

**MINUTES  
ROANE COUNTY COMMISSION  
REGULAR MEETING  
JUNE 13, 2016**

**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 13<sup>th</sup> day of June, 2016 at 7:00 P.M.

The Commission was called to order by **Bailiff Gary Wolfe**.

Invocation was given by **Commissioner Mike Hooks**.

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

Present and presiding was the **Honorable Ron Berry**, and the following Commissioners: **David Bell, Ron Berry, James Brummett, Peggy Collier, Benny East, Randy Ellis, Greg Ferguson, Todd Fink, Carolyn Granger, Junior Hendrickson, Mike Hooks, Chris Johnson, Steve Kelley, Darryl Meadows, and Stanley Moore. (15)**

Absent: **-0-**

**THEREUPON, Chairman Berry** announced the presence of a quorum.

Also present was Executive **Ron Woody**, County Attorney **Greg Leffew**, Director of Accounts and Budgets **Kaley Walker**, and Deputy Clerk **Bobbie Tipton**.

**APPROVE MINUTES OF THE APRIL 11, 2016 MEETING:**

**MOTION to approve** was made by **Commissioner Collier** with second by **Commissioner Meadows**.

**MOTION passed** upon unanimous voice vote.

## **ACCEPTANCE OF COMMITTEE REPORTS AND CORRESPONDENCE:**

1. **Minutes** of the Environmental Review Board 03-03-16
2. **Minutes** the Public Utility Board 03-08-16
3. **Minutes** of the Environmental Review Board 04-07-16
4. **Minutes** of the Public Utility Board 04-12-16
5. **Minutes** of the Board of Zoning Appeals 04-20-16
6. **Minutes** of the Planning Commission 04-20-16
7. **Minutes** of the County Commission Workshop Meeting 05-02-16
8. **Minutes** of the Budget Committee 03-03-16
9. **Minutes** of the Non Profit Committee 05-05-16
10. **Minutes** of the Fire Board 05-10-16
11. **Minutes** of the Industrial Liaison Committee 05-12-16
12. **Minutes** of the Office of Emergency Services 05-12-16
13. **Minutes** of the Audit Committee 05-17-16
14. **Minutes** of the Budget Committee 05-17-16
15. **Minutes** of the Board of Zoning Appeals 05-18-16
16. **Minutes** of the Planning Commission 05-18-16
17. **Minutes** of the EDA Revolving Loan Board 05-19-16
18. **Minutes** of the Fire Board 05-19-16
19. **Minutes** of the Budget Committee 05-20-16
20. **Minutes** of the Property Committee 05-23-16
21. **Minutes** of the County Owned Back Tax Property Committee 05-24-16
22. **Minutes** of the Animal Control Authority 05-24-16
23. **Minutes** of the Beer Board 05-24-16
24. **Minutes** of the Sports and Recreation Committee 05-31-16
25. **Letter from TCI** to Sheriff Jack Stockton regarding Roane County Detention Facility with attached Inspection Report revealing failure to meet state minimum standards and request for formal Plan of Action to be submitted at next meeting scheduled June 1, 2016. 04-27-16
26. **Letter from TCRS** to County Employers regarding completed actuarial valuation for the annual period of June 30, 2015 through June 30, 2016 and a report for July 1, 2016 through June 30, 2017 encouraging a higher contribution rate to be paid to protect against upward pressure on employer rates in the future. 04-11-16
27. **Agreed Order of Compromise and Dismissal** in the Circuit Court for Roane County re: Roane County, Tennessee V. Claiborne Hauling, LLC, entered May 20, 2016 signed by Judge Pemberton, County Attorney Leffew, and Jared S. Garceau, Attorney for the defendant. 05-20-16

- 28. Agreed Order** of the Tennessee State Board of Equalization Before the Administrative Judge entered May 23, 2016 for proof of revised/corrected property assessment RE: UT-Battelle Development Corporation, Map 031, Parcel 00101, Industrial Property, Tax Years 2014 & 2015, following Roane County Appeal No. 99259 & Appeal No. 104565, this order signed by Mark Aaron, Administrative Judge, Wayne R. Kramer, Esq, President of UT-Battelle Development Corporation, David Morgan, Roane County Property Assessor, and Greg H. Leffew, Esq, Roane County Attorney. 05-25-16
- 29. Notification of Inspection Findings** from TCI citing March 9, 2016 inspection and April 26, 2016 re-inspection of the Roane County Detention Facility requiring a TCI Plan of Action (attached is the resulting Plan of Action submitted by Sheriff Jack Stockton May 16, 2016.) 05-16-16
- 30. Public Chapter No. 1085** for the State of Tennessee, House Bill NO. 2343 by Representative Calfee, substituted for Senate Bill No. 1949 by Senators Yager, Bailey, & Bowling. "AN ACT to amend Tennessee Code Annotated, Title 67, Chapter 5, Part 25, relative to property purchased by the county at delinquent tax sales." Signed by House of Representatives Speaker, Beth Harwell and Speaker of the Senate, Ron Ramsey, it was approved on May 20, 2016.
- 31. Letter from Lamar Alexander of the U.S. Senate**, to County Executive Ron Woody regarding his opposed stance on the proposed Crab Orchard Wind Farm in neighboring Cumberland County citing his opinion of greater aesthetic damage than environmental benefit. 05-25-16
- 32. Proclamation** "Shrine Paper Week" declared to be the week of May 8-14, 2016 by the County Executive, Ron Woody. 05-05-16
- 33. Report, Monthly for County Executive's Departments** with full Index for the month of April, 2016. 06-02-16

