

**MINUTES  
ROANE COUNTY COMMISSION  
REGULAR MEETIN  
May 12, 2014**

**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 12<sup>th</sup> day of May, 2014 at 7:00 P.M.

The Commission was called to order by **Bailiff Jerry White**.

Invocation was given by **Commissioner Cantrell**.

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

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

**APPROVE MINUTES OF THE APRIL 14, 2014 MEETING.**

**MOTION** was made by **Commissioner Moore** with second by **Commissioner Bacon** to approve.

Motion **Passed** upon unanimous voice vote.

**ACCEPTANCE OF COMMITTEE REPORTS AND CORRESPONDENCE:**

1. **Minutes** of Environmental Review Board 12-05-13.
2. **Minutes** of Environmental Review Board 01-7-14.
3. **Minutes** of Tourism Committee 03-6-14.
4. **Minutes** of Board of Zoning Appeals 03-19-2014.
5. **Minutes** of Planning Commission 03-19-14.
6. **Minutes** of Budget Committee 04-07-14.
7. **Minutes** of Beer Board 04-8-14.
8. **Minutes** of Fire Board 04-22-14.
- 09 **Minutes** of Solid Waste Advisory Board 04-21-14.
10. **Requiements** of the ThreeStar Program.
11. **Veterans Activities** for March 2014.
12. **Comcast** Franchise Renewal 4-2-14.
13. **Report** of Debt Obligation.
14. **Letter** to Property Assessor Morgan from Don Osborne, CAE  
Director, Assessments & Field Operations re: 2014 appraisal  
study. 04-21-14.
15. **Letter** re: potential relocation of a medical clinic in the  
Roane County Industrial Park 04-24-14.

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

Motion **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**:

Trudy L. Ashcraft, William Eric Bacon, Ronald A. Berry, Teresa Buck, Theresa Ray Daniels, Anna Gallant, Anna Gallant, Elizabeth A. Hill, Evelyn D. Limburg, Phyllis N. McClure, Lora Melton and Kelly Kelley O'Dell.

Motion to accept was made by **Commissioner Moore** with second by **Commissioner Bacon**. (Commissioner Berry was on the notary list to be approved, therefore passed and did not vote.)

Motion **Passed** upon unanimous voice vote.

### **Hearing of Delegation**

Roberta Dennis announced that she would be running for a seat on the Roane County Commission in District 1. Two of her concerns were the Roane County Budget and drug issue.

Toby Rinehart voiced his concerns regarding Tiger Haven and discussed the nuisance law.

Glen Coffey Building & Codes Inspector announced that the Codes Enforcement Office would be conducting a class regarding the safety & construction of residential decks & docks. This class will be May 27, 2014 from 6:00 p.m. to 8:30 p.m. at the Kingston Community Center. The cost is \$10.00 and includes your meal.

### **COUNTY ATTORNEY'S REPORT:**

Mr. McFarland recognized the late Glen McCuiston for his work for the county.

He also reported that and Site Works case had been dismissed and all other cases were moving forward.

### **COUNTY EXECUTIVE'S REPORT:**

- Budget Committee continues to work on the 2015 Budget.
  - o Budgets reviewed and recommended:
    - Debt Services
    - Highway
  - o Thursday, May 15<sup>th</sup> we will cover:
    - Solid Waste
    - Recycling
    - Ambulance
    - Animal Control
    - Fire Services
    - Office of Emergency Services
    - Risk Management

There will be a few articles in the June newsletter regarding the budget process.

- Opportunity to tour Watts bar Nuclear unit #2. Call Melanie- the trip will be prior to mid-July.
- Executive Woody introduced Brian Dunn, Roane County's Veterans' Service Officer, who gave a report to the Commission.

**SPECIAL ORDERS:**

**Motion** to waive the twelve (12) day rule and add Resolution # 05-14-10 to the Agenda was made by **Commissioner Berry** with second by **Commissioner Forrester**.

Motion **Passed** upon unanimous voice vote.

**Reappointment of Daniel Strancer as 2<sup>nd</sup> District member to the Board of Zoning Appeals due to the expiration of term. The term will expire May 31, 2019.**

Motion to reappoint was made by **Commissioner Kelley** with second by **Commissioner Cantrell**.

