

**MINUTES
ROANE COUNTY COMMISSION
REGULAR MEETING
July 10, 2017**

**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 10 day of July , 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 Ron Berry** and the following Commissioners: **Bell, Brummett, Collier, East, Ellis, Ferguson, Fink, Granger, Hendrickson, Hooks, Johnson, Kelley, Moore, Meadows (15)**.

Absent: -0-

THEREUPON Chairman Berry announced the presence of a quorum. Also present was County Executive **Ron Woody**, County Attorney **Greg Leffew**, Budget Director **Connie Aytes**, Building Inspector **Glen Cofer**, and Deputy Clerk **Beth Johnson and Amber Cofer**.

APPROVE MINUTES OF THE June 12, 2017 MEETING.

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

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

The following Commissioners Passed: -0-

The following Commissioners voted No: -0-

MOTION Passed upon unanimous voice vote.

ACCEPTANCE OF COMMITTEE REPORTS AND CORRESPONDENCE:

1. Minutes of Public Utilities 05-09-17.
2. Minutes of Environmental Review Board 05-16-17.
3. Minutes of Board of Zoning Appeals 05-17-17.
4. Minutes of Planning Commission 05-17-17.
5. Minutes of Aquatic Weeds 05-22-17.
6. Minutes of Ag Committee 05-25-17.
7. Minutes of Property Committee 06-05-17.

8. Minutes of Road Committee 06-05-17.
9. Minutes of Emergency Service 06-08-17.
10. Minutes of Fire Board 06-13-17.
11. Minutes of Industrial Liaison 06-15-17.
12. Minutes of Budget Committee 06-15-17.
13. Minutes of Road Committee 06-20-17.
14. Minutes of Budget Committee 06-22-17
15. Ambulance Audit 2016 05-22-17
16. Letter re: Department of Environment and Conservation for participation in Household Hazardous Waste Program 05-31-17
17. Letter re: City of Kingston expressing interest in Roane County High property 06-14-17.
18. E-911 Amended Budget for fiscal year 2016-2017. 06-22-17
19. Notice to Local Legislative Body of Legislative action of Private Act. 06-27-17
20. Letter re: Hands of Mercy request help with their Tax Exemption issue. 06-27-17

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

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-

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 **Beth Johnson**: Amber Cofer, Mary K. Edwards, Terri L. Lacey, Angela J. Lange, Steven L. Manz, Kristie Scarbrough.

Motion to accept was made by **Commissioner Hendrickson** , with second by **Commissioner Johnson**.

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

The following Commissioners passed: -0-

The following Commissioners voted No: -0-

Motion **Passed** upon unanimous voice vote.

HEARING OF DELEGATION:

Toby Rhynehart spoke opposing the dog rescue requested by the owners of Tiger Haven.

Robert Silvera , owner of Respie Lodge, spoke in support of Resolution 07-17-05: allows the Hotel/Motel assessed in Roane County to be remitted when State and Local Sales Taxes are paid.

Robert Silvera , owner of Respie Lodge, spoke in support of Resolution 07-17-05: allows the Hotel/Motel assessed in Roane County to be remitted when State and Local Sales Taxes are paid.

Helen Ray spoke about the condition of a bridge leading to her trailer park. She had the bridge fixed at a cost of \$8,000 to \$10,000 to her. She had spoken to Ron Woody and Dennis Ferguson asking for help with the bridge. She thinks the road maybe a county road (Ray's Park Road) and asked for reimbursement of her money.

Everett Bloom also spoke in opposition of the dog rescue at Tiger Haven

COUNTY ATTORNEY'S REPORT:

County Attorney Greg Leffew discussed the county's pending lawsuits and answered questions from the Commissioners.

COUNTY EXECUTIVE'S REPORT:

SPECIAL ORDERS:

Confirmation of appointment of Assistant Police Chief Kenny Humphrey to the E-911 board as a Harriman representative to replace David Bailey who has moved out of state. The new Term will expire December 31, 2021.

Motion to confirm appointment made by Commissioner Ellis, second by Commissioner Ferguson.

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

The following Commissioners passed: Hooks

The following Commissioners voted No: -0-

THEREUPON, the Chairman announced the motion passed.

Confirmation of re-appointment of Mary Anne Koltowich to the Environmental Review Board due to the expiration of her term. The new term will expire July 30, 2020.

Motion to confirm re-appointment made by Commissioner Granger, second by Commissioner East.