**MOTION to accept** was made by **Commissioner Granger**, with second by **Commissioner Kelley**.

MOTION **passed** upon **unanimous voice vote**.

**NOTARIES:**

The following persons desiring to be elected as a Notary Public in Roane County were presented by Deputy Clerk Bobbie Tipton: Jessica M. Aydelott, Sharla Bowman, Kim Cox, Katherine I. Dryman, Jennifer Fisher, Mark N. Foster, Nathalia L. Gamble, Jessica Starr Jones, Chelsea L. Kline, Elizabeth Massengill, Eleanor F. Neal, Sharon L.

Newman, Jennifer Pipkin, Billie Jo Runyon, Christina D. Smith, Kim Z. Walls, and Steven H. White.

**MOTION to accept** was made by **Commissioner Hendrickson** with second by **Commissioner Brummett**.

MOTION **passed** upon **unanimous voice vote**.

**THEREUPON**, the Chairman announced that the **Notaries had been elected**.

**HEARING OF DELEGATION:** (5)

**Albert Tate**

**721 Dogwood Valley Rd.**

**Kingston, TN 37763**

Mr. Tate addressed the detriment of Tiger Haven's environmental damage specifically regarding his own property for sale. Tate said his attempt to get verification of safe conditions for his property was thwarted by Tiger Haven's environmental negligence. Mr. Tate also spoke about his concern for a newly constructed fence that may signal the expansion of Tiger Haven (illegally?), and that due to the massive runoff caused by the facility, this should not happen.

**Gary Aytes**

**236 Rogers Circle**

**Rockwood, TN 37854**

Mr. Aytes came forward before the Commission to declare his retirement from County employment on June 30 and to express appreciation for the Courthouse staff, the Sheriff's Department, the Road Department, and the County Commission throughout his service. He noted that creating a bright future for Roane County is still a priority of his despite his retirement.

**E. E. Bloom**

**612 Dogwood Valley Rd.**

**Kingston, TN 37763**

Mr. Bloom spoke extensively about his opposition to Tiger Haven's presence in the county due to their "tremendous amount of environmental insult" including, but not limited to massive amount of runoff and washed out soil that flow into major tributaries like the Tennessee River by way of nearby Wolf Creek. He presented photos for the Commissioners to view of the Pesterfield Property located next to Tiger Haven, as well as "before" and "after" photos of a spring-fed pond on the property. He also presented a

water sample from the pond to the Commission. His plea for assistance from the Commission was described by him as a need to fight Tiger Haven on their violation of state and Federal regulations and a fear of complete continued lack of action should their facility be totally governed and regulated by TWRA instead of the County.

**Toby Rhynehart**  
**535 Dogwood Valley Rd.**  
**Kingston, TN 37763**

Mr. Rhynehart addressed the Commission further about the negative effects of Tiger Haven in addition to the previous statements and inquired about the possibility of re-zoning the land Tiger Haven is located on in order to close them down due to environmental negligence and violation of regulations; because he expressed dissent over the involvement of the state, specifically entities like TWRA for fear of a lack of attention to specific damages done to the surrounding areas.

**David McDaniel**  
**902 Eblen Ln.**  
**Kingston. TN 37763**

Mr. McDaniel addressed the Commission about the condition of Robinette Lane, a road located off of Eblen Cave Rd. He spoke of research dating back to a 1960 court case declaring that the county was to take over all roads created by the Interstate, which would include Robinette Lane and its maintenance.

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

County Attorney Greg Leffew updated the Commission on pending lawsuits with the county, describing eight (8) property maintenance cases set for trial on Friday, June 16, 2016, two (2) set for June 26, a Board of Zoning Appeals appeal set for June 21, 2016, and one new lawsuit in which the county is being sued over Lake Rd. The road was never assigned to the county, but local landowners are suing for the road to be declared a county road.

