

**MINUTES
ROANE COUNTY COMMISSION
REGULAR MEETING
August 11, 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 11th day of August, 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 (Moore arrived 10 minutes late) Tedder**. (15)

Absent:

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**, Deputy Clerk **Bobbie Tipton**, Zoning Officer **Kay Christopher**, and Frank Hughart from the office of Building Inspectors / Codes Office.

APPROVE MINUTES OF THE JUNE 9, 2014 MEETING.

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

Motion **Passed** upon unanimous voice vote.

ACCEPTANCE OF COMMITTEE REPORTS AND CORRESPONDENCE:

1. Minutes of Building Inspector & Codes Review 03-18-14.
2. Minutes of Public Utility Board 06-17-14.
3. Minutes of Planning Commission 06-18-14.
4. Minutes of Road Committee 06-24-14.
5. Minutes of Industrial Liaison Committee 06-26-14.
6. Minutes of Cable TV Committee 07-01-14.
7. Minutes of Fire Board 07-08-14.
8. Minutes of Budget Committee 07-21-14.
9. Minutes of Back Tax Committee 07-22-14.
10. Letter to Trustee Eblen re: Property tax on Russell Park Apartments on Brown West Drive, Rockwood, TN 37854.
11. Plateau Partnership Park report to Industrial Board. 06-06-14
12. Letter to Road Supervisor Ferguson re: Public comment Regarding Fawn Rest Drive.
13. Financial Report for Trustee ending June 2014.
14. Financial Report for Chancery Court ending 6-30-14.

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

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 Deputy Clerk Bobbie Tipton: Jennifer Trentham, Stephanie Stelle, Deborah B. Hyder, Susan Starr, Dana Lynn Boucher, Catherine K. Ingram, Lauren Turpin, Sherry E. Brown.

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

Motion **Passed** upon unanimous voice vote.

HEARING OF DELEGATION: None

COUNTY ATTORNEY'S REPORT: None

COUNTY EXECUTIVE'S REPORT;

Calendar Items:

- 8/14 @ 6:30 p.m.- 2015 Budget Public Hearing and Budget Committee meeting
- 8/19 & 8/21 @ 6:30- Commission Orientation for new and re-elected commissioners and officials. Purpose is to review the county's legal structure and identify the top 20-30 items/issues for the next decade.
- 8+/31 @ 2:30 p.m.- Official Swearing In Ceremony

We will have individual and group photos of the commission. Individual can be sworn in by County Executive, County Clerk, judges of records, current or retired sessions judges or members of the Tennessee General Assembly.

Does the current commission desire to adopt the 2015 budget or should the budget be considered at the September commission

SPECIAL ORDERS:

Approval of Bond # 32s100525 for Chris Mason in the amount of \$5,000.00.

Motion to approve was made by **Commissioner Forrester** with second by **Commissioner Ellis**.

Upon roll call vote the following Commissioners voted Aye:**Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Tedder (14)**

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

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

Thereupon the Chairman announced that the bond was **Approved**.

Old Business None

NEW BUSINESS:

Resolution # 08-14-01

A Resolution authorizing the County Attorney to file a lawsuit regarding an unsafe building and overgrown vegetation on property designated as Tax Map 11N, Group C, Parcel 2.00.

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 #2709 on May 4, 1990.

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

WHEREAS, George & Barbara Pope, 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 Tax Map 11N, Group C, Parcel 2.00, are 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 George & Barbara Pope, 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 Tax Map 11N, Group C, Parcel 2.00, are 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 Goddard** 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 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 # 08-14-02

A Resolution authorizing the County Attorney to file a lawsuit regarding an unsafe building on property designated as Map 57E, Group C, Parcel 8.00.

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

WHEREAS, said property is located in an R-1 (Low-Density Residential) District.

WHEREAS, Balsa NCM, LLC, having failed to comply with the Unsafe Building and Equipment Guidelines 115 (06 International Existing Building Code) by allowing an unsafe building on property designated as Map 57E, Group C, Parcel 8.00 are subject to the existing building code, 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 Balsa NCM, LLC, having failed to comply with the Unsafe Building and Equipment Guidelines 115 (06 International Existing Building Code) by allowing an unsafe building on property designated as Map 57E, Group C, Parcel 8.00, are subject to the existing building code, and they are, petitioning the court to enforce the same by granting injunctive and other relief.

Upon motion by **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 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 # 08-14-03

A Resolution authorizing the County Attorney to file a lawsuit regarding an unsafe building on property designated as Map 4, Parcel 136.00.

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

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

WHEREAS, Larry Paul Campbell, having failed to comply with the Unsafe Building and Equipment Guidelines 115 (06 International Existing Building Code) by allowing an unsafe building on property designated as Tax Map 4, Parcel 136.00 is subject to the existing building code, and if he is, 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 Larry Paul Campbell, having failed to comply with the Unsafe Building and Equipment Guidelines 115 (06 International Existing Building Code) by allowing an unsafe building on property designated as Tax Map 4, Parcel 136.00, is subject to the existing building code, and if he is, petitioning the court to enforce the same by granting injunctive and other relief.

