

**MINUTES
ROANE COUNTY COMMISSION
REGULAR MEETING
OCTOBER 13, 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 13TH day of October, 2014 at 7:00 P.M.

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

Invocation was given by **Commissioner Hooks**.

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: **Bell, Berry, Collier, East, Ellis, Ferguson, Granger, Hendrickson, Hooks, Johnson, Kelley, Moore, Meadows (14)**

Absent: **Fink (1)**

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 **Greg Leffew**, Deputy Clerk **Bobbie Tipton**, Zoning Officers **Kay Christopher** and Building Inspector **Glen Cofer**.

APPROVE MINUTES OF THE SEPTEMBER 8, 2014 MEETING.

Motion to approve was made by **Commissioner East** with second by **Commissioner Meadows**.

Motion **Passed** upon unanimous voice vote.

ACCEPTANCE OF COMMITTEE REPORTS AND CORRESPONDENCE:

1. **Minutes** of Environmental Review Board (RCERB) 06-04-14.
2. **Minutes** of Planning Commission 07-16-14.
3. **Minutes** of Board of Zoning Appeals 08-20-14.
4. **Minutes** of Public Utility Board 08-26-14
5. **Minutes** of Planning Commission 08-27-14.
6. **Minutes** of EDA Revolving Loan Board 09-10-14.
7. **Minutes** of Governor's BEP Task Force 08-13-14
8. **Minutes** of Budget Committee 09-25-14.
9. **Minutes** of Zoning Public Hearing 09-8-14.
10. **Report of** Veterans Affairs July 14.
11. **Report of** Veterans Affairs August 14.
12. **Letter** from TDEC re: 25% reduction 08-22-14.
13. **Letter** from TDEC re: public notice of intent to issue permit 09-05-14.
14. **Letter** from Tennessee Corrections Institute re: Detention Facility re: inspection 09-15-14.
15. **Letter** from TDEC re: amendment to Safe Dam Act 09-16-14
16. **Letter** from County Attorney re: Economic Development. Foundation 09-19-14.
17. **Report** of Activity for Roane Alliance 10-01-14.
18. **Proclamation** re: "Sing It America" Day.-
19. **Proclamation** re: Bells Across America 2014.
20. **Proclamation** re: Constitution Week.
21. **Inventory** for Highway Department.

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

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**: Diana R. Horton, Barbara Louckes, Nancy Tapp, Tanya C. Vodila.

Motion to accept was made by **Commissioner East** with second by **Commissioner Meadows**.

Motion **Passed** upon unanimous voice vote.

HEARING OF DELEGATION:

Former Commissioner Ray Cantrell invited everyone to the "Meet and Greet" the Pastor for Pastors Day on October 19, 2014 at Liberty Baptist Church 205 Lawnville Road, Kingston, Tennessee.

John Maliskey USN/RET requested \$5,000 to be used to assist in replacing their current van that is used to transfer veterans from Roane County to the Veterans Medical Center at Murfreesboro, TN.

Jerry White invited everyone to attend the "October Sky Festival" at Arrowhead in Park Oliver Springs, TN on October 18, 2015.

The following persons spoke against closing Oliver Springs School: Glen Haney, Sara Milton, Buffy Russell and David Johnson.

Jack McNew of CASA introduced himself to the new Commissioners and explained the program to them.

Toby Rhynehart voiced complaints regarding Tiger Haven.

The Chairman asked three times if anyone else in the audience wished to speak. There were none

COUNTY ATTORNEY'S REPORT:

Attorney Leffew discussed pending lawsuits and answered questions from the Commission.

COUNTY EXECUTIVE'S REPORT:

1. One of our administration focus points has been the investment and return on the county's recreation and tourism efforts. As we continue to research and study opportunities for Roane County to capture the tourism dollars, we recognize that the tourism dollar is an outside Roane County dollar that boosts our economy. To that end since filing deadline, I have drafted a letter to the TVA Board of Directors and have scheduled to speak at the next TVA Board meeting related to a private development opportunity for the City of Rockwood at the Tom Fuller Park. I have talked with the city mayor and have been aware of the city's desire for the release of land restrictions at the Tom Fuller Park. To my knowledge, the county has not been involved up to this point. You will have this letter in next month's correspondence and I hope to report back next month on the comments made at the TVA Board of Directors meeting.

