

**MINUTES  
ROANE COUNTY COMMISSION  
REGULAR MEETING  
MARCH 14, 2011**

**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 14<sup>th</sup> day of March, 2011 at 7:00 P.M.

The Commission was called to order by **Bailiff Lloyd Cook**.

Invocation was given by **Commissioner Ray 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: **George Bacon, Ron Berry, Ray Cantrell, Bobby Collier, Benny East, Randy Ellis, Nick Forrester, Jerry Goddard, Carolyn Granger, Chris Johnson, Steve Kelley, Stanley Moore, George Nelson, Fred Tedder. (15)**

Absent: -0-

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

**APPROVE MINUTES OF THE FEBRUARY 14, 2011 MEETING.**

**MOTION** was made by **Commissioner Forrester** with second by **Commissioner Ellis** to approve the minutes of the February 14, 2011.

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

**COMMITTEE REPORTS AND CORRESPONDENCE:**

1. **MINUTES** Planning Commission 01-19-11.
2. **MINUTES** In Lieu of Tax Committee 02-01-11.
3. **MINUTES** Sheriff's Liaison Committee 02-07-11.
4. **MINUTES** Tourism Committee 02-08-11.
5. **MINUTES** Budget Committee 02-10-11.
6. **MINUTES** Ambulance Committee 02-10-11.
7. **MINUTES** Public Records 02-16-11.
8. **MINUTES** Utility Board 02-17-11.
9. **MINUTES** Emergency Services 02-17-11.
10. **MINUTES** Building Inspector & Codes Review 02-24-11.
11. **MINUTES** Utility Board 02-24-11.
12. **LETTER** re: Household Hazardous Waste Event.
13. **NOTICE** re: Comcast price changes.
14. **LETTER** re: airport for Oak Ridge.
15. **SUMMARY** of action re: Tiger Haven.

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

**Commissioner Berry** discussed items # 6,7,9 and 10.

**Commissioner Cantrell** noted the need to add his name as being present at the Solid Waste Committee held 01-18-2011.

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 County+ Clerk **Barbara Anthony**: Spence Bruner, Kelly Bunch, Virginia Easter, Diane R. Fitzhugh, Rebecca Frederick, Tammy Goddard, Cheryl D. Kennedy, Mitchell C, Kyker and Sandra K. White.

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

Motion **Passed** upon unanimous voice vote.

**HEARING OF DELEGATION:**

**Leslie Henderson**, President/CEO of Roane Alliance gave a brief annual report for 2010.

**John Kirksey** of the Tennessee Department of Forestry reported that approximately 53 acres in the Pattie Gap Area of Roane County was infested with gypsy moth and a proposed aerial spray treatment was scheduled for April. A public information meeting was scheduled for March 24, 2011 at Midway Elementary School.

**COUNTY ATTORNEY'S REPORT:**

**Absent** (on vacation)

**COUNTY EXECUTIVE'S REPORT:**

The County Executive discussed the following items and answered questions from the Commissioners:

- Financial report
- Donations for Roane County Park
- Executive summaries
- Newsletter
- Capital Policies, Debt Policy, Fund Balance Policy
- Hosting COCTP training on Capitol Budget & Debt Management on 4-15-11.
- Item # 14 in packet re: Airport for Oak Ridge, TN.
- Item # 15 in packet re: Summary of action re: Tiger Haven.
- Status of Midtown Project

**SPECIAL ORDERS:**

**Election of three(3) members to the Roane County Industrial Development Board and the Health, Education and Housing Facilities Board** to fill the vacancies caused by the expiration of the terms of David Webb, Bob Lunsford, and Teddy Haywood. The new terms will expire March 12, 2017.

Motion to elect David Webb and Teddy Haywood with terms to expire March 12, 2017 was made by **Commissioner Collier** with second by **Commissioner Moore**, and wait until the April 2011 meeting to replace Bob Lunsford.

Motion **Passed** upon unanimous voice vote.

