to begin February 2013 and be completed by approximately June 2013.
- Lakeshore Phase II (east/middle embayment) – construction estimated to start in winter 2013-14 and be completed by approximately summer 2014.
- Both areas will be TVA-owned and controlled; and

**WHEREAS**, TVA will provide for the use and benefit of Roane County Government approximately 75 acres for recreational facilities, acceptance previously approved by the Roane County Commission by adoption of Resolution #07-11-06; and

**WHEREAS**, TVA has established an estimated schedule of design, layout, and availability to Roane County of the 75 acres as follows:

- 30% design by July 2013
- 60% design by November 2013
- 90% design by March 2014
- 100% design complete June 2014
- Area to be at grade and available to Roane County by Spring of 2015; and

**WHEREAS**, the Roane County Parks and Recreation Advisory Board, at a November 15, 2011 meeting, reviewed the concept plan and the minutes state the following:

**“Four (4) multi-use baseball/softball fields, Three or four soccer fields, adequate parking and traffic control, maintenance/storage facilities, possible office space in house left by TVA on site, irrigation capabilities, playground area, fields situated to maximize shading of field at sunset, space for expanded seating and future use for other events (festivals, concerts, etc.)”**

and at a March 1, 2012, meeting approved the Swan Pond Sports Complex Preliminary Plan which consisted of a 4-plex Baseball/Softball fields, and a number of soccer fields/Festival sites, as attached; and

**WHEREAS**, TVA has shown this concept drawing at public meetings; and

**WHEREAS**, the Roane County News has published an article regarding the concept drawing and layout of the Swan Pond Sports Complex;

**NOW, THEREFORE, BE IT RESOLVED** that the Roane County Commission does hereby approve the attached preliminary conceptual drawing and layout which further reflects:

- Festival field (use as a soccer field)
- Multi-use field (use as one to three soccer fields)
- Soccer field
- Softball/Baseball fields – 4-plex

**UPON MOTION** of **Commissioner Cantrell**, seconded by **Commissioner Forrester**, the following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder (15)**

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.

See attachment

Resolution # 02-13-08

IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE

A RESOLUTION to amend the General Fund (101) to accept and appropriate a grant into the Sheriff's Department for Child Support Enforcement.

WHEREAS, Roane County Sheriff's Department has been awarded a grant from the State of Tennessee, and

WHEREAS, this grant requires a \$10,205 match which will be taken from the already appropriated Sheriff's budget and its associated lines, and

WHEREAS, this grant will be used to fund a position whose main objective will be to serve papers related to child support payments.

.

NOW, THEREFORE BE IT RESOLVED, that the General Fund (101) be amended as follows:

**SEE ATTACHED SHEET**

BE IT FURTHER RESOLVED, that this deputy position is contingent on renewal of grant and will not be maintained if grant is not renewed.

Upon motion of **Commissioner Kelley** seconded by **Commissioner Granger**.

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder (15)**

The following Commissioners voted No: -0-

Thereupon, the Chairman announced that said Resolution had received a constitutional majority and ordered same spread of record.

See attachment

**Resolution # 02-13-09**

A **RESOLUTION** to amend the General Fund (101) to accept and appropriate a donation for the use of Office of Emergency Services communication.

**WHEREAS**, Roane County Office of Emergency Services has been awarded a grant from the Tennessee Emergency Communications Association (TNECA), and

**WHEREAS**, this grant requires no match, and

**WHEREAS**, this grant will be used for communication related expenses.

**NOW, THEREFORE BE IT RESOLVED**, that the General Fund (101) be amended as follows:

Fund	Account No.	Description	Current Bgt	Amend	Amend Bgt
Revenue					
101	44570	Contributions	1,000	2,800	3,800
Expenditure					
101	54410	307 Communication	5,000	2,800	7,800

Upon motion of **Commissioner Forrester**, seconded by **Commissioner Granger**.

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder. (15)**

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

Thereupon, the Chairman announced that said Resolution had received a constitutional majority and ordered same spread of record.



**Resolution # 02-13-10**

**A RESOLUTION to amend the Solid Waste Fund (116) to accept and appropriate a grant for Waste Oil.**

**WHEREAS**, Roane County has been awarded a grant from TDEC for the purchase of collection containers for waste oil, and

**WHEREAS**, this grant requires no match money, and

**WHEREAS**, the containers will be placed throughout the county at the convenience centers.

**NOW, THEREFORE BE IT RESOLVED**, that the Solid Waste Fund (116) be amended as follows:

Fund	Account No.	Description	Current Bgt	Amend	Amend Bgt
Revenue					
116	46980	WOIL Other State Grants	-	15,700	15,700
Expenditure					
116	55732	733-WOIL Solid Waste Equipment	-	15,700	15,700

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

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder (15)**

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

Thereupon, the Chairman announced that said Resolution had received a constitutional majority and ordered same spread of record.

