

**MINUTES
ROANE COUNTY COMMISSION
REGULAR MEETING
NOVEMBER 10, 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 10TH day of November 2014 at 7:00 P.M.

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

Invocation was given by **Commissioner Hooks**.

At this time a moment of silence was observed in honor of the late George (Copper) Bacon, former Commissioner.

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, Fink, Granger, Hendrickson, Hooks, Johnson, Kelley, Meadows (14)**

Absent: **Moore (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 Officer **Kay Christopher** and Building Inspector **Glen Cofer**.

APPROVE MINUTES OF THE OCTOBER 13, 2014 MEETING.

MOTION was made by **Commissioner Kelley** with second by **Commissioner East** to approve.

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

ACCEPTANCE OF COMMITTEE REPORTS AND CORRESPONDENCE:

1. **Minutes** of Environmental Review Board 09-11-14.
2. **Minutes** of Planning Commission 09-17-14.
3. **Minutes** of Public Utility Board 09-23-14.
4. **Minutes** of Board of Zoning Appeals 09-24-14.
5. **Minutes** of Safety Committee 10-16-14.
6. **Minutes** of Emergency Service 10-16-14.
7. **Minutes** of Fire Board 10-21-14.
8. **Minutes** of Courthouse Security 10-22-14.
9. **Minutes** of Commission Work Session 10-23-14.
10. **Minutes** of Beer Board 10-21-14.
11. **Letter** re: Helping Roane County's public image to overcome the Roane County/Kingston Power Plant ash spill 10-06-14.
12. **Letter** from TN Treasury Department re: Tennessee Consolidated Retirement System (TCRS) 10-10-14.
13. **Letter** to Gene McClure re: "Step Maintenance Fee" 10-19-14.
14. **Letter** from Raymond James re: SEC municipalities Continuing Disclosure Cooperation Initiative 10-10-14.
15. **Activities Report** for Office of Veterans Affairs for September 2014.
16. **Letter** re: Governor's Basic Education Program (BRP) Task Force 10-20-14.
17. **Community** Probation Report from July 1- September 30, 2014.
18. **Proclamation** re: National Society Daughters of the American Revolution.
19. **Proclamation** re: National Business Women's Week.
20. **Memorandum** re: purchasing.
21. **TDOT** Roane County Major Thoroughfare Plan.
22. **Minutes** of Committee on Committees 10-02-14.
23. **Minutes** of Committee on Committee 10-30-14.

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

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**: Brandi N. Brockett, Patricia B. Clifton, Stephanie Hatch, Jackie L. Inman, Camellia McNelley, S. Darrell Meadows, Jessica Owens, Lacey Pack, Debra R. Patterson, Theresa Ray, Danita N. White.

Motion to accept was made by **Commissioner Hooks** with second by **Commissioner Berry**.

Motion **Passed** upon unanimous voice vote.

HEARING OF DELEGATION:

Under the direction of Zack Williamson, the Roane County High Pep Band played a salute to America and her veterans.

Jean Wilson, Barbara Brooks, and Robin Burton spoke in support of Roane County Schools and wanted all schools to remain open.

John Maliskey of Veterans Post #86, requested funds to purchase a van for the disabled veterans.

Cynthia Spurling requested help getting an ambulance to transport her father (Carlton Spurling) home from Florida where he had a serious stroke while on vacation there. She was assured by Chairman Brummett that something would work out.

Toby Rhynehart voiced his complaint regarding Tiger Haven.

COUNTY ATTORNEY'S REPORT:

County Attorney Greg Leffew reported that the Logics case was over and other pending lawsuits were set for trial. He also outlined the history of Tiger Haven beginning May 1990 and reported that Roane County Commission has no authority regarding Tiger Haven. Only TWRA can determine how many cats can be housed at that facility.

COUNTY EXECUTIVE'S REPORT:

Tim Suter was announced as the Roane County Emergency Medical Services Director.

Budget document has been published on our county website. Also published was the county's Annual Debt Report and Capital Plan. Veterans Day service tomorrow here at the Courthouse at 10:00 am by CMS and RCHS.

Carlton Spurlin transport from Florida issue was discussed.

Department of Energy well sampling will begin in the near future from Gallaher Road to RRBTP.

Correspondence #3 and #13- Roane County Public Utility Board step system fees were addressed.

Correspondence #7- TVA lease to Roane County of 2 acres for the Swan Pond Fire Station

Correspondence #11- Executive Woody traveled to Nashville in November to speak to the TVA Board of Director's meeting in regards to issues addressed in letter.

Correspondence #12- deals with the Hybrid Retirement Plan which teachers went under on July 7, 2014.