Motion made by **Commissioner Ellis** with second by **Commissioner Cantrell** for the County Executive to write a letter to Representative Hurley and request she attend the first available meeting (when she is not in session )of the Roane County Commission to discuss legislation requested by the Commission.

Call for the question was made by **Commissioner Berry**.

Upon roll call vote the following Commissioners voted to call for the question: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder (15)**

Thereupon **Chairman Brummett** announced the motion **Passed**.

Upon roll call vote the following commissioners voted to request the County Executive write the letter: **Bacon, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Nelson, Tedder (13)**

The following Commissioners voted No; **Berry, Moore (2)**  
Thereupon the Chairman announced that the motion **Passed**.

**ZONING RESOLUTIONS**

**RESOLUTION # 03-11-01Z**

**A Resolution to amend the zoning resolution for Roane County.**

Motion to adopt was made by **Commissioner Kelley** with second by **Commissioner Berry**.

Motion to amend by changing the 30% in the 1st paragraph in section one to read "20% "was made by **Commissioner Berry** with second by **Commissioner Kelley**.

Upon roll call vote, the following Commissioners voted to adopt the amendment: **Bacon, Berry, East, Forrester, Granger, Johnson, Moore, (7)**

The following Passed: -0-

The following voted No: **Brummett, Cantrell, Collier, Ellis, Goddard, Kelley, Nelson, Tedder (8)**

Thereupon the Chairman announced the amendment **Failed.**

**RESOLUTION # 03-11-01Z**

**A Resolution to amend the zoning resolution for Roane County.**

**WHEREAS**, the Roane County Commission, in accordance with Section 13-7-102 of the Tennessee Code Annotated, may amend the Zoning Resolution of Roane County, Tennessee; and

**WHEREAS**, the Regional Planning Commissions of Roane County, Harriman, Kingston, and Rockwood have forwarded recommendations to the Board of County Commissioners regarding the amendment to the Zoning Resolution of Roane County, Tennessee;

**NOW, THEREFORE**, BE IT RESOLVED BY THE ROANE COUNTY BOARD OF COUNTY COMMISSIONERS THAT;

Section 1: Section 202 of the Roane County Zoning Resolution shall be amended to include the following:

**ADULT ORIENTED BUSINESSES:** An adult oriented business is one in which: (a) at least thirty (30) percent of the floor stock merchandise, whether printed, video, sexual aid devices, are oriented toward the adult population and appeals to prurient interests. Such merchandise generally depicts male or female genitalia and/or breasts and or sexual acts; (b) the business appeals to prurient interests by regularly featuring male or female dancers, models, waiters, waitresses, or bartenders either nude, semi-nude, and/or exposing directly by lack of covering or clothing or transparently by the use of materials such as falsies, g-string or similar items/articles which allows the direct or indirect viewing of human genitalia, or breasts as an attraction to the establishment.

**Section 2:** Section 308 (C-2 Highway Commercial District) is amended to allow adult oriented business as a Use Permitted on Review by the Board of Zoning Appeals.

Section 3: That the minimum requirements for adult oriented businesses in the C-2 District are: 1,000 feet minimum is required between adult-oriented business and any residential district, school, church, or a day care center. Between adult-orient businesses, a minimum of 500 feet is required. A site plan shall be required for review before the planning commission. A planted buffer of twenty-five feet, consisting of permanent evergreens with a caliper diameter at breast height (4 and ½ feet) of three (3) inches. Tree plantings shall be staggered so as to eliminate visibility between the trees.

**Section 4:** This Resolution shall take effect from and after its final passage, the public welfare requiring it.

Motion to adopt was made by **Commissioner Kelley** with second by **Commissioner Berry**, the following Commissioners voted Aye: **Bacon, Berry, Brummett, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley (11)**

The following Commissioners Passed: -0-

The following Commissioners voted No: **Cantrell, Moore, Nelson, Tedder (4)**

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

**RESOLUTION # 03-11-02Z**

A resolution authorizing the County attorney to file a lawsuit asking the court to declare whether Christine K. Jones, by operating a kennel on property designated as Tax Map 76, Parcel 29.01, is subject to Roane County Zoning Regulations, and if she is, petitioning the court to enforce the same by granting injunctive and other relief.

