

**MINUTES
ROANE COUNTY COMMISSION
REGULAR MEETING
DECEMBER 9, 2013**

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**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 9th day of December 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 Clerk **Barbara Anthony**, Budget Director **Kaley Walker**, County Attorney **Tom McFarland**, Deputy Clerk **Bobbie Tipton**, Zoning Officer **Kay Christopher** and **Building Inspector Glen Cofer**.

APPROVE MINUTES OF NOVEMBER 18, 2013 MEETING.

MOTION was made by **Commissioner Forrester** with second by **Commissioner Kelley** to approve the minutes of the November 18, 2013 meeting.

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

ACCEPTANCE OF COMMITTEE REPORTS AND CORRESPONDENCE:

1. **Minutes** of Board of Zoning Appeals 10-16-13.
2. **Minutes** of Planning Commission 10-16-13.
3. **Minutes** of Fire Board 11-12-13.
4. **Minutes** of Budget Committee 11-14-13.
5. **Minutes** of Property Committee 11-22-13.
6. **Letter** to Executive Woody from Oak Ridge Mayor Beehan re: Appreciation for his facilitation of the session "Revitalization Initiative": Addressing Downsizing and Diversification.
7. **Quarterly Report** for Oak Ridge Reservation Communities Alliance.
8. **Zoning** Public Hearing notice.
9. **County Executive** Woody's Education Funding Letter
10. **Letter** from Department of Environment & Conservation to Executive Woody re: CWSRF Final Inspection Report.
11. **Letter** to Executive Woody from Tennessee County Services Association re: Appreciation to Commissioner Bobby Collier for serving as TCSA President for the past year.
12. **Petition** from inmate Ralph O'Neal to Commissioners re: exercise room for inmates.
13. **Minutes** of Zoning Public Hearing for 11-18-13.
14. **Letter** from Property Assessor David Morgan re: Greenbelt Disqualifications.
15. **Computer-Assisted** Mass Appraisals & Assessment System Evaluation Questions from Property Assessor Morgan.
16. **Minutes** of Committee on Committees 11-14-2013.
17. **Minutes** of Industrial Liaison Committee 11-19-2013.

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

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**:

Harold D. Balcom, Jr., Allison M. Kirk, Mildred R. Millican, Annette Richards, Carol W. Swiger, Rebecca Tapp, Bobbie E. Tipton, Ronald Paul Wallace Jr.

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

Motion **Passed** upon unanimous voice vote.

HEARING OF DELEGATION

Jack McNew of COSA reminded everyone that their Winter Blast would be on February 8, 2014 and invited everyone to attend.

County Executive's Report

1. Veteran Service Office position has been advertised in the Roane County News this week. We will be accepting resumes for the next several weeks.
2. The Knoxville News Sentinel reported Sunday that the Whitestone Country Inn could be donated to a non-profit ministry. Hobby Lobby purchased the Inn about a year ago. If all real and personal property is exempted from tax, the loss is approximately \$40,000 of which approximately \$20,000 will be education funds.
3. The PILOT Agreement in Roane County has been studied the last several months and it appears that currently Roane County has four companies with PILOT with a total tax levy of approximately \$550,000 with taxes paid of \$261,213 (about 48%) with abatement of \$288,223 (about 52%). Some data has been estimated due to personal property not having current data.
4. Ambulance Department financials are creating concern due to: 1) reduced run numbers and 2) billing services. The county will be bidding out a new service billing provider within the next month. The reduced runs cannot be controlled nor at this time can the county reduce the number of available ambulances. The county has four (4) 24-hour ambulances and, at various times,

still goes to Code 0 which means no ambulances are available for service. We along with the Ambulance Department will continue to monitor but we are concerned about the financials going forward.

5. Merry Christmas to all.

FIREMAN OF THE YEAR AWARDS

- The following volunteer firefighters were recognized as Fireman of the year. South Roane County's Keith Hephner Sr., Blair's Penny Laymance, West Roane County's Kip Fuller, Midtown's Tyler Morris and East Roane County's Rick Young.

Confirmation of the appointment of Tim Neal to the E-911 Board for a four (4) year term expiring December 31, 2017.

Motion to confirm was made by **Commissioner Collier** with second by **Commissioner Johnson**.

Motion **Passed** upon unanimous voice vote.

Confirmation of the reappointment of Randy Heidle to the E-911 Board for a four (4) year term expiring December 31, 2017.

Motion to confirm was made by **Commissioner Berry** with second by **Commissioner Cantrell**.

Motion **Passed** upon unanimous voice vote.

Confirmation of the reappointment of Donnie Eblen to the E-911 board for a four (4) year term expiring December 31, 2017.

Motion to confirm was made by **Commissioner Granger** with second by **Commissioner Moore**.