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

**(See Attachment)**

**SPECIAL ORDERS: (7)**

**Confirmation of reappointment of Jeff Parkison to the County Board of Public Utilities due to expiration of his term. The new term ends June 30, 2019.**

**MOTION to approve** was made by **Commissioner Kelley** and seconded by **Commissioner Moore**.

**MOTION passed** upon **unanimous voice vote**.

**Confirmation of reappointment of Allen Deitz to the County Board of Public Utilities due to expiration of his term. The new term ends June 30, 2019.**

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

**MOTION passed** upon **unanimous voice vote**.

**Confirmation of appointment of Martha Deaderick to the Environmental Review Board due to expiration of David Martin's term. The new term ends July 31, 2019.**

**MOTION to approve** was made by **Commissioner Granger** with second by **Commissioner Meadows**.

**MOTION passed** upon **unanimous voice vote**.

**Confirmation of appointment of Janice Moody to the Environmental Review Board due to the expiration of Allen Townsend's term. The new term ends July 31, 2019.**

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

**MOTION passed** upon **unanimous voice vote**.

**Confirmation of appointment of Ad-Hoc Insurance and Benefits Committee with members Ron Berry, James Brummett, Chris Johnson, Steve Kelley, Peggy Collier, and Lynn Farnham.**

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

**MOTION passed** upon **unanimous voice vote**.

**Confirmation of appointment of Todd Fink to replace Junior Hendrickson's position on Non Profit Committee.**

**MOTION to approve** was made by **Commissioner Hendrickson** and seconded by **Commissioner Granger**.

**MOTION passed** upon **unanimous voice vote**.

**Election of a member to the Roane County Industrial Development Board and the Health, Education and Housing Facilities Board to fill the vacancy caused by the resignation of Jerry Stephens. The new member will fulfill the remainder of Mr. Stephen's term which will expire March 12, 2019.**

**MOTION to nominate Jeff Nichols** was made by **Commissioner Hooks** and seconded by **Commissioner Hendrickson**.

**MOTION passed** upon **unanimous voice vote**

**OLD BUSINESS:** (1)

**RESOLUTION NO. 05-16-05  
IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE**

**A RESOLUTION authorizing the county attorney to file a lawsuit regarding the property of Lanten Investments LLC, regarding a violation of the 2012 International Building Code, Section 105 Permits, by allowing a structure to be placed on property designated as Tax Map 089O, Group A, Parcel 010.00.**

**WHEREAS**, Roane County, Tennessee adopted the 2012 International Residential Code (IRC) by adoption of **Resolution # 11-12-09**.

**WHEREAS**, the 2012 International Residential Code (IRC) Section 105 set the requirements for permits.

**WHEREAS**, Lanten Investments LLC have violated Roane County Resolution # 01-14-03, by continuing to allow the condition overgrown vegetation and accumulated debris on property designated as Tax Map 089O, Group A, Parcel 010.00.

**WHEREAS**, Lanten Investments LLC, having failed to comply with Resolution # 11-12-09 regarding the 2012 International Building Code, Section 105 Permits by

allowing a structure to be placed on property identified as Tax Map 0890, Group A, Parcel 010.00 without a building permit, are subject to said 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 Lanten Investments LLC, having failed to comply with Resolution # 11-12-09 regarding the 2012 International Building Code, Section 105 Permits by allowing a structure to be placed on property identified as Tax Map 0890, Group A, Parcel 010.00 without a building permit, are subject to said building code, and if they are, petitioning the court to enforce the same by granting injunctive and other relief.

**MOTION to approve** was made by **Commissioner Johnson** with second by **Commissioner Hendrickson**

MOTION **passed** upon **unanimous voice vote**.

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

**(See attached photos)**

**NEW BUSINESS:** (16)

**RESOLUTION NO. 06-16-01  
IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE**

**A RESOLUTION honoring the Midway Lady Waves Softball Team for their winning performance**

**WHEREAS**, the Midway Lady Waves softball team finished the season with an overall record of 30 wins and 13 losses and a district record of 9 wins and 2 losses, and;

**WHEREAS**, the Midway Lady Waves softball team excelled in post-season play; placing second in the district tournament, second in the regional tournament and winning the Sub-State playoff game with a score of 10-0, and;

**WHEREAS**, the Midway Lady Waves softball team played in the TSSAA Class A State Softball Tournament this year; and

**WHEREAS**, the Midway Lady Waves softball team came in 4th in the state with the first state tournament wins in Midway Lady Waves softball history; and

**WHEREAS**, Coach Megan Arndts and Coach David Sohm are to be commended for their ability to instill a strong work ethic and a sense of dedication to each other in their players, and;

**WHEREAS**, the Midway Lady Waves softball players are to be commended for their efforts and their dedication to the game and to the classroom, and;

**WHEREAS**, it is altogether fitting and proper that the Midway Lady Waves softball team be honored for its performance on the softball field in season play and in post-season play.