Withdrawn

**OLD BUSINESS:**

**RESOLUTION # 02-11-12**

A resolution directing the Roane County Attorney to take steps to recover the costs associated with the removal of a hazardous substance at property owned by Marjorie Dodd.

Withdrawn

**NEW BUSINESS:**

**RESOLUTION # 03-11-01**

**A resolution authorizing Roane County to refund to: Edward J. Tunkel Jr Etux, 330 Pattie Gap Rd, Philadelphia, TN 37846 the sum of \$144.00.**

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

Reason: this BSF is a workshop attached to the end of the BMU

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
114	041.01		2009	\$1076.00	\$144.00

**NOW, THEREFORE, BE IT RESOLVED**, that **ROANE COUNTY** is hereby authorized to refund to: Edward J Tunkel Jr Etux, 330 Pattie Gap Road, Philadelphia TN 37846, the sum of \$144.00

Motion to adopt was made by **Commissioner Ellis** with second 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-

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

See Attachment

**RESOLUTION # 03-11-02**

**A resolution authorizing Roane County to refund to: Willis Lee McKinney, 114 Happy Hollow Rd, Harriman, TN 37748 the sum of \$147.00.**

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

Reason: house not livable

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
027		093.00	2010	\$274.00	\$147.00

**NOW, THEREFORE, BE IT RESOLVED**, that **ROANE COUNTY** is hereby authorized to refund to: Willie Lee McKinney, 114 Happy Hollow Road, Harriman TN, the sum of \$147.00

Motion to adopt was made by **Commissioner Ellis** with second 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-

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

**See Attachment**

**RESOLUTION # 03-11-03**

**A resolution authorizing Roane County to refund to: the Trust company of Knoxville, P.O. Box 789, Knoxville, TN 37901 the sum of \$10.00.**

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

Reason: pro-rate for 2010-sold to DOT

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
036B	G	009.01	2010	\$428.00	\$10.00

**NOW, THEREFORE, BE IT RESOLVED**, that **ROANE COUNTY** is hereby authorized to refund to: The Trust Company of Knoxville, PO Box 789, Knoxville TN 37901 the sum of \$10.00

Motion to adopt was made by **Commissioner Ellis** with second 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-

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

**See Attachment**

**+**

**RESOLUTION # 03-11-04**

A resolution authorizing Roane County to refund to: Richard Van Gardner, 147 Foothills Rd. Rockwood, TN 37854 the sum of \$5.00.

**Withdrawn**

**RESOLUTION # 03-11-05**

A resolution authorizing Roane County to refund to: Debra S. Barkley, 108 Hartford Village Way, Kingston, TN 37763 the sum of \$71.00.

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

Reason: corrected basement part is unfinished

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
068G	D	002.00	2010	\$1460.00	\$71.00

**NOW, THEREFORE, BE IT RESOLVED**, that **ROANE COUNTY** is hereby authorized to refund to: Debra S Barkley, 108 Hartford Village Way Kingston TN 37763, the sum of \$71.00

Motion to adopt was made by **Commissioner Ellis** with second 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-

Therefore, the County Chairman announced to the Court that said resolution has received a constitutional majority and spread of record.

**See attachment**

**RESOLUTION # 03-11-06**

**A resolution authorizing Roane County to refund to: Billy J. and Lucinda Sue Gooch, 205 Hassler Mill Rd, Harriman, TN 37748 the sum of \$43.00.**

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

Reason: pro-rate for 2010-purchased by DOT

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
036G	F	016.00	2010	\$509.00	\$43.00

**NOW, THEREFORE, BE IT RESOLVED**, that **ROANE COUNTY** is hereby authorized to refund to: Billy J and Lucinda Sue Gooch, 205 Hassler Mill Road, Harriman TN 37748, the sum of \$43.00.

Motion to adopt was made by **Commissioner Ellis** with second 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-

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

See Attachment

**RESOLUTION # 03-11-07**

**IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE. A RESOLUTION** authorizing **ROANE COUNTY** to refund to: David N and Rhonda L Bell, 189 Ponders Gap Road, Ten Mile TN 37880, the sum of \$379.00.

