

**MINUTES
ROANE COUNTY COMMISSION
REGULAR MEETING
MARCH 9, 2015**

**STATE OF TENNESSEE
COUNTY OF ROANE**

BE IT REMEMBERED, that the County Commission of Roane County, Tennessee convened in regular session in Kingston, Tennessee on the 9th day of March, 2015 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, Fink, Granger, Hendrickson, Hooks, Johnson, Kelley, Moore, Meadows (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 Attorney **Greg Leffew**, Deputy Clerk **Bobbie Tipton**, and Building Inspector **Glen Cofer**.

APPROVE MINUTES OF THE FEBRUARY 9, 2015 MEETING.

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

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

ACCEPTANCE OF COMMITTEE REPORTS AND CORRESPONDENCE

1. Minutes of Environmental Review Board 01-15-15.
2. Minutes of Building Codes & Review Committee 01-27-15.
3. Minutes of Legislative Committee 01-29-15.

4. Minutes of Budget Committee 01-29-15.
5. Minutes of Commission- Tourism Committee 02-03-15.
6. Minutes of Property Committee 02-03-15.
7. Minutes of Fire Board 02-10-15.
8. Minutes of Agricultural Advisory Committee 02-23-15.
9. Letter to Director of School Aytes from Executive Woody re. 2016 Budget 01-30-15.
10. Letter to Property Assessor Morgan re: next appraisal cycle. 02-02-15.
11. Letter to Roane County Commission re: back tax properties 02-10-15.
12. Letter to Purchasing Agent Lynn Farnham Re: Management of Back tax properties (BTP) 02-10-15.
13. Letter to County Attorney Leffew re: Harriman Structurally Impaired Buildings 02-10-15.
14. Letter to Environmental Review Board re: Tiger Haven Environmental Impact 02-10-15.
15. Quarterly Report for Community Probation Services 02-11-15.
16. Letter to US Dept. of Justice re: Application from West Care Tennessee, Inc. 02-20-15.
17. Report of Fee Offices Revenue less Salaries & Benefits 2-15.
18. Proclamation of Keep Roane Litter Free Week 02-25-15.
19. BEP Report 2-15.

Motion to accept was made by **Commissioner Moore** with second by **Commissioner Bell**.

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: Janet E. Bishop, Arlene Daugherty, Diane R. Fitzhugh, Tammy L. Goddard, Marie P. Graves, Lisa Hackler, Elena W. Jolly, and Sarah E. Stewart.

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

Motion **Passed** upon unanimous voice vote.

HEARING OF DELEGATION: None

COUNTY ATTORNEY'S REPORT:

County Attorney Leffew updated the Commission on pending cases.

COUNTY EXECUTIVE'S REPORT:

My office received a request from School Director Gary Aytes requesting a joint meeting between the School Board and the Commission for April 2, 2015 at 5:30 pm to discuss the upcoming FY16 school budget. Anticipated meeting place will be the RCHS band room.

Calendar of tentative dates of 2016 Budget Committee meetings was handed out to commissioners.

Received lawsuit from Bryan Crawley, Midtown First District Volunteer Fire Department vs. Randy Scarborough, Sr, Randy Scarborough, Jr, Jay Scarborough, and Lucas Neal.

We have received the Roane County Alliance Annual Report.

The State Division of Property Assessments will be back in Roane County tomorrow.

SPECIAL ORDERS:

Motion to waive the twelve day rule and add Resolution # 03-15-09 to the Agenda was made by **Commissioner Kelley** with second by **Commissioner Collier**.

Upon roll call vote the following commissioners voted Yes: **Bell, Berry, Brummett, Collier, East, Ellis, Ferguson, Fink, Granger, Hendrickson, Hooks, Kelley, Meadows (13)**

The following commissioners Passed: **-0-**

The following commissioners voted No: **Johnson, Moore (2)**
Therefore the chairman announced the motion **Passed**.

Appointment of Tom Brown to Environmental Review Board due to vacancy. The new term will expire 7-30-18. Mr. Brown's resume is attached.

Motion to appoint Tom Brown was made by **Commissioner Granger** with second by **Commissioner Meadows**.

Motion **Passed** upon unanimous voice vote.

Election of a member to the Industrial Development Board and Health, Education & Housing Facilities Board due to the expiration of Bob Kite's term. The new term will expire 03-12-2022.

Motion to reappoint Bob Kite was made by **Commissioner Berry** with second by **Commissioner Kelley**.

Motion **Passed** upon unanimous voice vote.

Election of a member to the Industrial Development Board and Health, Education & Housing Facilities Board due to the expiration of Jane Long's term. The new term will expire 03-12-2022.

Motion to reappoint Jane Long was made by **Commissioner Berry** with second by **Commissioner Kelley**.

Motion **Passed** upon unanimous voice vote.