Motion **Passed** upon unanimous voice.

**Reappointment of Tommy Devaney as 2<sup>nd</sup> District alternate member to the Board of Zoning Appeals, due to the expiration of term. Term will expire May 31, 2019.**

Motion to reappoint was made by **Commissioner Kelley** with second by **Commissioner Goddard**

Motion **Passed** upon unanimous voice vote.

**Appointment of Scott M. Gregory to the Environmental Review Board due to the resignation of Brian Niekirk. Term will expire May 30, 2017.**

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

Motion **Passed** upon unanimous voice vote.

**Appointment of Allen Deitz to the Public Utilities due to the resignation of Paul Hester. Term will expire June 30, 2016.**

Motion to appoint was made by **Commissioner Moore** with second by **Commissioner Collier**.

Motion **Passed** upon unanimous voice vote.

**OLD BUSINESS:** None

**NEW BUSINESS:**

**Resolution # 05-14-01**

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

**A RESOLUTION** authorizing **ROANE COUNTY** to refund to: Tammy & James Chapman, 1866 Old Harriman Highway, Oliver Springs, TN 37840, the sum of \$58.00.

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

Reason: correct BAS square feet included the garage

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
008	060.04		2013	\$976.00	\$58.00

**NOW, THEREFORE, BE IT RESOLVED,** that **ROANE COUNTY** is hereby authorized to refund to Tammy & James Chapman, 1866 Old Harriman Highway, Oliver Springs TN 37840, the sum of \$58.00.

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

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, 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 # 05-14-02**

**A RESOLUTION to authorize the County Executive to execute a Master Service Agreement for Public Safety Software with EmergiTech.**

**WHEREAS**, the Roane County Sheriff's Department currently subscribes to some of EmergiTech's software packages, and

**WHEREAS**, the Public Safety Software supplied by EmergiTech is also used by E-911 and will allow the Sheriff's Department to interface with E-911 and share data, and

**WHEREAS**, the Roane County Sheriff's Department has evaluated EmergiTech's Public Safety software and has determined that it will make the workflow in the Sheriff's Department more efficient, and

**WHEREAS**, the term of the contract will be renewed on an annual basis, and

**WHEREAS**, the County Attorney has 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 Master Service Agreement for Public Safety Software with Emergitech.

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

See attachment

**Resolution # 05-14-03**

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

**A RESOLUTION to authorize the County Executive to execute a five-year agreement with City Tele Coin, Inc. for the service of providing an Inmate Telephone System & Video Visitation for the Roane County Jail.**

WHEREAS, a Request for Proposal was issued and was publicly advertised, and

WHEREAS, City Tele Coin, Inc., is the current vendor and was chosen again as the successful vendor based on the most responsive proposal received for the Sheriff's Department, and

WHEREAS, a component of the Request for Proposal provides for the opportunity to execute a five-year agreement due to the extensive amount of installation and equipment costs associated with the service, and

WHEREAS, City Tele Coin, Inc., has proven to provide excellent service to the Sheriff's Department in past years and the Sheriff's Department recommends that at the end of the initial five year term, the Purchasing Department be allowed to negotiate an additional five year term.

NOW, THEREFORE, BE IT RESOLVED that the Roane County Commission does hereby authorize the County Executive to execute a five year contract with City Tele Coin, Inc. for the service of providing an Inmate Telephone System & Video Visitation for the Roane County Jail; and at the end of the first five year term the Purchasing Department has the authority to negotiate an additional five year term.

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

**Resolution # 05-14-04**

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

**A RESOLUTION authorizing the abandonment of Holt Circle and removal from the approved road list**

**WHEREAS**, Holt Circle, located in the Fifth Civil District, approximately 0.2 mile in distance, is a county maintained road; and

**WHEREAS**, the owner of the properties of Holt Circle has requested that this county road be reverted to a private road and abandoned by the county; and

**WHEREAS**, in accordance with Tennessee Code Annotated 54-10-216, notice has been published in a newspaper of general circulation in the county, and Planning Commission recommends the abandonment of Holt Circle; and

**WHEREAS**, Roane County must abandon all interest in Holt Circle to remove it from the approved road list; and

**NOW, THEREFORE, BE IT RESOLVED**, the Road Committee recommends Roane County abandons any and all interest in Holt Circle, as shown on the attached map and removes it from the approved road list.