**NOW, THEREFORE, BE IT RESOLVED**, that the Roane County Commission does hereby honor the MIDWAY LADY WAVES SOFTBALL TEAM for their winning performance.

**BE IT FURTHER RESOLVED** that a copy of this resolution be presented to the Midway Lady Waves softball team.

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

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.

**RESOLUTION NO. 06-16-02  
IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE**

**A Resolution authorizing the County Executive to enter into a settlement agreement with Tiger Haven, Inc.**

**WHEREAS**, court rulings have authorized Tiger Haven, Inc. to maintain a Class I Wildlife Facility on Parcels 22.06 and 29.01 on Roane County Tax Map 81.

**WHEREAS**, Roane County Commission enacted Resolution 10-15-07 authorizing a suit to be filed against Tiger Haven, Inc. to enforce the 2012 International Building Code as to portions of a fence located on Parcels 22.05, 22.08, 22.09 and 22.10 and Tax Map 81; and

**WHEREAS**, Tiger Haven, Inc. owns certain other Parcels on Tax Map 81, specifically Parcels 22.11, 22.12, 22.05, 22.08, 22.09, 22.10 and 32.09.

**WHEREAS**, Tiger Haven has offered to obtain a building permit for the aforesaid fence and to not expand the housing of Class I Wildlife onto its other Parcels, as well as any other Parcels it may hereafter own, if Roane County would (1) refrain from filing said suit, (2) agree that the construction and maintenance of said fence should be governed by TWRA regulations concerning perimeter fencing, and (3) agree that TWRA is the proper party for inspecting said fence.

**WHEREAS**, the fence construction standards and requirements imposed by TWRA for a perimeter fence exceed the fence construction standards and requirements of the 2012 International Building Code.

**WHEREAS**, such an agreement benefits Roane County, because it ensures that Class I Wildlife will not be housed or kept on any Parcels other than the aforesaid Parcels 22.06

and 29.01, unless Roane County should ever change its zoning regulations to permit Class I Wildlife Facilities on other parcels.

**NOW, THEREFORE, BE IT RESOLVED** by the Roane County Commission that Resolution 10-15-07 is hereby rescinded.

**FURTHER BE IT RESOLVED** by the Roane County Commission that the Roane County Executive is hereby authorized to enter into the attached Settlement Agreement with Tiger Haven, Inc.

**UPON MOTION** of **Commissioner Hooks**, seconded by **Commissioner Moore**,

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

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

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

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

**(See attached Settlement Agreement)**

**RESOLUTION NO. 06-16-03  
IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE**

**A RESOLUTION** authorizing the county attorney to file a lawsuit regarding the property of Fred Hill, for violating Roane County Resolution # 01-14-03 regarding overgrown vegetation and accumulated debris on property located on Massengill Springs Road, designated as Tax Map 007, Parcel 083.01.

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

**WHEREAS**, Resolution # 01-14-03 sets the criteria for overgrown vegetation and accumulated debris.

**WHEREAS**, Fred Hill has violated Roane County Resolution # 01-14-03, by continuing to allow the condition overgrown vegetation and accumulated debris on property located on Massengill Springs Road, designated as Tax Map 007, Parcel 083.01

**WHEREAS**, Fred Hill, having failed to comply with Roane Resolution # 01-14-03 regarding overgrown vegetation and accumulated debris on property located on Massengill Springs Road, designated as Tax Map 007, Parcel 083.01, are subject to Roane County Zoning Regulations Section 303.2 Permitted Uses, 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 Fred Hill, having failed to comply with Roane Resolution # 01-14-03 regarding overgrown vegetation and accumulated debris on property located on Massengill Springs Road, designated as Tax Map 007, Parcel 083.01, are subject to Roane County Zoning Regulations Section 303.2 Permitted Uses, and if they are, petitioning the court to enforce the same by granting injunctive and other relief.

**UPON MOTION** by **Commissioner Brummett**, seconded by **Commissioner Johnson**,

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

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

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

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

**(See attached photos)**

**RESOLUTION NO.06-16-04**

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

**A RESOLUTION** authorizing the county attorney to file a lawsuit regarding the property of James Earl Bartlett, for violating Roane County Resolution # 01-14-03 regarding overgrown vegetation and accumulated debris on property located at 213 Rock Bridge Road, designated as Tax Map 012, Parcel 009.01.