Election of a member to the Industrial Development Board and Health, Education & Housing Facilities Board due to the expiration of James Palmer's term. The new term will expire 03-12-2022.

Motion to reappoint James Palmer was made by **Commissioner Berry** with second by **Commissioner Kelley**.

Motion **Passed** upon unanimous voice vote.

Approval of Bond 32S100541 (6638921) for Lenora Doyle Spangler in the amount of \$2500.00.

Motion to approve was made by **Commissioner Moore**, with second by **Commissioner Fink**.

Motion **Passed** upon unanimous voice vote.

OLD BUSINESS: None

NEW BUSINESS:

Resolution # 03-15-01

A Resolution honoring the service of MICHAEL PENNINGTON to the citizens of Roane County in his position as Emergency Medical Technician- Advanced for the Roane County Emergency Medical Service.

WHEREAS, MICHAEL PENNINGTON served Roane County as a member of the Roane County Emergency Medical Service for forty-two (42) years; and

WHEREAS, MICHAEL PENNINGTON has served Roane County as an Emergency Medical Technician- Advanced; and

WHEREAS, MICHAEL PENNINGTON has held multiple position within the Emergency Medical Department including Director, Shift Captain and Deputy Coroner; and

WHEREAS, MICHAEL PENNINGTON has provided many years of dedicated service to the citizens in Roane County;

NOW, THEREFORE, BE IT RESOLVED, that the Roane County Commission, meeting in regular session on March 9, 2015, does hereby unanimously honor the service of **MICHAEL PENNINGTON** by spreading this resolution across the minutes of this Commission meeting.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to Mr. Pennington.

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

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 # 03-15-02

A Resolution accepting from TVA a 5 acres lease property for an OES facility and a 2.5 acres lease property for a volunteer fire department facility.

WHEREAS, Roane County filed Resolution #07-11-16 accepting the OES facility property; however, the minutes and signed resolution did not mention the OES property; and

WHEREAS, the volunteer fire department property has been discussed in committee and correspondence; however no official Commission action has been taken to accept or allow the use of the property by the volunteer fire department;

NOW, THEREFORE, BE IT RESOLVED that the Roane County Commission meeting in regular session on the 9th day of March 2015 does hereby accept a 5 acres property under TVA lease agreement for the future use as a location for an OES facility.

BE IT FURTHER RESOLVED that Roane County Commission does hereby also accept a 2.5 acre property under TVA lease agreement for the future use as a location for a volunteer fire department.

BE IT FURTHER RESOLVED that the Roane County Commission does hereby approve the Midtown Volunteer Fire Department the use of the 2.5 acre property for volunteer fire department services.

UPON MOTION of **Commissioner Hendrickson**, seconded by **Commissioner Ellis**, the following Commissioners voted yes: **Bell, Berry, Brummett, Collier, East, Ellis, Ferguson, Fink, Granger, Hendrickson, Hooks, Johnson, Kelley, Moore, Meadows.** (15)

The following Commissioners voted No: -0-

The following Commissioners passed: -0-

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

Resolution # 03-15-03

A Resolution that would change the designation of two witness rooms located in the hallway next to the Circuit/Criminal Courtroom to Witness/Prisoner holding rooms and that the current holding cell next to the Circuit/Criminal Courtroom become a undesignated area.

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

Motion to amend by adding "and assign the current holding cell to the Circuit Court Clerk for file storage" in the last paragraph was made by **Commissioner Ellis** with second by **Commissioner Collier**.

Motion **Passed** upon unanimous voice vote.

Resolution # 03-15-03 As Amended

A RESOLUTION THAT WOULD CHANGE THE DESIGNATION OF TWO WITNESS ROOMS LOCATED IN THE HALLWAY NEXT TO THE CIRCUIT/CRIMINAL COURTROOM TO WITNESS/PRISONER HOLDING ROOMS AND THAT THE CURRENT HOLDING CELL NEXT TO THE CIRCUIT/CRIMINAL COURTROOM BECOME AN UNDESIGNATED AREA.

WHEREAS, the current holding cell next to the Circuit/Criminal Courtroom has become unusable due to the disruption caused by the inmates while court is in session, and

WHEREAS, the Sheriff now asks that the two witness rooms located in the Circuit/Criminal Court hallway be designated so that they can be used for both witness rooms and holding areas, as needs arise, and

WHEREAS, the Sheriff is also requesting that there be doors installed that will allow the officers to observe both rooms at the same time, and to also to put security windows in the rooms to keep prisoners from opening them, and

WHEREAS, the Sheriff is requesting that changes in the rooms be funded by the Litigation Tax that is earmarked for upkeep to courthouses and jails, **and**

WHEREAS, the Property Committee has met and recommends adoption of this resolution and requires that any changes be approved by Codes Enforcement and that the current holding cell become an undesignated space.