2. I have received an email and have talked with our Ambulance Medical Director, Dr. Pat O'Brien, regarding the Roane County Ambulance Service and future directions.
3. Filed a copy of the County's Debt and Capital Reports. We can have a Power Point presentation ready if and when the commission desires a work session on the reports. The reports are also on the county website: www.roanecountytn.gov/publications
4. We have a presentation ready for activities and projects status for Recreation department.
5. Correspondence #17- report of the Industrial Activity Report. Mr. Woody deferred to Alliance CEO Wade Creswell to address the commission and answer questions about the report

SPECIAL ORDERS:

Election of a member to the Industrial Development Board of Cumberland, Morgan, and Roane County, Tennessee due to expiration of the term of B.R. Ladd. New term will expire September 30, 2020.

Motion to elect B.R. Ladd was made by **Commissioner Moore** with second by **Commissioner Kelley**.

Motion **Passed** upon unanimous voice vote.

Motion to waive the twelve-day rule and add Resolution # 08-14-01 to the agenda was made by **Commissioner Kelley** with second by **Commissioner Meadows**.

Motion **Passed** upon voice vote.
Commissioner Johnson voted No.

OLD BUSINESS:

Resolution # 08-14-10
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 Berry** with second by **Commissioner Meadows**.

Motion to postpone until the November 2014 meeting was made by **Commissioner Johnson** with second by **Commissioner Ellis**.

Motion **Passed** upon unanimous voice vote.

NEW BUSINESS:

Resolution # 10-14-01

A Resolution authorizing the county attorney to file a lawsuit regarding an unsafe building and overgrown vegetation on property designated as Tax Map 27, Parcel 82.00.

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

Upon roll call vote the following Commissioners voted Aye: **Berry, Brummett, Collier, East, Granger, Kelley, Meadows (7)**

The following Commissioners voted No: **Bell, Ellis, Ferguson, Hendrickson, Hooks, Johnson, Moore (7)**

Thereupon the Chairman announced that the motion to adopt **failed** for lack of majority.

Resolution # 10-14-02

IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE

A RESOLUTION to adopt the portion of the Kingston Land Use and Transportation Policy Plan dealing with the City of Kingston's Planning Region

WHEREAS, *Tennessee Code Annotated* Sections 13-3-301 and 13-4-201 state that a duty of the municipal/regional planning commission is to make and adopt a general plan for the physical development of the municipality and planning region; and

WHEREAS, the Kingston Municipal/Regional Planning Commission has completed a study and prepared a general plan for the purpose of guiding and accomplishing a coordinated, adjusted, efficient and economically sound means of development for the City of Kingston; and

WHEREAS; the Kingston Land Use and Transportation Policy Plan 2014-2024, with accompanying maps, charts and descriptive matter, will best promote the health, safety, morals, order, convenience, prosperity and welfare of the inhabitants, as well as efficiency and economy in the process of development, in accordance with present and future needs and resources; and

WHEREAS, the Kingston Land Use and Transportation Policy Plan 2014-2024, has been adopted by resolution by the Kingston Municipal/Regional Planning Commission and by ordinance by the Kingston City Council;

NOW, THEREFORE, BE IT RESOLVED by the Roane County Commission meeting in regular session at Kingston, Tennessee on the 13th day of October, 2014 that, pursuant to Sections 13-3-303 and 13-4-202 of the *Tennessee Code Annotated*, the portion of the Kingston Land Use and Transportation Policy Plan 2014-2024 dealing with the City of Kingston's Planning Region is hereby adopted.