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

**WHEREAS**, Resolution # 01-14-03 sets the criteria for overgrown vegetation and accumulated debris.

**WHEREAS**, James Earl Bartlett has violated Roane County Resolution # 01-14-03, by continuing to allow the condition overgrown vegetation and accumulated debris on property located at 213 Rock Bridge Road, designated as Tax Map 012, Parcel 009.01

**WHEREAS**, James Earl Bartlett, having failed to comply with Roane Resolution # 01-14-03 regarding overgrown vegetation and accumulated debris on property located at 213 Rock Bridge Road, designated as Tax Map 012, Parcel 009.01, are subject to Roane County Zoning Regulations Section 303.2 Permitted Uses, 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 James Earl Bartlett, having failed to comply with Roane Resolution # 01-14-03 regarding overgrown vegetation and accumulated debris on property located at 213 Rock Bridge Road, designated as Tax Map 012, Parcel 009.01, are subject to Roane County Zoning Regulations Section 303.2 Permitted Uses, and if they are, petitioning the court to enforce the same by granting injunctive and other relief.

**UPON MOTION** by **Commissioner Fink**, seconded by **Commissioner Brummett**,

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

The following Commissioners **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.

**(See attached photos)**

**RESOLUTION NO. 06-16-05  
IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE**

**A RESOLUTION** authorizing the county attorney to file a lawsuit asking the court to declare whether James Johnson, by operating a junkyard and/or outdoor storage/salvage operation and for violating Roane County Resolution # 01-14-03 regarding overgrown vegetation and accumulated debris on property addressed at 1114 Salem Valley Road, designated as Tax Map 119, Parcel 005.01 is subject to Roane County Zoning Regulations, and if he is, petitioning the court to enforce the same by granting injunctive and other relief.

**WHEREAS**, Roane County, Tennessee adopted regional zoning by adoption of Resolution #2101 on May 4, 1990.

**WHEREAS**, said property is located in an (A-1) Agricultural District.

**WHEREAS**, James Johnson, having failed to comply with Roane County Zoning Regulations by operating a junkyard-outdoor storage/savage operation in an (A-1) Agricultural District on property addressed at 1114 Salem Valley Road designated as Map 119, Parcel 005.01 is subject to Roane County Zoning Regulations, and if he is, petitioning the court to enforce the same by granting injunctive and other relief.

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

**WHEREAS**, Resolution # 01-14-03 sets the criteria for overgrown vegetation and accumulated debris.

**WHEREAS**, James Johnson has violated Roane County Resolution # 01-14-03, by continuing to allow the condition overgrown vegetation and accumulated debris on property located at 1114 Salem Valley Road, designated as Tax Map 119, Parcel 005.01

**WHEREAS**, James Johnson, having failed to comply with Roane Resolution # 01-14-03 regarding overgrown vegetation and accumulated debris on property located at 1114 Salem Valley Road, designated as Tax Map 119, Parcel 005.01, are subject to Roane County Zoning Regulations Section 303.2 Permitted Uses, 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 James Johnson is operating a junkyard-outdoor storage/savage operation by violating Roane County Resolution # 01-14-03 regarding overgrown vegetation and accumulated debris on property addressed at 1114 Salem Valley Road, designated as Map 119, Parcel 005.01 is subject to Roane County Zoning Regulations, 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 Meadows**,

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

The following Commissioners **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.

**(See attached photos)**

**RESOLUTION NO. 06-16-06  
IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE**

**A RESOLUTION** authorizing the county attorney to file a lawsuit asking the court to declare whether the estate of Tony Clough/ and or heirs by operating a junkyard and/or outdoor storage/salvage operation on property addressed at 1452 and 1458 Webster Road, designated as Tax Map 018, Parcels 143 and 143.01 is subject to Roane County Zoning Regulations Section 302.2 Permitted Uses, and if he is, partitioning the court to enforce the same by granting injunctive and other relief.

**WHEREAS**, Roane County, Tennessee adopted regional zoning by adoption of Resolution #2101 on May 4, 1990.

**WHEREAS**, said properties are located in an A2 (Developing Agricultural) District.

**WHEREAS**, a junkyard is not a permitted use in an A2 (Developing Agricultural) District.

**WHEREAS**, Section 313 I3-B Junkyards defines a junkyard as any land area, lot, parcel or tract within the unincorporated portions of Roane County that is used for the holding, parking, storage or accumulation of junk (including, but not limited to metal, rope rags, plastics, paper, trash, other debris and used appliances and equipment) that covers in excess of 100 square feet of any land parcel or combination of parcels. The collection, dismantlement, storage, or salvage of two (2) or more unlicensed, inoperative vehicles.