NOW, THEREFORE, BE IT RESOLVED the witness rooms located in the Circuit/Criminal Court hallway are designated as Witness/Prisoner Holding Rooms, that any changes necessary to secure the rooms will be approved by Codes Enforcement, that any funds for the project be paid for through the Litigation Tax, and assign the current holding cell to the Circuit Court Clerk for file storage.

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.

Motion to adopt was made by **Commissioner Kelley** with 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 # 03-15-04

A Resolution to donate a vehicle to the Blair Volunteer Fire Department (2004 Ford Explorer)

WHEREAS, the Roane County Commission has declared a Sheriff Department's vehicle surplus to the county, and

WHEREAS, the vehicle is described as a 2004 Ford Explorer, VIN# 1FMZU72K04ZA86412 with multiple mechanical issues and high mileage, and

WHEREAS, there has been a request made by the Blair Volunteer Fire Department to receive the vehicle as a donation, and

WHEREAS, the Roane County Fire Board has met and made the vehicle available to all of the Volunteer Fire Departments and does hereby recommend that the vehicle be donated to the Blair Volunteer Fire Department.

NOW, THEREFORE, BE IT RESOLVED that this surplus vehicle, a 2004 Ford Explorer, VIN# 1FMZU72K04ZA86412, shall be donated to the Blair Volunteer Fire Department.

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 a motion of **Commissioner Johnson**, seconded by **Commissioner Hooks.**,

The following Commissioners voted Yes: **Bell, Berry, Brummett, Collier, East, Ellis, Ferguson, Fink, Granger, Hendrickson, Hooks, Johnson, Kelley, Moore, Meadows (15)**

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

The following Commissioners Passed **-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 # 03-15-05

A Resolution to place in surplus a decontamination trailer obtained from the Defense Logistics Program.

WHEREAS, the Roane County Sheriff's Department is requesting that a Decontamination Trailer (VIN 1PT011JK5P9004571) that was donated to the county for the purpose of decontaminating people that are involved with meth labs, and

WHEREAS, the Sheriff's Department has determined that this trailer due to its size is not mobile, there is no central location to set it up and maintain it, and it is no longer of any use to the Sheriff's Department, and

WHEREAS, the agreement through which the Decontamination Trailer was received requires that any funds received from the sale of the trailer be deposited into the Sheriff's Drug Fund (Fund 122) and not into a general law enforcement fund for operating expenses, and

WHEREAS, the Property Committee has met and voted to recommend approval of this resolution to declare the Decontamination Trailer surplus.

NOW, THEREFORE, BE IT RESOLVED that this Decontamination Trailer (VIN 1PT011JK5P9004571) is hereby declared surplus property and may be disposed of in accordance with TCA § may disposed of pursuant to T.C.A. 5-14-108 and that the proceeds of the sale of the Trailer be deposited in to the Sheriff's Drug Fund (Fund 122).

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

The following Commissioners voted Yes: **Bell, Berry, Brummett, Collier, East, Ellis, Ferguson, Fink, Granger, Hendrickson, Hooks, Johnson, Kelley, Moore, Meadows (15)**

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

The following Commissioners Passed: **-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 # 03-15-06

A Resolution supporting the West Care Tennessee Application for US Department of Justice Grant for a Reentry Mentoring Project and allowing the Roane County Executive to enter into a contract with West Care Tennessee upon an awarded US Department of Justice Grant.

WHEREAS, the Roane County Sheriff desires to partner with West Care Tennessee in a service grant which would mentor and strengthen relationships between young fathers and their children, hereafter known as "The Project;" and

WHEREAS, the Project would partially be conducted within the Roane County Jail Facility; and

WHEREAS, the Roane County Sheriff will assign a liaison to the Project anticipating approximately 10 percent of a full-time position, and

WHEREAS, West Care Tennessee shall apply and, if successfully awarded, administer the grant, and

WHEREAS, Roane County has no financial obligation resulting from a successfully awarded grant.

NOW, THEREFORE, BE IT RESOLVED that Roane County supports West Care Tennessee application for OFFDP FY 2015 Second Chance Art

Strengthening Relationships Between Young Fathers and Their Children: A Reentry Mentoring Project.

BE IT FURTHER RESOVED, that upon a successful grant award Roane County shall execute a contract allowing West Care Tennessee to fulfill the obligations of the grant.

UPON MOTION of **Commissioner Kelley**, seconded by **Commissioner Bell**, the following Commissioners voted yes: **Bell, Berry, Brummett, Collier, East, Ellis, Ferguson, Fink, Granger, Hendrickson, Hooks, Johnson, Kelley, Moore, Meadows (15)**

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

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

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

Resolution # 03-15-07

A Resolution to amend the General fund (101) to receive and appropriate grant money from the Governor's Highway Safety Office (GHSO).