Correspondence #16- Executive Woody spoke to Governor's Task Force on Education

Correspondence #20- involves Back Tax property issues

SPECIAL ORDERS:

Approval of Bond 14907864 for Scott Guinn, Youth Intake Officer, in the amount of \$2500.00.

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

Upon roll call vote the following Commissioners voted Aye: **Bell, Berry, Brummett, Collier, East, Ellis, Ferguson, Fink, Granger, Hendrickson, Hooks, Johnson, Kelley, Meadows (14)**

The following voted No: **(0)**

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

Approval of Bond LSM0642422 for Diana Lynn Farnham, Purchasing Director in the amount of \$100,000.

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

Upon roll call vote the following Commissioners voted Yea: **Bell, Berry, Brummett, Collier, East, Ellis, Ferguson. Fink, Granger, Hendrickson, Hooks, Johnson, Kelley, Meadows (14)**

The following Commissioners voted No: **(0)**

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

Approval of appointment of Dr. Thomas Boduch, M.D. to fill the vacancy of Medical Examiner position due to the resignation of Dr. Bennett. New term expires January 1, 2020.

Motion to appoint was made by **Commissioner Ferguson** with second by **Commissioner Hendrickson**.

Motion **Passed** upon unanimous voice vote.

Approval of appointment of Chris Johnson to the Planning Commission. New term expires August 31, 2018.

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

Motion **Passed** upon unanimous voice vote.

Approval of re-appointment of Michael Parkison to Roane County Planning Commission due to the expiration of his term. New term expires October 25, 2018.

Motion to re-appoint was made by **Commissioner Hooks** with second by **Commissioner Ferguson**.

Motion **Passed** upon unanimous voice vote.

OLD BUSINESS:

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).

WHEREAS, the CHA is the owner of certain real property, consisting of 8.17 acres, more or less, located on Brown West

Drive in the City of Rockwood, known as Russell Park Apartments;
and

WHEREAS, the CHA is a public housing authority and a corporation established pursuant to the Tennessee Nonprofit Corporation Act, Tennessee Code Annotated § 48-51-101, et seq.;
and

WHEREAS, pursuant to Tennessee Code Annotated §67-5-206, the property of housing authorities shall be exempt for all taxes and special assessments of the state and any county, city, town, metropolitan government or political subdivision thereof; provided, that, in lieu of such taxes or special assessments, a housing authority shall agree to make payments to said state or any county, city, town, metropolitan government or political subdivision for the benefit of a housing project owned by the housing authority, but in no event shall such payments exceed the estimated cost to such state or any county, city, town, metropolitan government or political subdivision of the services, improvements or facilities to be such furnished; and

WHEREAS, an agreement for payment in lieu of taxes (PILOT) by and between the County of Roane, Tennessee, City of Rockwood, Tennessee, and Town of Crossville Housing Authority is attached;
and

NOW, THEREFORE, BE IT RESOLVED by the Roane County Commission that the Roane County Executive is hereby authorized to enter into the attached agreement.

UPON MOTION of Commissioner Berry, seconded by **Commissioner Meadows**, the following Commissioners voted Aye **Bell, Berry, Brummett, Collier, East, Ellis, Ferguson, Fink, Granger, Hendrickson, Hooks, Johnson, Kelley, 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.

See attachment

NEW BUSINESS:

Resolution # 11-14-01

A Resolution authorizing the county attorney to file a lawsuit regarding overgrown vegetation on property designated as Tax Map 68, Parcel 87.00 belonging to Gerald & Lillie Watson.

WHEREAS, Roane County, Tennessee adopted Resolution # 01-14-03 regarding overgrown vegetation and accumulated debris.

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

WHEREAS, Gerald & Lillie Watson, having failed to comply with Resolution # 01-14-03, by continually allowing conditions of overgrown vegetation/accumulated debris on property identified as Tax Map 68, Parcel 87.00, are subject to Resolution # 01-14-03, 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 Gerald & Lillie Watson, having failed to comply with Resolution # 01-14-03 by continually allowing overgrown vegetation on property identified as Tax Map 68, Parcel 87.00, are subject to Resolution # 01-14-03, and if they are, petitioning the court to enforce the same by granting injunctive and other relief.

Upon motion by **Commissioner Meadows**, seconded by **Commissioner Berry**.

The following commissioners voted Aye: **Bell, Berry, Brummett, Collier, East, Fink, Granger, Hendrickson, Hooks, Johnson, Kelley, Meadows (12)**

The following Commissioner passed: **-0-**

The following commissioners voted No: **Ellis, Ferguson (2)**

THEREFORE, the Chair announced to the Commission that said Resolution had received a constitutional majority and ordered same spread of record.