Motion **Passed** upon unanimous voice vote.

ZONING RESOLUTIONS: None

OLD BUSINESS: None

NEW BUSINESS:

Resolution # 12-13-01

A Resolution authorizing Roane County to refund to: Charles Harrison, 234 Harrison Road, Loudon TN 37774, the sum of \$524.00.

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

Reason: SBE official certificate change

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
075E	B	017.00	2011	\$409.00	\$82.00
075E	B	017.00	2012	\$409.00	\$82.00
075E	B	008.00	2011	\$409.0	\$103.00
075E	B	008.00	2012	\$409.00	\$103.00
075E	B	019.00	2011	\$191.00	\$77.00
075E	B	019.00	2012	\$191.00	\$77.00

NOW, THEREFORE, BE IT RESOLVED, that **ROANE COUNTY** is hereby authorized to refund to Charles Harrison, 234 Harrison Road, Loudon TN 37774, the sum of \$524.00.

Upon motion of **Commissioner Moore**, 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 NO. 12-13-02

IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE

A RESOLUTION exercising the permissive authority granted to Roane County by **Tenn. Code Ann. § 5-1-115** regarding the removal of vegetation and debris from certain lots.

WHEREAS, If it is determined by the appropriate department or person, as designated by the governing body of a county, that any owner of record of real property has created, maintained or permitted to be maintained on such property, the growth of trees, vines, grass, underbrush or the accumulation of debris, trash, litter, garbage, or any combination of the preceding elements, so as to endanger the health, safety or welfare of other citizens, or to encourage the infestation of rats and other harmful animals, the appropriate department or person shall provide notice to the owner of record to remedy the condition immediately.

WHEREAS, Tenn. Code Ann. § 5-1-115 gives Roane County permissive authority and not mandatory authority to remove the growth of trees, vines, grass, underbrush or the accumulation of debris, trash, litter, garbage, or any combination of the preceding elements, so as to endanger the health, safety or welfare of other citizens, or to encourage the infestation of rats and other harmful animals, and

WHEREAS, it is in the best interest of Roane County that it exercise this permissive authority, and

WHEREAS, Resolution #2709 of the County Commission for Roane County is repealed and replaced with this resolution, and

WHEREAS, Tenn. Code Ann. § 5-1-115 requires the appropriate department or person, as designated by the governing body of a county, that any owner of record of real property has created, maintained or permitted to be maintained on such property, the growth of trees, vines, grass, underbrush or the accumulation of debris, trash, litter, garbage, or any combination of the preceding elements, so as to endanger the health, safety or welfare of other citizens, or to encourage the infestation of rats and other harmful animals, the appropriate department or person shall provide notice to the owner of record to remedy the condition immediately. The notice shall be given by United States mail, addressed to the last known address of the owner of record. The notice shall state that the owner of the property is

entitled to a hearing. The notice shall be written in plain language and shall also include, but not be limited to, the following

- (1) A brief statement of this resolution, which shall contain the consequences of failing to remedy the noted condition;
- (2) The person, office, address and telephone number of the department or person giving notice.
- (3) A place wherein the notified party may return a copy of the notice, indicating the desire for a hearing.
- (4) If no appeal is applied for, Property shall be brought into compliance with in 15 calendar days of the date of the notice of violation.

WHEREAS, the growth of trees, vines and underbrush shall not be allowed to reach more than 24 inches in height within a residential or commercial community within 250 ft. of a neighboring structure for more than 15 calendar days.

WHEREAS, grass shall not be allowed to be over 12 inches in height for more than 15 calendar days.

WHEREAS, the accumulation of debris shall not be allowed to exceed 100 square feet or greater for more than 15 calendar days.

WHEREAS, trash, litter and garbage shall not be allowed to exceed 1 cubic yard, when not within receptacles for more than 15 calendar days.

WHEREAS, definitions as contained in Roane County's Zoning Regulations as adopted by Resolution #2101.

THEREFORE, BE IT RESOLVED: Resolution #2709 of the County Commission for Roane County is repealed and replaced with this resolution, and Roane County elects to exercise the permissive authority granted to Roane County by **Tenn. Code Ann. § 5-1-115** regarding the removal of vegetation and debris from certain lots and designates the **Roane County Codes Enforcement Office** as the appropriate department to determine whether, any owner of record of real property has created, maintained or permitted to be maintained on such property, the growth of trees, vines, grass, underbrush or the accumulation of debris, trash, litter, garbage, or any combination of the preceding elements, so as to endanger the health, safety or welfare of other citizens, or

to encourage the infestation of rats and other harmful animals, and further designates the **Roane County Codes Enforcement Office** to fulfill the duties of such designee as prescribed by **Tenn. Code Ann. § 5-1-115**.