Upon roll call vote, the following Commissioners voted Aye: Bell, Berry, Brummett, Collier, East, Ellis, Ferguson, Fink, Hooks, Granger, Hendrickson, Johnson, Kelley, Meadows, Moore.(15)

The following Commissioners passed: -0-

The following Commissioners voted No: -0-

Confirmation of appointment of Tom Brown to the Environmental Review Board as a new member. The term will expire July 30, 2020.

Motion to confirmation of appointment was made by Commissioner Granger, second by Commissioner Johnson.

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

The following Commissioners passed: -0-

The following Commissioners voted No: -0-

ZONING RESOLUTIONS:

REZONING RESOLUTION 07-17—01z

A RESOLUTION OF ROANE COUNTY PLANNING COMMISSION RECOMMENDING ACTION BY THE ROANE COUNTY LEGISLATIVE COMMISSION ON A RESOLUTION AMENDING THE ROANE COUNTY ZONING MAP.

ROANE COUNTY PLANNING

COMMISSION RECOMMENDS:

 X APPROVAL

 DENIAL

 OTHER

REQUESTED BY:

PUBLIC HEARING INFORMATION

NOTICE DATE: June 09, 2017

NEWSPAPER: ROANE COUNTY NEWS

HEARING DATE: July 10, 2017

COUNTY COMMISSION ACTION

READING DATE: July 10, 2017

EFFECTIVE DATE: July 10, 20

_____ Planning Commission Chairman

_____ Planning Commission Secretary

_____ Date

COMMENT:

Planning Commission unanimously approved the request.

WHEREAS, Roane County Legislative Commission has been asked to consider the rezoning of Map 018, Parcels 127.03 and 127.04 as shown on the attached map, and, WHEREAS, the planning commission of jurisdiction has reviewed the request to have said parcel rezoned from A-2 (Developing Agricultural) to I-3 (Heavy Industrial District) and, WHEREAS, the planning commission recommendation is certified: BE IT RESOLVED BY THE ROANE COUNTY COMMISSION THAT:

Section 1: Map 018, Parcel 127.03 and 127.04 as shown on the attached map is hereby zoned I-3 (Heavy Industrial District)

Section 2: This resolution shall take effect after the required public hearing and adoption by this commission. (See attachments)

Submitted by the County Executive at the request of the Roane County Planning Commission.

Upon Motion by **Commissioner Johnson**, second by **Commissioner Fink**.

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

The following Commissioners passed: -0-

The following Commissioners voted No: -0-

THEREFORE, the Chair announced that Zoning Resolution 07-17-01z passed.

OLD BUSINESS: None

NEW BUSINESS

Resolution # 07-17-02

A RESOLUTION fixing the tax levy in Roane County, Tennessee for the Fiscal Year beginning July 1, 2017.

SECTION 1. BE IT RESOLVED by the County Commission of Roane County, Tennessee, assembled in session on the 10th day of July, 2017, that the combined property tax rate for Roane County, Tennessee, for the Fiscal Year beginning July 1, 2017, shall be 2.575 on each \$100.00 of taxable property within the County and outside the corporate limits of the cities of Harriman, Kingston, Oak Ridge, Oliver Springs, and Rockwood, and 2.515 on each \$100.00 of taxable property within the corporate limits of the cities of Kingston, Oliver Springs, and Rockwood, and 2.37 on each \$100.00 of taxable property within the limits of the city of Harriman, and 2.35 on each \$100.00 of taxable property within the limits of the city of Oak Ridge, which is to provide revenue for each of the following funds and otherwise conform to the following levies:

	Proposed	Outside	1 Inside	2 Inside	3 Inside
Fund	Expenditures	Tax Rate	Tax Rate	Tax Rate	Tax Rate
Budgeted Value of the Penny		71,000	94,000	104,500	119,000
FUNDS					
County General	18,944,094	0.7050	0.7050	0.7050	0.7050
Solid Waste/Sanitation	1,155,420				
Ambulance Service	2,683,038	0.0100	0.0100	0.0100	0.0100
Fire and Animal Control	887,887	0.0600			
Recycling Center	881,151	0.0300	0.0300	0.0300	0.0300
County Road	4,306,906	0.1000	0.1000	0.1000	0.1000
General Purpose Schools	55,293,715	1.2250	1.2250	1.2250	1.2250
School Federal Projects	4,317,838				
School Cafeterias	3,944,500				
School Transportation	2,304,000				
Extended School Program	220,000				
General Debt Service	3,419,876	0.1450	0.1450	0.1450	0.1450
Rural Debt Service	1,705,180	0.1450	0.1450		
Education Debt Service	321,770	0.0200	0.0200	0.0200	
Capital Projects Fund	2,321,500	0.0500	0.0500	0.0500	0.0500
Education Capital Projects	1,648,193	0.0850	0.0850	0.0850	0.0850
Wastewater Treatment	1,031,346				
Employee Insurance	585,309				
Workers Compensation	702,285				
Economic & Community Dev	167,024				
Judicial Drug Enforcement	245,871				
District Attorney General	16,700				
Other Funds (122,176)	855,697				