See attachment

Resolution # 11-14-02

A Resolution authorizing the county attorney to file a lawsuit regarding overgrown vegetation designated as Tax MAP 48k, Group C, Parcel 14.00 belonging to Isaiah Elmore.

WHEREAS, Roane County, Tennessee adopted Resolution # 01-14-03 regarding overgrown vegetation and accumulated debris.

WHEREAS, said property is located in a C-2 (Highway Commercial) District.

WHEREAS, Isaiah Elmore, having failed to comply with Resolution # 01-14-03, by continually allowing conditions of overgrown vegetation/accumulated debris on property identified as Tax Map 46K, Group C, Parcel 14.00, is subject to Resolution # 01-14-03, 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 Isaiah Elmore, having failed to comply with Resolution # 01-14-03 by continually allowing overgrown vegetation on property identified as Tax Map 46K, Group C, Parcel 14.00, is subject to Resolution # 01-14-03, and if he is, petitioning the court to enforce the same by granting injunctive and other relief.

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

The following commissioners voted Aye: **Bell, Berry, Brummett, Collier, East, Fink, Granger, Hendrickson, Hooks, Johnson, Kelley, Meadows (12)**

The following Commissioner passed: **-0-**

The following commissioners voted No: **Ellis, Ferguson (2)**

HEREFORE, the Chair announced to the Commission that said Resolution had received a constitutional majority and ordered same spread of record.

See attachment

Resolution # 11-14-03

A Resolution honoring the service of Dr. William Bennett, M.D. to the citizens of Roane County in his position as County Medical Examiner.

WHEREAS, DR. WILLIAM BENNETT, M.D. served Roane County as County Medical Examiner for seventeen (17) years; and

WHEREAS, DR. WILLIAM BENNETT, M.D., during his tenure as the Roane County Medical Examiner, served the citizens of Roane County by providing medical expertise to aid in securing the safety and health of the citizens of Roane County; 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 November 10, 2014, does hereby unanimously honor the service of **DR. WILLIAM BENNETT, M.D.,** by spreading this resolution across the minutes of this Commission meeting.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to Dr. William Bennett, M.D.

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

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 # 11-14-04

A Resolution to increase court cost in order to defray cost of legal representation and support services provided indigent defendants in criminal procedures.

Withdrawn without objection

Resolution # 11-14-05

A Resolution to amend the General Fund (101) to receive and appropriate money from the TVA Foundation for county image repair.

WHEREAS, Roane County has been granted \$150,000 from the TVA Foundation to be used towards county image repair, and

WHEREAS, Roane County has been granted approximately \$120,000 in interest earned from TVA, and

WHEREAS, Roane County sees the best use of these funds by contracting with the Roane Alliance.

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

Fund No.	Account	Description	Current Bgt	Amend	Bgt
Revenue					
101	44570	Contributions & Gifts	-	270,000	270,000
Expenditure					
10	58120	Industrial Development 312- IMAGE	Contracts w/Private Agencies	-	270,000
				270,000	270,000

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

The following Commissioners voted Aye: **Bell, Berry, Brummett, Collier, East, Ellis, Ferguson, Fink, Granger, Hendrickson, Hooks, Johnson, Kelley, 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 # 11-14-06

A Resolution to amend the Ambulance Fund (118) in order to shift salary allocations due to reorganization of the Ambulance Department.

WHEREAS, the County has hired a full time Ambulance Director, and

WHEREAS, the County had previously had an assistant working with the OES Director to share the duties of an Ambulance Director, and

WHEREAS, the salary allocation needs to be shifted from Assistants to Supervisor and Clerical.

NOW, THEREFORE, BE IT RESOLVED that the Ambulance Fund (118) be amended as follows.

Fund	Account No.	Description	Current Bgt	Amend	Amend Bgt
Expenditure					
		Ambulance Service			
118	55130	103 Assistants	45,727	(34,353)	11,374
		105 Supervisor	26,265	33,735	60,000
		162 Clerical	56,650	<u>618</u>	57,268
				-	

UPON MOTION of **Commissioner Collier**, seconded by **Commissioner Kelley**, the following Commissioners voted Aye: **Bell, Berry, Brummett, Collier, East, Ellis, Ferguson, Fink, Granger, Hendrickson, Hooks, Johnson, Kelley, 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 # 11-14-07

IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE

A **RESOLUTION** to amend the General Capital Projects Fund (171) sub fund recreation (REC) to receive and appropriate money to build Pier Docks as needed.