**BE IT FURTHER RESOLVED**, that after adoption of this resolution, the Road Committee recommends that a copy be sent to the Director of E-911 as notification of road changes.

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

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

**UPON MOTION** of **Commissioner Ellis**, 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)**

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.

See attachment

**Resolution # 05-14-05**

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

**A RESOLUTION authorizing the abandonment of the undeveloped portion of Hummingbird Lane and removal from the approved road list**

**WHEREAS**, Hummingbird Lane, located in the Fourth Civil District, approximately 0.3 mile in distance, is a county maintained road; and

**WHEREAS**, the owner of the properties of the undeveloped portion of Hummingbird Lane at 165 Hummingbird Lane has requested that this county road be reverted to a private road and abandoned by the county; and

**WHEREAS**, in accordance with Tennessee Code Annotated 54-10-216, notice has been published in a newspaper of general circulation in the county, and Planning Commission recommends the abandonment of the undeveloped portion of Hummingbird Lane; and

**WHEREAS**, Roane County must abandon all interest in the undeveloped portion of Hummingbird Lane to remove it from the approved road list; and

**NOW, THEREFORE, BE IT RESOLVED**, the Road Committee recommends Roane County abandons any and all interest in Hummingbird Lane, as shown on the attached map and removes it from the approved road list.

**BE IT FURTHER RESOLVED**, that after adoption of this resolution, the Road Committee recommends that a copy be sent to the Director of E-911 as notification of road changes.

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

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

**UPON MOTION** of **Commissioner Ellis**, seconded by **Commissioner Moore**, the following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, 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.

See Attachment

**Resolution # 05-14-06**

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

**A RESOLUTION authorizing the abandonment a apportion of Southlake Drive and removal from the approved list.**

**WHEREAS**, Southlake Drive, located in the Fourth Civil District, approximately 0.4 mile in distance, is a county maintained road: and

**Whereas**, the owner of the properties of a portion of Southlake Drive have requested that this county road from 255 Southlake Drive to the road's terminus, approximately 165 feet, be reverted to a private road and abandoned by the county; and

**WHEREAS**, in accordance with Tennessee code Annotated 54-10-216, notice has been published in a newspaper of general circulation in the county, and Planning Commission recommends the abandonment of a portion of Southlake Drive; and

**WHEREAS**, Roane County must abandon all interest in a portion Southlake Drive to remove it from the approved road list; and

**NOW, THEREFORE, BE IT RESOLVED**, the Road Committee recommends Roane County abandons any and all interest in a apportion of Southlake Drive, from 255 Southlake Drive to the road's terminus, approximately 165 feet, as shown on the attached map and removes it from the approved road list.

**BE IT FURHTER RESOLVED**; that after adoption of this resolution, the Road Committee recommends that a copy of be sent to the director pf E-911 as notification of road changes.

**Section 1.** All resolutions in conflict herewith be and the same be repealed insofar as conflict exists.

**Section 2.** This resolution shall become effective upon passage, the public welfare requiring it.'

**UPON MOTION** of **Commissioner Ellis**, 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-**

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.

See attachment

**Resolution # 05-14-07**

**A Resolution to amend the General Fund (101) due to better estimates of revenues and expenditures.**

Motion to a adopt was made by **Commissioner Collier** with second by **Commissioner Goddard**.

Motion to amend by raising the County Coroner's fee for autopsies from \$15,000 to \$25,000 was made by **Commissioner Kelley** with second by **Commissioner Moore**.

Upon roll call vote the following Commissioners voted to adopt the amendment:

**Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder (15)**

Thereupon the Chairman announced the amendment **Passed**.