UPON MOTION of **Commissioner Collier**, seconded by **Commissioner Kelley**, the following Commissioners voted Aye: **Bell, Berry, Brummett, Collier, East, Ellis, Ferguson, Granger, Hendrickson, Hooks, Johnson, Kelley, Moore, Meadows (14)**

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

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

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

Resolution # 10-14-03

IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE

A RESOLUTION TO PLACE IN SURPLUS a Baler from the Recycle Center.

WHEREAS, the Roane County Recycling has purchased a new Baler, causing the existing Baler surplus to the department, and

WHEREAS, the Baler is described as a Excel EX-6011, serial number EX2084, and

WHEREAS, the Roane County Purchasing Department has determined that there are no other departments in need of this equipment and now seeks to have said vehicle declared surplus.

WHEREAS, the Baler may be sold to another governmental agency, sold on GovDeals, or scrapped depending on what is most advantageous to Roane County.

NOW, THEREFORE, BE IT RESOLVED that this Baler is hereby declared surplus property and may be disposed of pursuant to T.C.A. 5-14-108.

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

Upon motion of **Commissioner Kelley**, seconded by **Commissioner East**, the following Commissioners voted Aye: **Bell, Berry, Brummett, Collier, East, Ellis, Ferguson, Granger, Hendrickson, Hooks, Johnson, Kelley, Moore, Meadows (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.

Resolution # 10-14-04

IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE

A RESOLUTION TO PLACE IN SURPLUS certain Roane County Vehicles.

WHEREAS, the Roane County Purchasing Department has determined that certain vehicles as described on the attached list are surplus to Roane County, and

WHEREAS, the vehicles are of no longer any use to any county departments, and

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

NOW, THEREFORE, BE IT RESOLVED that the vehicles described herein are hereby declared surplus property and may 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 Kelley**, seconded by **Commissioner Ellis**, the following Commissioners voted Aye: **Bell, Berry, Brummett, Collier, East, Ellis, Ferguson, Granger, Hendrickson, Hooks, Johnson, Kelley, Moore, Meadows. (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.

See attachment

Resolution # 10-14-05

IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE

A RESOLUTION TO AUTHORIZE THE USE OF COOPERATIVE PURCHASING AGREEMENTS FOR THE BENEFIT OF ALL COUNTY DEPARTMENTS.

WHEREAS, Tennessee Code Annotated §12-3-1009 allows for the use of Cooperative Purchasing Agreements upon the approval and consent of the local legislative body, and

WHEREAS, Cooperative Purchasing Agreements allow local governments to purchase goods and services from other local, state, and national cooperative purchasing alliances that have been competitively bid under the same circumstances required by law by the purchasing entity, and

WHEREAS, these master cooperative agreements reduce time and personnel resources needed to competitively bid goods and services at the local level and allows local governments to take advantage of the lowest and best pricing available for the needed goods and services, and

WHEREAS, Roane County has saved money in using already approved cooperative purchasing agreements and now seeks to have the master agreements with National Intergovernmental Purchasing Alliance Company (NIPA) and the Pennsylvania Education Purchasing Program for Microcomputers (PEPPM) approved (Exhibits 1 & 2)

WHEREAS, the use of these cooperative agreements will not be used to the detriment of Roane County Vendors and purchases will be made with county vendors whenever possible.

NOW, THEREFORE BE IT RESOLVED that the Roane County Commission does hereby authorize the use of the aforementioned Cooperative Purchasing Agreements and further authorizes the execution of the agreements.

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 Moore**, seconded by **Commissioner Berry**, the following Commissioners voted Aye: **Bell, Berry, Brummett, Collier, East, Ellis, Ferguson, Granger, Hendrickson, Hooks, Johnson, Kelley, Moore, Meadows (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.

See attachment

Resolution # 10-14-06

A Resolution to amend the General Fund (101) to receive and appropriate grant money for three Governor's Highway Safety Office (GHSO) grants.

WHEREAS, Roane County has been awarded three grants from the GHSO, and

WHEREAS, all three grants require no match money, and

WHEREAS, two of these grants have been received by Roane County in previous years, and the last one is supplemental in nature.