WHEREAS, TVA has made the intention known to provide Roane County with approximately \$5,000 to build pier docks, and

WHEREAS, the Roane Alliance tourism program has agreed to provide matching funds of \$5,000, and

WHEREAS, the Recreation Department is currently inventorying potential locations for docks.

NOW, THEREFORE, BE IT RESOLVED that the General Capital Projects Fund (171) be amended as follows.

Fund	Account No.	Description	Current Bgt	Amend	Bgt
REC - Recreation					
Sub Fund					
Revenue					
Education					
171	44570	Contributions & Gifts	-	10,000	10,000
Expenditure					
Social, Cultural & Recreation Projects					
724-					
171	91150	DOCK Site Development	-	10,000	10,000

UPON MOTION of **Commissioner Berry**, seconded by **Commissioner Collier**, the following Commissioners voted Aye: **Bell, Berry, Brummett, Collier, East, Ellis, Ferguson, Fink, Granger, Hendrickson, Hooks, Johnson, Kelley, 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 # 11-14-08

A Resolution amending the General capital Projects Fund (171) in order to match a TVA InvestPrep Industrial Property Site Preparation Program.

WHEREAS, TVA Economic Development Department has established an innovative multi-year economic development program designed to bring to market new/improved sites and facilities in order to position communities to compete successfully for new jobs and investments, known as, InvestPrep; and

WHEREAS, InvestPrep has available for an individual site up to \$500,000 where a community is required a 50% match; and

WHEREAS, Roane County's Roane Regional Business and Technology Park has a prospective site, known as, the Jones Road site, which appears to be a viable candidate for eligibility; and

WHEREAS, a partnership with the Roane Industrial Development Board and Roane County Government should reflect a commitment for community support of Industrial Economic Development; and

WHEREAS, the Roane County Industrial Development Board has pledged \$250,000; and

WHEREAS, Roane County has established a Capital Industrial Development account which has available approximately \$450,000 for capital investment; and

WHEREAS, a pre-application of InvestPrep has been approved and Phase II of the InvestPrep Program application is underway; and

WHEREAS, the project applied for, known as, Jones Road Site, consists of:

- Approximately 44 acres,
- Road Improvement Access, and
- Begin preparing a pad ready site; and

WHEREAS, upon a successful approved project Roane County would receive from the Industrial Development Board one-half of the

required local match up to \$250,000 and the County General Capital Projects Fund 171 would provide one-half of the required local match up to \$250,000; and

WHEREAS, the Roane County Commission previously approved Resolution# 08-13-12 for this same project; however, the resolution became null and void when Roane County was unsuccessful in the 2013 application; and

WHEREAS, Roane County desires to reapply for the InvestPrep grant for the same project; and

WHEREAS, the County General Capital Projects Fund 171 would be amended as noted below; and

NOW, THEREFORE, BE IT RESOLVED that the General Capital Projects Fund 171 account IND be herein amended as follows:

Fund		Object	Description	current	amend	amend bgt
Revenue			IND Sub Fund			
	171	44570-IDB	Contributions & Gifts	-	250,000	250,000
	171	44570-TVA	Contributions & Gifts	-	500,000	500,000
Expenditures						
	171	91190	724 Site Development	-	1,000,000	1,000,000
Fund Balance						
	171	34585	Restricted for Capital Projects for Invest Prep Project ONLY	450,000	(250,000)	200,000

BE IT FURTHER RESOLVED that if the TVA InvestPrep project is not approved that the budget amended as noted above shall be considered null and void; and

BE IT FURTHER RESOLVED that if the TVA InvestPrep project is approved but not at the maximum amount then the budget shall be established with contributions from the Industrial Development Board at one-half the local contribution amount, the County General Capital Projects Fund 171 at one-half the local contribution amount and the TVA InvestPrep award being one-half of the total project.

UPON MOTION of **Commissioner Berry**, seconded by **Commissioner Collier**, the following Commissioners voted Aye: **Bell, Berry, Brummett, Collier, East, Ellis, Ferguson, Fink, Granger, Hendrickson, Hooks, Johnson, Kelley, 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 # 11-14-09

A Resolution Establishing the Courthouse Security Committee, Non-Profit Committee, School Liaison Committee of the Roane County Commission for the period from November 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 30, 2014 and unanimously recommends the above referenced 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 November 1, 2014 to December 31, 2015.

UPON MOTION of **Commissioner Collier** with second by **Commissioner Kelley**.

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 Kelley** second by **Commissioner Johnson** the November 10, 2012 meeting stood adjourned at 9:50 P.M.

APPROVED:

Chairman James Brummett

Attest:

County Clerk Barbara J. Anthony