Upon motion by **Commissioner Moore** seconded by Commissioner **Goddard**.

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.

Resolution # 12-13-03

A Resolution Establishing the Committees of the Roane County Commission for the period from January 1, 2014 until September 1, 2014.

WHEREAS, much of the work and preliminary approval for the Roane County Commission is performed by committees prior to approval by the full Commission; and,

WHEREAS, committee assignments are made by the Committee on Committees which consists of Commissioners Brummett, Collier, Bacon, Goddard, and Cantrell; all appointed by the Commission at the September 2013 meeting; and,

WHEREAS, the Committee on Committees met on November 14, 2013 and unanimously recommends the attached list of committees;

BE IT THEREFORE RESOLVED that the Roane County Commission hereby establishes the attached list of Committees of the Roane County Commission for the period from January 1, 2014 to September 1, 2014.

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

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

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

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

RESOLUTION # 12-13-04

A RESOLUTION TO CHANGE CURRENT SURPLUS PROPERTY POLICIES TO CORRESPOND WITH TCA 5-14-109(0)(4)

WHEREAS, the Roane County Commission approved Resolution # 12-08-18 allowing the County Executive and the Purchasing Agent to dispose of surplus property with an estimated value of less than \$300 without County Commission approval: and

WHEREAS, allowing this process has greatly reduced the amount of storage necessary for storage for surplus property and allowed for a more expeditious selling surplus property; and

WHEREAS, the Property Committee has met and recommended adoption, and

WHEREAS, the State Legislature has enacted legislative to allow this dollar amount to be \$1,000; and

WHEREAS, a copy of this legislature is attached hereto.

NOW, THEREFORE, BE IT RESOLVED that current surplus property policies are changed to correspond with State Law, TCA 5-14-108(0)(4).

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

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

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

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

Resolution # 12-13-05

A Resolution authorizing the County Executive to execute a one - year lease for the property adjacent to the Roane County Highway Department.

WHEREAS, the Roane County Highway Department is in need of additional property for storage of pipe and material donated by the Tennessee Valley Authority, and

WHEREAS, property is available for lease adjacent to the Roane County Highway Department property (2.81 acres, Map 057, Parcel 020.00), and

WHEREAS, the Property Committee met and voted to recommend the approval of the lease of this property, and

WHEREAS, the effective date of the contract will be January 1, 2014, the term of which will be one year ending December 31, 2014, and

WHEREAS, the lease will be approved by the County Attorney prior to its execution.

NOW, THEREFORE, BE IT RESOLVED that the Roane County Commission does hereby authorize the County Executive to execute a one-year lease for the entire property or a portion thereof as noted above.

BE IT FURTHER RESOLVED that a lease for the entire property would be \$500 a month and a portion of the property would be \$250 a month.

Upon the motion of **Commissioner Collier**, 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 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 # 12-13-06

A Resolution to extend Roane County Property tax incentive program for another three years, adding additional language regarding typical percentages of abatement.

WHEREAS, Roane County and the City of Oak Ridge jointly adopted a comprehensive property tax incentive program geared toward industrial recruitment in 2004, and,

WHEREAS, the existing program was updated and extended by the participating counties of Roane and Anderson and the City of Oak Ridge in the fall of 2007 for another three years, and, in 2010 was updated in Roane County to include a targeted retail component to mirror that of Anderson Counties and Oak Ridge;

WHEREAS, the PILOT program that presently is in effect in Roane County will sunset on January 14, 2014 unless it is extended by the Roane County Commission, and,

WHEREAS, although the existing program has been applied rarely and very judiciously, it has been highly beneficial to have a tax incentive program in place to stay competitive in the industrial recruiting process, and,

WHEREAS, since the Volkswagen Group of America choose Roane County for its SE distribution facility last year, the Roane IDB has found that Roane County's industrial prospects are trending to be higher quality and larger capital investments (\$135M compared to \$54M in 2011 and \$40M in 2010);

WHEREAS, it would be beneficial to extend the categories in our existing industrial matrix to allow additional points for more than 225 jobs; more than \$65M capital investment mega sized industrial projects in order to be more successful in recruiting.

NOW, THEREFORE, BE IT RESOLVED that the Roane County Commission does hereby extend Roane County's property tax incentive program for another three years, incorporating the updated matrix and additional language.

BE IT FURTHER RESOLVED that the new Property Tax Incentive Program is attached with the noted changes in red.

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

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

The following Commissioners passed: **-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 Moore** second by **Commissioner Johnson**, the December 09, 2013 meeting stood adjourned at 8:00 P.M.

APPROVED:

Chairman James Brummett

Attest:

County Clerk Barbara J. Anthony