**Resolution # 05-14-07 (as amended)**

**A RESOLUTION to amend the General Fund (101) due to better estimates of revenues and expenditures.**

**WHEREAS**, several revenues are coming in better than expected, and

**WHEREAS**, Clerk Fees In Lieu of Salary are coming in below budgeted estimates, and

**WHEREAS**, autopsies, medical insurance and postage are coming in above budgeted estimates.

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

**SEE ATTACHED SHEET**

Upon motion of **Commissioner Collier** , 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)**

No: **-0-** Passed: **-0-**

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

**Resolution # 05-14-08**

IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE

**A RESOLUTION** to amend the Highway Fund (131) to provide for additional expenditures based on better estimates.

**WHEREAS**, additional building improvements have been made, and

**WHEREAS**, a cell phone stipend was changed/added.

**NOW, THEREFORE, BE IT RESOLVED** that the Highway Fund (131) be amended as follows:

<b>Expenditure</b>						
<b>Highway and Bridge Maintenance</b>						
131	62000	404	Asphalt - Hot Mix	936,030	(20,280)	915,750
<b>Operation and Maintenance of Equipment</b>						
131	63100	199	Other Per Diem and Fees	720	280	1,000
<b>Capital Outlay</b>						
131	68000	714	Highway Equipment	-	20,000	20,000

Upon motion of **Commissioner Moore**, 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)**

No: **-0-** Passed: **-0-**

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

**Resolution # 05-14-09**

**A Resolution supporting the display of the national motto "IN GOD WE TRUST" in the County Commission Chambers and above the main North Entrance of the Courthouse.**

Motion to adopt was made by **Commissioner Ellis** with second by **Commissioner Cantrell**.

Motion to amend by adding "Upon passage, this resolution will be forwarded to the Property Committee to come up a design, placement etc. that will come back to the commission during the June 2014 meeting for final approval of design and placement" was made by **Commissioner Ellis** with second by **Commissioner Cantrell**.

Upon roll call vote, the following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Goddard, Granger, Johnson, Nelson, Tedder (12)**

The following voted No **Forrester, Moore (2)**

The following voted Passed: **Kelley (1)**

**Amendment Passed**

Motion to defer to the Property Committee was made by **Commissioner Moore** with second by **Commissioner Forrester**.

The following Commissioner voted to defer:

**Bacon, Berry, East, Forrester, Granger, Kelley, Moore, Nelson(8)**

The following Commissioners voted **Nay: Brummett, Cantrell, Collier, Ellis, Goddard, Johnson, Tedder (7)**

Thereupon the Chairman announced that the motion to defer to the Property Committee **Passed:**

**RESOLUTION # 05-14-10-(waive the 12 day rule)**

**A Resolution by** the Roane County Commission establishing a moratorium, effective immediately after the adopting of this resolution and extending for one hundred and twenty days (120) days, in order to allow a review by all the regional planning commissions of Roane County of pending legislation for the changes to the location condition of site plan approvals relating to pain clinics and drug rehabilitation clinics in the Roane County,

**WHEREAS,** the Roane County Regional Planning Commission has not notified the Roane County Commission that there are deficiencies in the current Roane County Zoning and,

**WHEREAS,** these deficiencies may allow developments to occur that will incur to the taxpayers of Roane County, Tennessee extensive costs for reviewing, monitoring and policing certain land uses such as pain clinics and drug rehabilitation clinics which deal in drug dependencies which include but are not limited to heroin, methadone, pain killers, or service individuals with chronic or other pain related issues; and

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

**WHEREAS,** the Roane County Regional Planning Commission has specific proposals that will address and correct these deficiencies in the current zoning resolution pertaining to the location and conditions of site plan approvals relating to pain clinics and drug rehabilitation clinics;

**THEREFORE, BE IT RESOLVED;** by the Roane County Commission that there shall be a moratorium, effective immediately after the adoption of this resolution and extending for one hundred and twenty days (120) days, in order to allow a review by all the regional planning commissions of Roane County of the pending legislation for the changes to the location and condition of site plan approvals relating to pain clinics and drug rehabilitation clinics in the Roane County zoning resolution.

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

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Collier, East, Ellis, Forrester, Granger, Johnson, Kelley, Nelson, Tedder (13)**

No: **-0-** Passed: **-0-**

The following Commissioners voted No: **Cantrell, Moore (2)**

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

Motion duly made by **Commissioner Ellis** second by **Commissioner Cantrell** the May 12, 2014 meeting stood adjourned at 9:10 P.M.

**APPROVED:**

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**Chairman James Brummett**

**Attest:**

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**County Clerk Barbara J. Anthony**