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

Reason: delete mobile home-burned 9-5-10

Map Group	Parcel No.	Year	Amount of tax paid	Refund
106	042.06	2010	\$468.00	\$379.00

**NOW, THEREFORE, BE IT RESOLVED**, that **ROANE COUNTY** is hereby authorized to refund to: David N and Rhonda L Bell, 189 Ponders Gap Road, Ten Mile TN 37880, the sum of \$379.00

Motion to adopt was made by **Commissioner Ellis** with second 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-

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

See Attachment

**RESOLUTION # 03-11-08**

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

**A RESOLUTION authorizing ROANE COUNTY to refund to: Mark Long Stowers etal, PO Box 1004 Harriman TN 37748, the sum of \$24.00.**

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

Reason: pro-rate for 2010-sold to DOT

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
036B	F	010.00	2010	\$3156.00	\$24.00

**NOW, THEREFORE, BE IT RESOLVED**, that **ROANE COUNTY** is hereby authorized to refund to: Mark Long Stowers etal, PO Box 1004, Harriman TN 37748, the sum of \$24.00

Motion to adopt was made by **Commissioner Ellis** with second 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-

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

**See Attachment**

**RESOLUTION # 03-11-09**

**A resolution authorizing Roane County to refund to: Wilburn D. and Linda K. Jenkins 928 Hwy 11 South, Sweetwater TN 37874, the sum of \$224.00.**

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

Reason: per court order-mobile home removed from property before hooked up

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
104D	A	009.00	2010	\$772.0	\$24.00

**NOW, THEREFORE, BE IT RESOLVED**, that **ROANE COUNTY** is hereby authorized to refund to: Wilburn D and Linda K Jenkins, 928 Hwy 11 South, Sweetwater TN 37874, the sum of \$224.00

Motion to adopt was made by **Commissioner Ellis** with second 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-

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

**See attachment**

**RESOLUTION # 03-11-10**

**A resolution authorizing Roane County to refund to: Curtis Lee Fitzgerald Jr, 115 New Midway Rd, Kingston, TN 37763 the sum of \$146.00.**

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

Reason: delete-garage not built

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
070		059.01	2009	\$641.00	\$146.00

**NOW, THEREFORE, BE IT RESOLVED**, that **ROANE COUNTY** is hereby authorized to refund to: Curtis Lee Fitzgerald Jr, 115 New Midway Road, Kingston TN 37763, the sum of \$149.00

Motion to adopt was made by **Commissioner Ellis** with second 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-

+he 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 # 03-11-11**

**A resolution authorizing Roane County to refund to: Charles E. and Martha T. McSween 111 Lower Gallaher Rd, Kingston, TN 37763, the sum of \$209.00.**

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

Reason: correct clerical error- no upper story

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
049		002.31	2010	\$1088.00	\$209.00

**NOW, THEREFORE, BE IT RESOLVED**, that **ROANE COUNTY** is hereby authorized to refund to: Charles E and Martha T McSween, 111 Lower Gallaher Road, Kingston TN 37763, the sum of \$209.00

Motion to adopt was made by **Commissioner Ellis** with second 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-

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

See attachment

**RESOLUTION # 03-11-12**

**A resolution to amend and clarify the creation, purpose, and membership of the Environmental Review Board.**

**WHEREAS**, it is the intention of this resolution to amend and clarify the creation, purpose and membership of the Roane County Environmental Review Board (ERB); and

**WHEREAS** the ERB was established in 1989 by Resolution #1975; and

**WHEREAS**, Resolution #1975 was modified in September 1991 by Resolution #2271 to increase the membership to seven (7); and

**WHEREAS**, after being inactive for a number of years the Board was re-activated in August 2007 by Resolution #08-07-04, increasing the membership to eight (8) general members and one (1) student member; and