WHEREAS, Roane County has been awarded a new grant from the GHSO, and

WHEREAS, this grant requires no match money, and

WHEREAS, this grant will pay overtime for deputies to be available to staff child passenger safety centers.

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-SEAT	Other State Grants	-	10,000	10,000
Expenditures					
101	Sheriff's Department 54110-187- SEAT	Overtime Pay	-	10,000	10,000

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, Johnsons, Kelley, Moore, Meadows (15)**

No: -0- Passed: -0-

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

Resolution # 03-15-08

A RESOLUTION amending Resolution #02-15-04 authorizing an employer participating in the Tennessee Consolidated Retirement System to change from its existing regular defined benefit plan to either the alternate defined benefit plan or the local government hybrid plan in accordance with Tennessee Code Annotated, Title 8, Chapter 35, Part 2, or to the hybrid retirement plan for state employees and teachers in accordance with Tennessee Code Annotated, Title 8, Chapter 36, Part 9.

WHEREAS, Roane County Commission in regular session on February 9, 2015 passed Resolution #02-15-04; and

WHEREAS, Section E of the Resolution should be amended to state: MAXIMUM UNFUNDED LIABILITY. (COMPLETE THIS ITEM E ONLY IF THE STATE EMPLOYEE AND TEACHER HYBRID PLAN IS SELECTED ABOVE). For purposes of the cost control provisions of Tennessee Code

Annotated, Section 8-36-922(d), the Employer defines "maximum unfunded liability" to mean an unfunded liability of no greater than 10% of total county budget.

NOW, THEREFORE, BE IT RESOLVED that the Roane County Commission does hereby amend Resolution #02-15-04, Section E to read: MAXIMUM UNFUNDED LIABILITY. (COMPLETE THIS ITEM E ONLY IF THE STATE EMPLOYEE AND TEACHER HYBRID PLAN IS SELECTED ABOVE). For purposes of the cost control provisions of Tennessee Code Annotated, Section 8-36-922(d), the Employer defines "maximum unfunded liability" to mean an unfunded liability of no greater than 10% of total county budget.

UPON MOTION of Commissioner **Moore**, seconded by **Commissioner Collier** the following Commissioners voted yes: **Bell, Berry, Brummett, Collier, East, Ellis, Ferguson, Fink, Granger, Hendrickson, Hooks, Johnson, Kelley, Moore, Meadows.** (15)

The following Commissioners voted No: --0-

The following Commissioners passed: -0-

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

RESOLUTION # 03-15-09

IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE

A **RESOLUTION** to amend the General Fund (101) to reallocate money to pay the State of Tennessee to perform certain reappraisal duties for Roane County.

WHEREAS, Roane County is on a 5 year reappraisal cycle and as a political subdivision of the state is charged to have a reappraisal program, and

WHEREAS, the importance of a successful reappraisal program does not only impact Roane County but all cities within the county and Anderson County, and

WHEREAS, not only the state but county and city leadership has expressed concerns of a successful and timely reappraisal program, and

WHEREAS, the State Board of Equalization has stated that sufficient evidence has not been presented showing that Roane County is performing the reappraisal as necessary, and

WHEREAS, due to this uncertainty the State of Tennessee has made the decision to come into Roane County and review the current data related to the reappraisal and perform certain functions of reappraisal, and

WHEREAS, should the state perform reappraisal tasks as needed to insure an accurate and timely reappraisal program the accurate estimated cost will not be known until more extensive work by the state has been completed.

WHEREAS, this cost will be identified within the Property Assessor's budget.

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

Account Fund No.	Description	Current Bgt	Amend	Amend Bgt
Expenditure				
Property Assessor				
101	52300 103 Assistants	72,100	(18,000)	54,100
	133 Paraprofessionals	172,046	<u>(32,000)</u>	122,046
			(50,000)	
Reappraisal Program				
Data Processing				
101	52310 121 Personnel	26,861	(13,000)	13,861
	133 Paraprofessionals	109,180	(23,000)	86,180
	309 Contracts with Government Agencies	-	<u>86,000</u>	86,000
			50,000	

BE IT FURTHER RESOLVED should additional vacancies occur, those positions may not be filled nor may those funds be used towards additional compensation for existing employees.

UPON MOTION of **Commissioner Collier**, seconded by **Commissioner Berry**.

The following Commissioners voted Aye: **Bell, Berry, Brummett, Collier, East, Ellis, Ferguson, Fink, Granger, Hendrickson, Hooks, Johnson, Kelley, Meadows, Moore (15)**

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.

Motion duly made by **Commissioner Moore** second by **Commissioner Collier** the March 09, 2015 meeting stood adjourned at 8:05 P.M.

APPROVED:

Chairman James Brummett

Attest:

County Clerk Barbara J. Anthony