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

Fund	Account No.	Description	Current Bgt	Amend	Amend Bgt
Revenue					
101	46980-NT15	Other State Grants	-	15,000	15,000
Expenditures					
101	Sheriff's Department 54110-187-NT15	Overtime Pay	-	10,000	10,000
	54110-355-NT15	Travel	-	1,500	1,500
	54110-599-NT15	Other	-	3,500	3,500

Fund	Account No.	Description	Current Bgt	Amend	Amend Bgt
Revenue					
101	46980-RD15	Other State Grants	-	87,800	87,800
Expenditures					
101	Sheriff's Department 54110-187-RD15	Overtime Pay	-	12,000	12,000
	54110-355-RD15	Travel	-	3,000	3,000
	54110-790-RD15	Other	-	72,800	72,800

Fund	Account No.	Description	Current Bgt	Amend	Amend Bgt
Revenue					
101	46980-HV15	Other State Grants	-	5,000	5,000
Expenditures					
101	Sheriff's Department 54110-790-HV15	Other Equipment	-	5,000	5,000

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

The following Commissioners voted Aye : **Bell, Berry, Brummett, Collier, East, Ellis, Ferguson, Granger, Hendrickson, Hooks, Johnson, Kelley, Moore, Meadows (14)**

No: --0- Passed: -0-

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

Resolution # 10-14-07

A Resolution to amend the General fund (101) in order to receive and appropriate a grant for the Sheriff's Department.

WHEREAS, the Sheriff's Department was awarded a grant from Wal-Mart, and

WHEREAS, the grant is for \$500 and has no match money requirement, and

WHEREAS, this grant is to be used towards the purchase of tactical uniforms for officers.

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

Fund	Account No.	Description	Current Bgt	Amend	Amend Bgt
Revenue					
101	44570	WLMT Contributions & Gifts	-	500	500
Expenditure					
101	54110	Sheriff's Department 451-WLMT Uniforms	-	500	500

Upon motion of **Commissioner Kelley**, seconded by **Commissioner** The following Commissioners voted Aye: **Bell, Berry, Brummett, Collier, East, Ellis, Ferguson, Granger, Hendrickson, Hooks, Johnson, Kelley, Moore, Meadows (14)**

No: -0- Passed -0-

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

Resolution # 10-14-08

A Resolution to amend the General Fund (101) to reappropriate grant money for projects that overlap fiscal years.

WHEREAS, Roane County appropriated several grants in the prior fiscal year that do not expire until sometime during the current fiscal year, and

WHEREAS, Roane County waited until the close of the prior fiscal year to have better estimates of revenues and expenditures related to the grants.

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

SEE ATTACHED WORKSHEET

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

The following Commissioners voted Aye: **Bell, Berry, Brummett, Collier, East, Ellis, Ferguson, Granger, Hendrickson, Hooks, Johnson, Kelley, Moore, Meadows. (14)**

No: **-0-**

Passed: **-0-**

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

Resolution # 10-14-09

A Resolution to appropriate \$2,500 each for (2) two employees in recognition of their 25 years of service to Roane County.

WHEREAS, Roane County values their employees' work ethic and appreciate employees who maintain employment for the long term; and

WHEREAS, Lynda Carter has been an employee of the county in different capacities for the past 25 years, and

WHEREAS, Eddie Ray has been an employee of the county highway department for the past 25 years.

NOW, THEREFORE, BE IT RESOLVED that the General Fund (101) and the Highway Fund (131) be amended as follows:

Fund	Account No.	Description	Current Bgt	Amend	Amend Bgt
Expenditures					
	Sheriff's Department				
101	54110 188	Bonus Payments	-	2,500	2,500
Fund Balance					
101	39000	Unassigned Fund Balance	3,036,126	(2,500)	3,033,626

Fund	Account No.	Description	Current Bgt	Amend	Amend Bgt
Expenditures					
		Highway and Bridge Maintenance			
	131	62000 188 Bonus Payments	-	2,500	2,500
Fund Balance					
	131	34550 Unassigned Fund Balance	447,853	(2,500)	445,353

BE IT FURTHER RESOLVED that the respective official shall submit to the Roane County Payroll Department within thirty (30) days the distribution of bonus money for their employees.