Total	107,959,000	2.575	2.515	2.370	2.350
Prior Year		2.575	2.515	2.370	2.350

- 1 - Within corporate city limits of Kingston, Oliver Springs, and Rockwood.
- 2 - Within corporate city limits of Harriman.
- 3 – within corporate city limits of Oak Ridge.

SECTION 2. BE IT FURTHER RESOLVED, that there is levied by and for the use of Roane County, Tennessee, a business tax upon merchants, other vocations, occupations, and businesses doing business or exercising a taxable privilege by the Business Tax Act of the State of Tennessee and the amendments thereto. The business taxes hereby levied shall be the maximum amounts levied by the Business Act of 1971 and all amendments thereto. The proceeds of said taxes shall accrue to the County General Fund except where otherwise provided by statute.

SECTION 3. BE IT FURTHER RESOLVED, that there is hereby levied a Tax upon the severance of sand, gravel, limestone, phosphate rock, or other mineral products in the sum of .15 per ton, as authorized by the provisions of Chapter 384 of the Private Acts of 1982 and all amendments thereto, and heretofore adopted and ratified by the Commission, proceeds of the severance tax shall accrue to the Highway Fund.

SECTION 4. BE IT FURTHER RESOLVED, that there is hereby levied a tax upon the occupancy of every hotel of each tenant in the amount of five percent (5%) of the rate charged by the operator, as authorized by Chapter 166 of the 1992 Private Acts and all amendments thereto.

SECTION 5. BE IT FURTHER RESOLVED, that all Resolutions of the County Commission of Roane County, Tennessee, which are in conflict with this Resolution are hereby repealed.

SECTION 6. BE IT FURTHER RESOLVED, that this Resolution take effect from and after this passage, the public welfare requiring it. This Resolution shall be spread upon the minutes of the County Commission. Passed this the 10th day of July, 2017.

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

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

APPROVED:

COUNTY CHAIRMAN

The foregoing Resolution was submitted to the County Executive for his consideration this the day of ____, 2017.

ATTESTED:

County Clerk

I hereby approve ___ veto ___ the foregoing Resolution, the ___ day of _____, 2017.

ROANE COUNTY EXECUTIVE

Recommended by Budget Committee

RESOLUTION #07-17-03

IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE

A RESOLUTION approving distribution of funds to Non-Profit/Municipal organizations subject to T.C.A 5-9-109 and requirements of the Community Investment Fund Program.

WHEREAS, the CIF was established with the adoption of the 2018 Budget, and

WHEREAS, certain requirements to be eligible for the CIF are:

- 1. Eligible under T.C.A. 5-9-109 or other T.C.A codes
- 2. Matching Funds Only
- 3. Capital Assets only, no operational funds
- 4. Meet a public purpose which contributes to the county's livability and general welfare of the residents of the county, and

WHEREAS, the Roane County Budget Committee shall recommend the annual amount allocated to the CIF and the recommended projects, and

WHEREAS, the 2018 Budget allocated \$60,000 for CIF projects as follows:

<u>Organization</u>	<u>Purpose</u>	<u>Amount</u>
Hertiage Commision	Painting and Column Repairs at the Historical Roane County Courthouse	\$ 40,000
Oliver Springs City		
Carmichael Park	Restroom and Pavilion	\$ 10,000
NAACP	Continuing Rehab and Video	
Greenwood School	Conference Center improvements	\$ 10,000

NOW, THEREFORE, BE IT RESOLVED that the CIF subfund appropriations for the 2018 Budget are distributed as noted above subject to the organization fulfilling the CIF and TCA requirements.

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

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

County Chairman

The foregoing resolution was submitted to the County Executive for his consideration this the ____ day of July, 2017

ATTESTED:

County Clerk

I approve ____/veto____ the foregoing resolution this the ____ day of July, 2017

County Executive

SUBMITTED BY County Executive Ron Woody

RESOLUTION NO. #07-17-04

IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE

A **RESOLUTION** to amend the General Capital Projects Fund (171) subfund REC (Recreation) and subfund NRT (Natural Resource Trust) in order for the county to received and appropriate additional grant funds and the associated match monies.