**Resolution # 02-13-11**

**IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE**

A **RESOLUTION** to amend the Highway Department Fund (131) in order to make revenue and expenditure adjustments due to better estimates and transfer Crystal Cove money and set up budget in the Highway Capital Projects Fund (176) subfund Crystal Cove (COV).

**WHEREAS**, the highway department sold scrap metal increasing cost revenue, and

**WHEREAS**, the county has better expenditure estimates including unemployment, and

**WHEREAS**, the Highway Department is establishing a capital outlay plan and desire to capture the cost of the Crystal Cove Project in the Capital Projects Fund.

**NOW, THEREFORE BE IT RESOLVED**, that the Highway Fund (131) and the Highway Capital Projects Fund (176) subfund (COV) be amended as follows:

**SEE ATTACHED SHEET**

Upon motion of **Commissioner Collier**, seconded by **Commissioner Nelson**.

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder (15)**

The following Commissioners voted No:-0-

Thereupon, the Chairman announced that said Resolution had received a constitutional majority and ordered same spread of record.

See attachment

**Resolution # 02-13-12**

IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE

A **RESOLUTION** to amend the General Capital Projects Fund (171) subfund Courthouse and Jail Maintenance (CHJ) to accept and appropriate a grant for Courtroom Technology Improvement.

**WHEREAS**, Roane County has been awarded a Courtroom Technology Improvement Grant from the State of Tennessee Administrative Office of the Courts (AOC), and

**WHEREAS**, this grant requires no match money, and

**WHEREAS**, this grant will be used to replace sound equipment in the circuit and chancery courtrooms.

**NOW, THEREFORE BE IT RESOLVED**, that the Capital Projects Fund (171) subfund Courthouse and Jail Maintenance (CHJ) be amended as follows:

Fund	Account No.	Description	Current Bgt	Amend	Amend Bgt
<b>CHJ- Courthouse and Jail</b>					
Revenue					
171	46980	TECH Other State Grants	-	10,000	10,000
Expenditure					
171	91110	790-TECH Other Equipment	-	10,000	10,000
Courtroom Technology Improvement					

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

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder (15)**

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

Thereupon, the Chairman announced that said Resolution had received a constitutional majority and ordered same spread of record.

**Resolution # 02-13-13**

IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE

A **RESOLUTION** to amend the General Capital Projects Fund (171) subfund Other Facility Improvements (OFI) to reduce the appropriation as related the Health Department roof project and to appropriate money for expansion/renovation of the old juvenile center to be used for UT Ag Extension.

**WHEREAS**, work on the roof repairs at the Health Department are encumbered and anticipated to come in below budget, and

**WHEREAS**, the UT Ag Extension office is being considered for the old juvenile center since the juvenile office has been moved to the old jail.

**NOW, THEREFORE, BE IT RESOLVED** that the General Capital Projects Fund (171) subfund OFI be amended as follows:

**SEE ATTACHED SHEET**

**BE IT FURTHER RESOLVED**, renovation/expansion of the juvenile center will not take place until the County Legislative Body approves the relocation of the UT Extension Office to the juvenile facility.

Upon motion of **Commissioner Nelson**, seconded by **Commissioner Johnson**.

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder (15)**

No -0-

Passed: -0-

Thereupon, the Chairman announced that said Resolution had received a constitutional majority and ordered same spread of record.

See attachment

Resolution # 02-13-14

IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE

A RESOLUTION to amend the Wastewater Fund (204) to make revenue and expenditure adjustments due to better estimates.

WHEREAS, better estimates of water treatment charges are available, and

WHEREAS, the county has better expenditure estimates for an easement, insurance, and trustee commission, and

WHEREAS, additional funds are available to be added to the sinking fund to offset future debt payments.

NOW, THEREFORE BE IT RESOLVED, that the Wastewater Fund (204) be amended as follows:

**SEE ATTACHED SHEET**

Upon motion of **Commissioner Berry**, seconded by **Commissioner Granger**.

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder (15)**

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

Thereupon, the Chairman announced that said Resolution had received a constitutional majority and ordered same spread of record.

See attachment

**Resolution # 02-13-15**

**A RESOLUTION TO PLACE IN SURPLUS certain Roane County Highway Department equipment and vehicles.**

**WHEREAS**, the Roane County Highway Department has determined that certain equipment and vehicles (see attached list) are of no longer use to Roane County, and

**WHEREAS**, the Roane County Highway Department now seeks to have said equipment and vehicles declared surplus, and

**NOW, THEREFORE, BE IT RESOLVED** that these vehicles are hereby declared surplus property and they may be disposed of pursuant to T.C.A. 5-14-1 08.

**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 Nelson**, seconded by **Commissioner Granger** the following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder. (15)**

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.

See attachment

Motion duly made by **Commissioner Moore**, second by **Commissioner Granger** the February 11, 2013 meeting stood adjourned at 10:05 P.M.

**APPROVED:**

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**Chairman James Brummett**

**Attest:**

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**County Clerk Barbara J. Anthony**