UPON MOTION of **Commissioner Hendrickson** , seconded by **Commissioner Hooks**, the following Commissioners voted Aye: **Bell, Berry, Brummett, Collier, East, Ellis, Ferguson, Granger, Hendrickson, Hooks, Johnson, Kelley, Moore, Meadows. (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 # 10-14-10

A Resolution amending the General Purpose School Fund (141) reflecting changes in Revenue/Expenditure estimates for the 2014/2015 fiscal year.

WHEREAS, the Revenues and Expenditures of the above noted fund have changed due to: Purchase of Textbooks using Instructional Reserves and Transfer to Fund 177 for Security Cameras and Maintenance Projects using Capital Reserves, and

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

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

NOW, THEREFORE, BE IT RESOLVED that General Purpose School Fund (141) be amended as follows: SEE ATTACHED WORKSHEET

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

The following Commissioners voted Aye: **Bell, Brummett, Collier, Ellis, Ferguson, Granger, Hendrickson, Johnson, Kelley, Meadows (10)**

The following Commissioners voted No: **Berry, East, Hooks, Moore (4)**

The following Commissioners Passed: **-0-**

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

See attachment

Resolution # 10-14-11

A Resolution amending the Education Capital Projects Fund (177) reflecting changes in Revenue/Expenditure estimates for the 2014/2015 fiscal year.

WHEREAS, the Revenues and Expenditures of the above noted fund have changed due to: Adjust for Security Cameras and Maintenance Projects from 141 Capital Reserves, and

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

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

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

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

The following Commissioners voted Aye **Bell, Berry, Brummett, Collier, East, Ellis, Ferguson, Granger, Hendrickson, Hooks, Johnson, Kelley, Moore, Meadows (13)**

The following Commissioners voted N: **Moore (1)**

The following Commissioners Passed: **-0-**

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

See attachment

Resolution # 10-14-12

A Resolution authorizing submission of an application for a Litter and Trash Collecting Grant for Fiscal Year 2014-2015 from the Department of Transportation and authorizing the acceptance of said grant.

WHEREAS, Roane County Commission intends to apply for the aforementioned Grant from the Tennessee Department of Transportation and,

WHEREAS, the grant is a 100% grant with no matching funds required and,

WHEREAS the contract for the Grant for Fiscal Year 2014-2015 will impose certain legal obligations upon Roane County.

THEREFORE, BE IT RESOLVED:

1. That Road superintendent of Roane County is authorized to apply on behalf of Roane County for a Litter and Trash Collecting Grant for Fiscal Year 2014-2015 from the Tennessee Department of Transportation.
2. That should said application be approved by the Tennessee Department of Transportation, then the Road Superintendent of Roane County is authorized to execute contracts or other necessary documents, which may be required to signify acceptance of the Litter and Trash Collecting Grant by Roane County.

Upon motion of **Commissioner Collier** seconded by **Commissioner Kelley**, the following Commissioners voted Aye: **Bell, Berry, Brummett, Collier, East, Ellis, Ferguson, Granger, Hendrickson, Hooks, Johnson, Kelley, Meadows (13)**

The following Commissioners passed: **(0)**

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

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

Resolution # 10-14-13

A Resolution establishing the Committees of the Roane County Commission for the period from October 1, 2014 to December 31, 2015.

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, East, Ellis, and Hooks; all appointed by the Commission at the September 2014 meeting; and,

WHEREAS, the Committee on Committees met on October 2, 2014 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 October 1, 2014 to December 31, 2015.

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

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.

Motion duly made by **Commissioner Moore**, second by **Commissioner Granger**, the October 13, 2014 meeting stood adjourned at 9:55 P.M.

APPROVED:

Chairman James Brummett

Attest:

County Clerk Barbara J. Anthony