**WHEREAS**, the Roane County Commission adopted Resolution #09-09-11 in September 2009 amending the 2007 resolution, #08-07-04, by adding the following: "Should the Roane County Commission not appoint replacements for RCERB members whose terms are ending before such terms end, the terms of the incumbent members in these positions will be automatically extended until appointments of replacements are made."; and

**NOW, THEREFORE, BE IT RESOLVED** that the Roane County Commission does hereby adopt this resolution to amend and clarify the creation, purpose and membership of the Environmental Review Board (ERB) as follows:

- **WHEREAS** from time to time activities are proposed in Roane County that need to be studied in some depth to estimate the likely environmental consequences, and
- **WHEREAS** the County Executive, the County Commission, and the Planning Commission have extensive obligations that may limit their own investigations of such matters, and
- **WHEREAS** it is helpful to have a committee of qualified individuals to serve as an advisory group to study matters referred to it by the County Executive and the County Commission, having the power only to make recommendations to the County Executive and the County Commission after studying said matters; and
- **WHEREAS**, the membership of 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), which shall be appointed by the County Executive and confirmed by the County Commission; and
- **WHEREAS**, the requirement for a quorum for committee business, and for making recommendations, shall be set as a majority of the total membership of the Board; and
- **WHEREAS**, the general members shall serve overlapping terms of three (3) years with all terms expiring on the 30<sup>th</sup> day of July of the respective term-ending year; and
- **WHEREAS**, if a high school student he/she shall serve until the end of his/her senior year, or a maximum two (2) year term, and
- **WHEREAS**, if a college student he/she shall serve until the end of his/her senior year, or a maximum two (2) year term, and
- **WHEREAS**, should the County Commission not confirm replacements for Environmental Review Board members whose terms are ending before such terms end, the terms of said incumbent members shall be automatically extended until such time as appointments are confirmed; and
- **WHEREAS**, all meetings of the Environmental Review Board shall be announced and shall be open to the public, and comments from non-members shall be allowed after recognition by the Chair, with the provision that the Chair may limit such comments to permit the ERB time to deliberate; and
- **WHEREAS**, the Board shall elect its own Chair as well as other needed officers; and
- **WHEREAS**, the Chair may call special meetings on his own, or after being requested to do so by a majority of the members; and

- **WHEREAS**, minutes showing persons attending and any actions of the Board shall be submitted to the County Executive for submission to the County Commission.

**BE IT FURTHER RESOLVED** that the Roane County Executive and the County Commission will consider recommendations from the ERB in making their judgments.

**BE IT FURTHER RESOLVED** that the membership of the ERB as of the date this resolution is adopted is:

- Hailey Caldwell (student representative) Term expires at end of Senior year (7-30-12)
- Riley Collins (student representative) Term expires at end of Senior year (7-30-12)
- Mary Anne Koltowich Term expires 7-30-11
- David Reichle Term expires 7-30-12
- Frank Kornegay Term expires 7-30-12
- Bruce Kimmel Term expires 7-30-12
- Gail Okulczyk Term expires 7-30-13
- Brian Niekerk Term expires 7-30-13
- Robert W. Peelle \*Member Emeritus\*

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

**MOTION Passed** upon unanimous voice vote.

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

**RESOLUTION § 03-11-13**

**A resolution to authorize the County Executive to execute a Plan Management Agreement for Administrative Services with Humana Health, Plan, Inc. for inmate healthcare.**

**WHEREAS**, the Roane County Sheriff's Department has an ongoing relationship with Humana Health Plan, Inc. for the purpose of managing the healthcare program for the inmates in Roane County Jail, and

**WHEREAS**, the county has saved money as a result of the Humana Health Plan by using its network of physicians and pre-established discounts, and

**WHEREAS**, the previous agreement expired on March 31, 2010 and this agreement will be retroactive from April 1, 2010 through March 31, 2011 with an automatic renewal for the upcoming year, and

**WHEREAS**, the is provisions in the agreement for cancellation with 180 days notice, and

**WHEREAS**, Roane County agrees to pay a monthly fee that is equal to 20% of the shared savings for using Humana networks and there is existing funds in the current budget to pay this fee, and

**WHEREAS**, the County Attorney has reviewed and approved the agreement as to form.

**NOW, THEREFORE, BE IT RESOLVED** that the Roane County Commission does hereby authorize the County Executive to execute a Plan Management Agreement for Administrative Services with Humana Health Plan, Inc. for inmate healthcare.