**WHEREAS** the estate of Tony Clough/and or heirs having failed to comply with Roane County Zoning Regulations by operating a junkyard-outdoor storage/savage operation in a Developing Agricultural District on property addressed at 1452 and 1458 Webster Road designated as Map 018, Parcel 143 and 143.01 is subject to Roane County Zoning Regulations Section 302.2 Permitted Uses, 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 the estate of Tony Clough/ and or heirs is operating a junkyard-outdoor storage/savage operation on property addressed at 1452 and 1458 Webster Road, designated as Map 018, Parcel 143 and 143.01 is subject to Roane County Zoning Regulations Section 302.2 Permitted Uses, and if he is, petitioning the court to enforce the same by granting injunctive and other relief.

**UPON MOTION** by **Commissioner Granger**, seconded by **Commissioner Kelley**,

The following Commissioners voted **Aye**: **Bell, Berry, Brummett, Collier, East, Fink, Hooks, Johnson, Kelley, Meadows, and Moore. (11)**

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

The following Commissioners voted **No**: **Ellis, Ferguson, Granger, and Hendrickson. (4)**

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

**(See attached photos)**

**RESOLUTION NO. 06-16-07**

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

**A RESOLUTION** authorizing the county attorney to file a lawsuit regarding the property of Gregory Allen Blank and Lowell Thomas Blank, for violating Roane County Resolution # 01-14-03 regarding overgrown vegetation and accumulated debris on property located on Massengill Springs Road, designated as Tax Map 007, Parcel 056.06.

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

**WHEREAS**, Resolution # 01-14-03 sets the criteria for overgrown vegetation and accumulated debris.

**WHEREAS**, Gregory Allen Blank and Lowell Thomas Blank has violated Roane County Resolution # 01-14-03, by continuing to allow the condition overgrown vegetation and accumulated debris on property located on Massengill Springs Road, designated as Tax Map 007, Parcel 056.06

**WHEREAS**, Gregory Allen Blank and Lowell Thomas Blank, having failed to comply with Roane Resolution # 01-14-03 regarding overgrown vegetation and accumulated debris on property located on Massengill Springs Road, designated as Tax Map 007, Parcel 056.06, are subject to Roane County Zoning Regulations Section 303.2 Permitted Uses, 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 Gregory Allen Blank, having failed to comply with Roane Resolution # 01-14-03 regarding overgrown vegetation and accumulated debris on property located on Massengill Springs Road, designated as Tax Map 007, Parcel 056.06, are subject to Roane County Zoning Regulations Section 303.2 Permitted Uses, and if they are, petitioning the court to enforce the same by granting injunctive and other relief.

**UPON MOTION** by **Commissioner Brummett**, seconded by **Commissioner Hooks**,

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

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

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

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

**(See attached photos)**

**RESOLUTION NO. 06-16-09  
IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE**

**A Resolution instructing the County Executive not to pay delinquent property taxes on certain properties.**

**WHEREAS**, properties were purchased at a delinquent tax sale making the county a new owner of said properties; and

**WHEREAS**, the county desires not to pay the delinquent taxes owed to the City of Harriman on the newly acquired property.

**NOW, THEREFORE, BE IT RESOLVED** that the Roane County Commission does hereby instruct the County Executive not to pay the delinquent taxes on the properties identified on the attached spreadsheet dated May 24, 2016, thus allowing the City of Harriman to become the new owners at a municipal tax sale.

**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 Granger**,

**The following Commissioners voted Aye: Bell, Berry, Brummett, Collier, East, Ellis, Ferguson, Fink, Granger, Hendrickson, Hooks, Johnson, Kelley, Meadows, and 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.

**(See attachment)**

**RESOLUTION NO. 06-16-10  
IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE**

**A Resolution authorizing the County Executive to accept a State of Tennessee Economic and Community Development Select Tennessee Site Development Grant and amending the General Capital Projects Fund (171) in order to match the grant**

**WHEREAS**, the State of Tennessee has invested money in the newly announced Rural Economic Development Fund; and

**WHEREAS**, Roane County desires to improve our competitiveness in the Industrial Recruitment arena; and

**WHEREAS**, the Industrial Board of Roane County desires to partner with Roane County in this grant application; and

**WHEREAS**, the Industrial Board of Roane County wishes to continue the development of the Jones Road site in the Roane Regional Business and Technology Park; and

**WHEREAS**, Phase 1 of the grading of the site is expected to cost \$880,000; and

**WHEREAS**, the State of Tennessee Site Development Grant will provide approximately \$380,000 of the project cost; and

**WHEREAS**, the Roane County Industrial Development Board will provide approximately \$250,000 of the project cost; and

**WHEREAS**, Roane County will provide approximately \$250,000 of the project cost; and

**WHEREAS**, Roane County has funds in the Capital Industrial Development account (171-IND) with which to match the grant

**NOW THEREFORE BE IT RESOLVED** that the Roane County Commission approves the Roane County Executive to apply for the State of Tennessee Economic and Community Development Select Tennessee Site Development Grant.