Upon motion by **Commissioner Moore**, 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 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 # 08-14-04

IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE

A RESOLUTION authorizing the county attorney to file a lawsuit regarding an unsafe building on property designated as Map 57F, Group B, Parcel 4.00.

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

WHEREAS, said property is located in an R-1 (Low-Density Residential) District.

WHEREAS, Paul & Linda Roberts, having failed to comply with the Unsafe Building and Equipment Guidelines 115 (06 International Existing Building Code) by allowing an unsafe building on property designated as Map 57F, Group B, Parcel 4.00 are subject to the existing building code, 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 Paul & Linda Roberts, having failed to comply with the Unsafe Building and Equipment Guidelines 115 (06 International Existing Building Code) by allowing an unsafe building on property designated as Map 57F, Group B, Parcel 4.00, are subject to the existing building code, and they are, petitioning the court to enforce the same by granting injunctive and other relief.

Upon motion by **Commissioner Berry**, 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 # 08-14-05

IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE

A RESOLUTION authorizing **ROANE COUNTY** to refund to: First State Investors, PO Box 27713 Houston TX 77227, the sum of \$4,595.00.

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

Reason: SBE Official Certificate

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
026F	H	011.00	2011	\$16,535.00	\$4,595.00

NOW, THEREFORE, BE IT RESOLVED, that **ROANE COUNTY** is hereby authorized to refund to First State Investors, PO Box 27713, Houston TX 77227, the sum of \$4,595.00.

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 passed: **-0-**

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

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

Resolution # 08-14-06

A Resolution authorizing Roane County to refund to: Knoxville TVA Employees Credit Union P.O. Box 15994, Knoxville, TN 38901, the sum of \$521.00.

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

Reason: change tax rate property located in the City of Harriman charged county rate.

Map	Group Parcel No	Year	Amount of tax paid	Refund
046	096.13	2013	\$5,978.00	\$521.00

NOW, THEREFORE, BE IT RESOLVED, that **ROANE COUNTY** is hereby authorized to refund to Knoxville TVA Employees Credit Union, PO Box 15999, Knoxville TN 37901, the sum of \$521.00.

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

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.

Resolution # 08-14-07

A RESOLUTION honoring the service of GEORGE "COPPER" BACON to the Roane County Commission and the citizens of Roane County.

WHEREAS, GEORGE "COPPER" BACON decided not to seek re-election; and

WHEREAS, GEORGE "COPPER" BACON served Roane County as a County Commissioner for sixteen (16) years; and

WHEREAS, GEORGE "COPPER" BACON, during his tenure on the Roane County Commission, served on many committees, including but not limited to: Agricultural Extension Committee, Animal Control Advisory Committee, Beer Board, Budget Committee, Committee on Committees, Emergency Services Committee, In-Lieu of Tax Committee, Long Range Planning Committee and Safety Committee; and

WHEREAS, it is altogether fitting and proper that his service be honored by the Roane County Commission:

NOW, THEREFORE BE IT RESOLVED, that the Roane County Commission, meeting in regular session on August 11, 2014, does hereby unanimously honor the service of **GEORGE "COPPER" BACON,** by spreading this resolution across the minutes of this Commission meeting.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to Commissioner Bacon.
Motion to adopt was made by **Commissioner East** with second by **Commissioner Berry.**
Motion **Passed** upon unanimous voice vote.

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

Resolution # 08-14-08

A Resolution honoring the service of Jerry Goddard to the Roane County Commission and the citizens of Roane County.

WHEREAS, JERRY GODDARD decided not to seek re-election; and

WHEREAS, JERRY GODDARD served Roane County as a County Commissioner for twenty (20) years; and

WHEREAS, JERRY GODDARD, during his tenure on the Roane County Commission, served on many committees, including but not limited to: Back Tax Committee, Budget Committee, Ethics Committee, Finance Committee, Fire Board, Industrial Liaison Committee, Legislative Committee, Property Committee, Tourism Committee and Wastewater Committee; and

WHEREAS, it is altogether fitting and proper that his service be honored by the Roane County Commission:

NOW, THEREFORE BE IT RESOLVED, that the Roane County Commission, meeting in regular session on August 11, 2014, does hereby unanimously honor the service of **JERRY GODDARD**, by spreading this resolution across the minutes of this Commission meeting.

Motion to adopt was made by **Commissioner Ellis**, seconded by **Commissioner Tedder**.

Motion **Passed** upon unanimous voice vote.

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

Resolution # 08-14-09

A Resolution honoring the service of Fred Tedder to the Roane County Commission and the citizens of Roane County.