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 Ellis**, seconded by **Commissioner Collier**, the following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, 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.

**RESOLUTION # 03-11-14**

**A resolution to authorize the County Executive to execute a five-year agreement with DeltaAlert for an emergency Notification System for the Office of Emergency Services.**

**WHEREAS**, the Purchasing Department solicited and publicly advertised for proposals for an Emergency Alert System, and

**WHEREAS**, DeltaAlert was determined to be the most responsive proposal for the lowest cost which will result in a savings of \$10,750.00 annually and has unlimited calls and unlimited users, and

**WHEREAS**, the Emergency Services Committee has voted to recommend that the County Executive execute a five-year contract, and

**WHEREAS**, there is existing funds in the current budget to pay the annual fee of \$13,750.00, and

**WHEREAS**, the County Attorney has reviewed and approved the contract as to form.

**NOW, THEREFORE, BE IT RESOLVED** that the Roane County Commission does hereby authorize the County Executive to execute a five-year agreement with DeltaAlert for an Emergency Notification System for the Office of Emergency Services.

**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 Collier**, seconded by **Commissioner Ellis**, 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 Commission Chairman announced to the Commission that said resolution had received a constitutional majority and ordered same spread of record.

**RESOLUTIONS # 03-11-15**

**A resolution authorizing the County Executive to sign a License Agreement for Occupancy and Use of TVA Land known as the Riley Creek Campground.**

**WHEREAS**, TVA has approached Roane County about operating the Riley Creek Campground at no cost to the county; and

**WHEREAS**, the Riley Creek Campground's availability for recreation use will be a tremendous asset for local recreation and tourism; and

**WHEREAS**; the Riley Creek Campground has had intensive capital improvement recently completed by TVA; and

**WHEREAS**, the Riley Creek Campground is ready and available for operation and consists of:

- **45 camping sites**
- **A boat ramp**
- **Bath houses**
- **Swimming areas**
- **A waste dump station**

**NOW, THEREFORE, BE IT RESOLVED** that the Roane County Commission does hereby authorize the County Executive to sign a one (1) Lease agreement for Occupancy and Use of TVA Land known as the Riley Creek Campground.

**BE IT FURTHER RESOLVED** that the County Executive is hereby authorized to execute a Personal/Professional Management Contract for the operation of the campground.

**UPON MOTION** of **Commissioner Granger**, 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 # 03-11-16**

**A Resolution directing the Roane County Office of Emergency Services and the University of Tennessee County Technical Advisory Service to take steps to conduct an assessment of County Volunteer fire and Emergency Service Systems.**

**WHEREAS**, the Roane County Commission must have detailed information as it related to county fire and emergency services; and

**WHEREAS**, the County Commission desires a detailed report of the county fire and emergency services; and

**WHEREAS**, the Roane County Office of Emergency Services shall conduct the assessment and coordinate with CTAS.

**NOW, THEREFORE, BE IT RESOLVED** that the Roane County Commission, meeting in regular session on March 14, 2011, hereby authorizes the Roane County Emergency Services to take the necessary steps to conduct a detailed assessment of the county volunteer fire and emergency services to include but not limited to:

- Response times
- Responders
- Annual Budget
- Training Records
- Emergency Vehicles
- Emergency Equipment
- Contracts

Motion to adopt was made by **Commissioner Granger**, seconded by **Commissioner Moore**.

Motion **Passed** upon unanimous voice vote.

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

**RESOLUTION # 03-11-17**

**A resolution to place in surplus certain equipment (a Fork Lift) from the Recycle Center.**

WHEREAS, the Roane County Purchasing Department has determined that certain equipment, being a Fork Lift, Hallo Model LF-25C, serial number 1107-R is of no longer any use to Roane County, and

WHEREAS, the fork lift being used by the Recycle Center has major motor damage is determined to be too damaged to repair, and

WHEREAS, the Roane County Purchasing Department now seeks to have said fork lift declared surplus.