**BE IT FURTHER RESOLVED** that the General Capital Projects Fund 171 account IND be herein amended as follows:

Fund		Object	Description	current	amend	amend bgt
<b>Revenue</b>			<b>IND Sub Fund</b>			
	171	44570-IDB	Contributions & Gifts	-	250,000	250,000
	171	46980	Other State Grants	-	<u>380,000</u>	380,000
					630,000	
<b>Expenditures</b>						
	171	91190	724 Site Development	-	880,000	880,000
<b>Fund Balance</b>						
	171	34585	Restricted for Capital Projects	300,000	(250,000)	50,000

**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 Hooks**, seconded by **Commissioner Meadows**,

The following Commissioners voted **Aye**: **Bell, Berry, Brummett, Collier, East, Ellis, Ferguson, Fink, Granger, Hendrickson, Hooks, Johnson, Kelley, Meadows, and 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.

**RESOLUTION NO. 06-16-11  
IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE**

**A RESOLUTION establishing a delinquent tax property management policy and approving the implementation of said policy.**

**WHEREAS**, Roane County's Clerk and Master annually conducts sales of delinquent tax property; and

**WHEREAS**, Roane County desires to establish a policy to manage delinquent tax properties which could be purchased by the county at a delinquent tax sale; and  
**WHEREAS**, Public Chapter 1085 was adopted in 2016 by the Tennessee Legislature; and

**WHEREAS**, Public Chapter 1085 gives the county 120 days to evaluate property for environmental and financial risk to help determine whether the county shall assume the property or have the Chancellor to set aside the county bid.

**NOW THEREFORE BE IT RESOLVED** that the Roane County Commission meeting in regular session on June 13, 2016 does recognize and will consider the following property attributes in the financial evaluation on properties which the county has submitted a bid on at a delinquent tax sale. Properties which:

- a. Have Home Owners' Association (HOA) dues or fees;
- b. Are within a municipality wherein a joint sale is not conducted with the municipality;
- c. Are within a municipality that the municipality's delinquent tax exceeds the same number of years that the county delinquent tax is being sold;
- d. The county's evaluation shows that liability of the property would exceed the anticipated selling price of the property.
- e. Other attributes related to the property which could impact the property's value.

**BE IT FURTHER RESOLVED** that in the event that the County is required to obtain properties at a delinquent tax sale which consists of HOA dues or fees and the county is required to pay the respective dues or fees, the county shall set a special assessment tax levy on the properties within the respective HOA in an amount sufficient to pay the county's HOA dues or fees at the next setting of the county tax rates.

**UPON MOTION** of **Commissioner Moore**, seconded by **Commissioner Kelley**,

**The following Commissioners voted Aye: Bell, Berry, Brummett, Collier, East, Ellis, Ferguson, Fink, Granger, Hendrickson, Hooks, Johnson, Kelley, Meadows, and 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.

**RESOLUTION NO. 06-16-12**

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

**A RESOLUTION TO PLACE IN SURPLUS the remaining equipment and supplies donated to Roane County by the Tennessee Valley Authority (TVA) and/or the State of Tennessee.**

**WHEREAS**, TVA had excess equipment and supplies that were purchased as a result of the ash spill, and after TVA had no further use of said equipment and supplies and donated it to the county, and whereas various equipment and supplies were donated to Roane County from the State of Tennessee, and

**WHEREAS**, TVA required that if Roane County took any of the equipment and supplies received from TVA or the State of Tennessee, and

**WHEREAS**, Roane County has no use for some of the equipment and supplies received from TVA or the State of Tennessee, and

**WHEREAS**, the Highway Department has requested that this equipment and/or supplies be declared surplus to the county.

**NOW, THEREFORE, BE IT RESOLVED** that the equipment and supplies are hereby declared surplus property and may be disposed of in accordance with TCA § 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 Ellis**, seconded by **Commissioner Fink**,

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

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

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

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

**(See attachment)**

**RESOLUTION NO. 06-16-13  
IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE**

**A RESOLUTION TO PLACE IN SURPLUS a certain General Fund vehicle assigned to the Codes Enforcement Department.**

**WHEREAS**, a 2007 Chevrolet Trailblazer, vehicle identification number 1GNDDT13S172210477, is of no longer use to the Codes Enforcement Department and it has been requested to have this vehicle declared surplus, and

**WHEREAS**, this vehicle is in very poor condition and would not serve any other department due to the mechanical issues that exist.