WHEREAS, FRED TEDDER decided not to seek re-election; and

WHEREAS, FRED TEDDER served Roane County as a County Commissioner for sixteen (16) years; and

WHEREAS, FRED TEDDER, during his tenure on the Roane County Commission, served on many committees including but not limited to: Building Inspector, Codes and Review Committee, Cable TV Committee, Sub-Committee of the Committee on Committees, Fire Board, In-Lieu of Tax Committee, Property Committee, Road Committee, Safety Committee and Sheriff's Liaison Committee; and

WHEREAS, it is altogether fitting and proper that his service be honored by the Roane County Commission:

NOW, THEREFORE BE IT RESOLVED, that the Roane County Commission, meeting in regular session on August 11, 2014, does hereby unanimously honor the service of **FRED TEDDER,** by spreading this resolution across the minutes of this Commission meeting.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to Commissioner Tedder.

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

Motion **Passed** upon unanimous voice vote.

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

Resolution # 08-14-10

A Resolution authorizing the County Executive to enter into a Payment-in-Lieu-of-Taxes (PILOT) by and between the County of Roane, Tennessee, the City of Rockwood, Tennessee and Town of Crossville Housing Authority (CHA)

Motion to adopt was made by **Commissioner Johnson** with second by **Commissioner Forrester**.

Motion to defer to the In Lieu of Tax Committee was made by Commissioner Johnson with second by Commissioner Forrester.

Motion Passed upon unanimous voice vote.

Resolution # 08-14-11

A Resolution approving the Tennessee Valley Authority's (TVA) proposal to distribute approximately \$1.1 million of marketing and public image repair funds.

Motion to Defer to the Budget Committee was made by **Commissioner Berry** with second by **Commissioner Collier**.

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: **-0-**

Motion to defer **Passed**.

Resolution # 08-14-12

A Resolution to correct and affirm resolutions # 05-13-10; # 05-14-04; #05-14-05: and # 05-14-06 of the Roane County Commission authorizing the abandonment of certain roads and the removal of said roads from the county road list.

WHEREAS, on the 17th of May 2013, the Roane County Commission adopted resolution #05-13-10; and

WHEREAS, on the 12th of May 2014, the Roane County Commission adopted resolution #05-14-04; and

WHEREAS, on the 12th of May 2014, the Roane County Commission adopted resolution #05-14-05; and

WHEREAS, on the 12th of May 2014, the Roane County Commission adopted resolution #05-14-06; and

WHEREAS, there appears to be a technical error in the resolutions in the abandonment clause which the Commission finds to be necessary to correct,

NOW, THEREFORE, BE IT RESOLVED by the Roane County Commission that, pursuant to the recommendation of the road committee, Roane County abandons any and all interest in:

1. A portion of old Midtown Highway, from Sycamore Drive to Vicki Lane, approximately 240 feet, as shown on the map attached to the original resolution #05-13-10 and removes said portion of old Midtown Highway from the approved road list; and

2. Holt Circle, approximately 0.2 mile in distance, as described in the original resolution #05-14-04 and removes said road from the approved road list; and

3. The undeveloped portion of Hummingbird Lane, approximately 0.3 mile in distance, as described in the original resolution #05-14-05 and removes said portion of Hummingbird Lane from the approved road list; and

4. A portion of Southlake Drive, from 255 Southlake Drive to the road's terminus, approximately 165 feet, as described in the original resolution #05-14-06 and removes said portion of Southlake Drive from the approved road list.

BE IT FURTHER RESOLVED that in all other aspects, Resolutions #05-13-10; #05-14-04; #05-14-05; and #05-14-06 are ratified and affirmed.

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

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 # 08-14-13

A Resolution to authorize the County Executive to execute agreements(s) of indemnity required by Midwest Employees Casualty Company.

WHEREAS, an bids for Property & Casualty Insurance were publicly advertised and Midwest Employers Casualty Company was awarded the bid for Excess Worker's Compensation Insurance; and

WHEREAS, this Roane County Commission is materially interested in the transaction(s) in which Roane County Government has applied or will apply to Midwest Employers Casualty Company for bond(s) or undertaking(s); and

WHEREAS, Midwest Employers Casualty Company has executed such bond(s) or and undertaking(s), as surety upon being furnished with the written indemnity of Roane County.

NOW, THEREFORE, BE IT RESOLVED the County Executive is hereby authorized to execute on behalf of Roane County, any agreement(s) of indemnity that are allowed by State Law and are required by Midwest Employers Casualty Company as a prerequisite to the execution by it of the bond(s) or undertaking(s) for Roane County Government in connection with the matter(s) and transaction(s) described in the agreement of indemnity required by said Midwest Employers Casualty Company, and the proper attesting office of the County be and hereby is authorized to affix the County Seal to such agreement or agreements of indemnity and subscribe his/her name thereto, attesting the same.

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 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: **-0-**

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

Motion duly made by **Commissioner Tedder** second by **Commissioner Forrester**, the August 11, 2014 meeting stood adjourned at 8:30.P.M.

APPROVED :

Chairman James Brummett

Attest:

County Clerk Barbara J. Anthony