NOW, THEREFORE, BE IT RESOLVED that this Model LF-25C Hallo Fork Lift, serial number 1107.R is hereby declared surplus property and will be disposed of pursuant to T.C.A. 5-14-108.

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

**See attachment**

**RESOLUTION # 03-11-18**

**A resolution authorizing the County Executive to enter into an Energy Efficient Schools Initiative Loan Agreement with the Tennessee Energy Efficient Schools Council.**

**WHEREAS**, the Tennessee Energy Efficient Schools Council is willing to provide grant and loan funds to Roane County, Tennessee (the County) through its Energy Efficient Schools Initiative (EESI) for the benefit of Roane County School District to provide for the financing of all or a portion of a qualifying capital outlay project; and

**WHEREAS**, the Midtown Education Center project in the Roane County School district shall consist of replacement of the HVAC system with new packaged rooftop units ranging in size from 2-10 tons, a new outside air system, replacement of lighting in all finished spaces, new ceilings and a new energy management system for the facility; and

**WHEREAS**, the County has determined that it is necessary and desirable to undertake said capital outlay project; and

**WHEREAS**, the County has determined that it is necessary and advisable to borrow funds in the amount of Six Hundred Thousand (\$600,000) Dollars, with no interest, for the Project; and

**NOW, THEREFORE**, be it resolved that the Roane County Commission does hereby authorize the County Executive to execute any and all documents necessary to enter into an Energy Efficient Schools Initiative Loan Agreement (a copy of which is attached hereto and incorporated herein) with the Tennessee Energy Efficient Schools Council in the amount of Six Hundred Thousand (\$600,000) Dollars, with no interest, in order to complete the Midtown Education Center project.

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

The following Commissioners passed: **Johnson (1)**

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 # 03-11-19**

**A resolution amending the General Fund (101) to account for revenues and expenditures associated with the Work Force Network Program.**

**WHEREAS,** Roane County took part in the work force network program, through the Workforce Investment Act through June 30, 2010, and

**WHEREAS,** the revenue and expenditures have not been accounted for in the current year budget, for all activities that ran over the year end timeframe, and

**WHEREAS;** the project has become part of ETHRA as of June 30, 2010, clean up of outstanding payroll and affiliated expenses.

**NOW, THEREFORE, BE IT RESOLVED** that the Roane County Commission does hereby amend the General Fund (101) as follows:

**SEE THE ATTACHED WORKSHEET -WFW**

**UPON MOTION** of **Commissioner Berry**, 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 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 # 03-11-20**

**A RESOLUTION authorizing the receipt and appropriation of funds into the General Fund (101) from the Administrative Office of the Courts of the State of Tennessee**

**WHEREAS**, Roane County was successful in obtaining \$27,000 over a three year period from the Administrative Office of the Courts, and

**WHEREAS**, the funds are to be used to identify youth referred from juvenile court to summer camp programs as an alternative to incarceration, and

**WHEREAS**, the funds will be portioned to the county in the amount of \$9000 per year for three years to annually fund said camps, and

**WHEREAS**, the funds will be administered through the Roane County Anti-Drug Coalition in cooperation with the Roane County Executive's Office, and

**WHEREAS**, the total project cost is \$27,000 with no match being required.

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

<b>Fund</b>	<b>Account</b>	<b>Description</b>	<b>Current Bgt</b>	<b>Amend</b>	<b>Amend Bgt</b>
<b>Revenue</b>					
101	46980 JBC	Other State Grants	0	9000	9000
<b>Expenditure</b>					
	Juvenile Court				
101	53500 JBC	164- Attendants	-	2,450	2,450
101	53500 JBC	499- Other Supplies and Materials	-	3,100	3,100
101	53500 JBC	349- Printing, Stationery and Forms	-	400	400
101	53500 JBC	355- Travel	-	2,450	2,450
101	53500 JBC	506- Liability Insurance	-	600	600
				9,000	
		To receive money for Juvenile Boot Camp			