**NOW, THEREFORE, BE IT RESOLVED** that the aforementioned vehicle is hereby declared surplus property and will be sold on GovDeals and in accordance with TCA §5-14-108.

**UPON MOTION of Commissioner Kelley**, seconded by **Commissioner Johnson**,

**The following Commissioners voted Aye: Bell, Berry, Brummett, Collier, East, Ellis, Ferguson, Fink, Granger, Hendrickson, Hooks, Johnson, Kelley, Meadows, and 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.

**RESOLUTION NO. 06-16-14  
IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE**

**A RESOLUTION TO PLACE IN SURPLUS a certain Sheriff's Drug Control Department vehicle.**

**WHEREAS**, a 2007 GMC Yukon Denali, vehicle identification number 1GKFK13097J210627, is of no longer use to the Sheriff's Department and it has been requested to have this vehicle declared surplus, and

**WHEREAS**, this vehicle was purchased with funds from the Sheriff's Drug Control Fund #122, and

**WHEREAS**, it is required that the vehicle be sold and cannot be transferred to another department.

**NOW, THEREFORE, BE IT RESOLVED** that the aforementioned vehicle is hereby declared surplus property and sold on GovDeals.

**UPON MOTION of Commissioner Kelley**, seconded by **Commissioner Meadows**,

**The following Commissioners voted Aye: Bell, Berry, Brummett, Collier, East, Ellis, Ferguson, Fink, Granger, Hendrickson, Hooks, Johnson, Kelley, Meadows, and 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.

**RESOLUTION NO. 06-16-15  
IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE**

**A RESOLUTION to Amend the Roane County Economic Administration Revolving Loan Fund Plan**

**WHEREAS**, in July 1987, by adopting Resolution #1793, the Roane County Commission instructed the County Executive to execute all contracts and administrative documents in order for Roane County to administer the Economic Development Administration's Revolving Loan Fund and,

**WHEREAS**, in March 1988, by adopting Resolution # 1859, Roane County Commission created the Economic and Community Development Fund (359) and,

**WHEREAS**, the Economic Development Administration Revolving Loan Fund operates under a plan (Plan Attached) approved by the Roane County Economic Revolving Loan Fund Board and the Federal Economic Development Administration and that operation is certified annually by the Roane County Legislative Commission.

**NOW, THEREFORE, BE IT RESOLVED** that the following changes and additions be made to the above referred Plan. The changes being subject to the approval by the Roane County Economic Development Revolving Loan Fund Board and the Federal Economic Development Administration of this resolution.

In Section I, the following addition will be made to Business Development Objectives:  
12. Roane County Economic Administration Revolving Loan Board shall refer all loan applicants who do not meet the requirements set forth in this plan to the East Tennessee Development District who operate a regional revolving loan fund.

In Section II, the following addition will be made to Loan Documentation:

11. A report (authorized by the applicant) documenting their receipt of financial counseling/mentoring from a local SCORE representative. (Service Corp of Retired Executives)

**UPON MOTION of Commissioner Meadows, seconded by Commissioner Ellis,**

**The following Commissioners voted Aye: Bell, Berry, Brummett, Collier, East, Ellis, Ferguson, Fink, Granger, Hendrickson, Hooks, Johnson, Kelley, Meadows, and 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.

**(See attachment)**

**RESOLUTION NO. 06-16-16  
IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE**

**A RESOLUTION** establishing the contribution rate to the Tennessee Consolidated Retirement System (TCRS) for legacy employees, those hired prior to October 1, 2015.

**WHEREAS**, Roane County has adopted a flat contribution with a hybrid retirement system for all employees hired after October 1, 2015; and

**WHEREAS**, those employees hired prior remain on the TCRS defined benefit plan with an adjustable actuary contribution yearly; and

**WHEREAS**, this actuarial valuation has been recommended at a minimum of 4.09% of salary; and

**WHEREAS**, it is also recommended by TCRS to fund above this minimum so as to ensure funding in the case of any financial gains that fall below the 7.5% annual anticipated return.

**NOW, THEREFORE, BE IT RESOLVED** that the contribution rate is set for the fiscal year beginning July 1, 2016 through June 30, 2017 at 7%, which is greater than the 4.09% minimum as provided from TCRS.

**UPON MOTION** of **Commissioner Ellis**, seconded by **Commissioner Hooks**,

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

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

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

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

**There being no further business, Chairman Berry called for the meeting to be closed.**

**MOTION to adjourn** was made by **Commissioner Moore** seconded by **Commissioner Granger**.

**MOTION passed upon unanimous voice vote.**

**Meeting adjourned at 8:49 P.M.**

**APPROVE:**

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**Chairman Ron Berry**

**Attest:**

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**County Clerk Barbara J. Anthony**