Upon a motion by **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 Passed: **-0-**

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

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

**RESOLUTION # 03-11-21**

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

**A RESOLUTION amending the Ambulance fund (118) to account for the cost of outsourcing the billing.**

**WHEREAS**, the County Commission approved a resolution to outsource the billing operations of the Ambulance service, and

**WHEREAS**, Ambulance revenue is expected to increase with the new billing system, and

**WHEREAS**, we must incur expenses associated with this outsource; a 5.35% fee for billing and collection, a 3% fee for all credit card payments, and \$1 per PCR that results in a bill to a patient, and

**WHEREAS**; we need to show both the revenue received through NRG, as well as the expense of the fee.

**NOW, THEREFORE, BE IT RESOLVED** that the Roane County Commission does hereby amend the Ambulance Fund (118) as follows:

<b>Fund</b>	<b>Account Number</b>	<b>Description</b>	<b>Current Bgt</b>	<b>Amend</b>	<b>Amd Bgt</b>
<b>Revenue</b>					
118	43120	Patient Charges	2,826,658.00	100,000.00	2,926,658.00
<b>Expenditure</b>					
	Ambulance Services	Contracts w/ Other Agencies			
118	55130 312		6,000.00	63,000.00	69,000.00
<b>Fund Balance</b>					
	39000		85,398.00	37,000.00	122,398.00
To Provide for Expense of Contract with NRG					

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

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

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

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

**RESOLUTION # 03-11-22**

**A RESOLUTION adopting a Roane County Capital Projects Policy**

**WHEREAS**, Roane County has never adopted a Capital Projects Policy; and

**WHEREAS**, a Capital Projects Policy consists of planning and budgeting for procurement and construction of capital assets; and

**WHEREAS**, a Capital Projects Policy further plans for the replacement of capital assets;

**NOW, THEREFORE, BE IT RESOLVED** that the attached Roane County Capital Projects Policy, 1-20-11, is hereby adopted.

**BE IT FURTHER RESOLVED** that reference to this policy and resolution shall be reflected in the annual County Appropriations Resolution.

**BE IT FUTHER RESOLVED** that it shall be the intent of the Roane County Commission to follow and adhere to this policy during budget preparation, adoption, and amending.

**BE IT FURTHER RESOLVED** that if, during budget preparation, adoption, and amending, the Policy is not followed then the approving resolution shall so state and note the exception and justification for the exception.

**UPON MOTION** of **Commissioner Forrester**, seconded by **Commissioner Granger**, the following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granter, 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 # 03-11-23**

**A resolution adopting a Roane County Debt Management Policy.**

**WHEREAS**, Roane County has never adopted a Debt Management Policy; and

**WHEREAS**, a Debt Management Policy is required to be adopted by the Tennessee Comptroller's Office during 2011; and

**WHEREAS**, a Debt Management Policy consists of managing and budgeting the existing debt during the debt's amortization period; and

**WHEREAS**, a Debt Management Policy further outlines planning and procedures for issuance of new debt;

**NOW, THEREFORE, BE IT RESOLVED** that the attached Roane County Debt Management Policy, 2-16-11, is hereby adopted.

**BE IT FURTHER RESOLVED** that reference to this policy and resolution shall be reflected in the annual County Appropriations Resolution.

**BE IT FUTHER RESOLVED** that it shall be the intent of the Roane County Commission to follow and adhere to this policy during budget preparation, adoption, and amending.

**BE IT FURTHER RESOLVED** that if, during budget preparation, adoption, and amending, the Policy is not followed then the approving resolution shall so state and note the exception and justification for the exception.

**UPON MOTION** of **Commissioner Granger**, 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.

See attachment

Motion duly made by **Commissioner Moore** second by **Commissioner Granger**, the March 14, 2011 meeting stood adjourned at 9:25 P.M.

**APPROVED:**

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**Chairman James Brummett**

**Attest:**

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**County Clerk Barbara J. Anthony**