WHEREAS, the county has previously been awarded an NRT grant of \$180,000 which required match funds of \$110,000 making a total NRT capital project of \$290,000, and

WHEREAS, Roane County had applied for \$750,000, and

WHEREAS, NRT on June 23, 2017 contacted Roane County that additional funds of \$117,000 NRT with a required \$63,000 county match totaling \$180,000 would be available to Roane County subject to Commission's approval, and

WHEREAS, Roane County had previously allocated in 2017 \$100,000 for a grant match in which the county was unsuccessful at the SPC and in the 2018 Budget reallocated to the REC fund for the Caney Creek Campground bridge, and

WHEREAS, The Bridge project does not have full commission support and the total allocation would not be sufficient for the bridge replacement, and

WHEREAS, Roane County desires to use the previous funds set aside for a grant match for the NRT grant match.

NOW, THEREFORE, BE IT RESOLVED that the General Capital Project Fund (171) subfunds REC and NRT be amended as follows:

<u>Fund</u>	<u>Object Code</u>	<u>Description</u>	<u>Current Budget</u>	<u>Amend Budget</u>	<u>Amended Budget</u>
		<i>General Capital Project 171-REC</i>			
Reserve 171	91150-724	Land Development	300,000	(70,000)	230,000
		<i>General Capital Project 171-NRT</i>			
Revenue 171	46980-NRT	Other State Grants	155,950	117,000	272,950
Expenditure 171	91150-724- NRT	Site Development	78,392	195,392	265,392

Upon motion of Commissioner Hooks, seconded by Commissioner Fink.

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

The following Commissioners voted No: - 0 -

The following Commissioners voted Passed: -0-

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

County Chairman

The foregoing Resolution was submitted to the County Executive for his consideration this the _____ day of July, 2017

ATTESTED:

County Clerk

I hereby approve/veto the foregoing Resolution this _____ day of July 2017.

County Executive

Submitted by Ron Woody, County Executive

Resolution #07-17-05

**A Resolution Adopting Private Chapter No. 8
House Bill No. 1423 substituted for
Senate Bill No. 1435
110th General Assembly**

WHEREAS, the Roane County Commission previously adopted Resolution 2-17-04 requesting an amendment to Section 5 (a) of the Private Acts of 1992, Chapter 166 to allow the Hotel/Motel Tax assessed in Roane County to be remitted when State and Local Sales Taxes are paid.

WHEREAS, the 110th General Assembly adopted Private Act Chapter No. 8, a copy of which is attached, approving the aforesaid amendment. The Private Act became effective on June 9, 2017.

WHEREAS, to complete the aforesaid amendment, said Private Act must be approved by at least a two-thirds majority of the Roane County Commission.

NOW THEREFORE, be it resolved that the Roane County Commission does hereby approve and ratify the aforesaid Private Chapter No. 8 of the 110th General Assembly which is House Bill 1423.

This resolution shall take effect upon passage, the public welfare requiring it.

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

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

The following Commissioners passed: -0-

The following Commissioners voted no: -0-

THEREUPON, the Chair announced to the Commission that said Resolution had received a two-thirds majority and ordered the same spread of record.

APPROVED:

COUNTY COMMISSION CHAIRMAN

The foregoing Resolution was submitted to the County Executive for his consideration this _____ day of _____ 2017.

ATTESTED:

COUNTY CLERK

I hereby approve _____ veto _____ the foregoing Resolution, this _____ day _____, 2017.

ROANE COUNTY EXECUTIVE

Resolution # 07-17-06

IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE

A RESOLUTION TO PLACE IN SURPLUS certain Roane County vehicles and equipment as listed on the attached sheet dated June 27, 2017 and entitled Surplus Vehicles & Equipment.

WHEREAS, the vehicles and equipment on the attached list have been determined to be surplus property to the Park & Recycle Departments, and

WHEREAS, the aforementioned departments now seek to have the vehicles and equipment on the attached sheet declared surplus, and

WHEREAS, these vehicles and equipment will be made available to other for county offices prior to advertising them sale.

NOW, THEREFORE, BE IT RESOLVED that the vehicles and equipment on the attached list dated 06/27/2017 and entitled Surplus Vehicles & Equipment are hereby declared surplus property and may be disposed of in accordance with TCA §5-14-108 or as indicated on the attached sheet.

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 Meadows, seconded by Commissioner Hendrickson.

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

The following Commissioners No: -0-

The following Commissioners passed: -0-

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

APPROVED:

Chairman of the County Commission

The foregoing resolution was submitted to the County Executive for his consideration this _____ day of _____, 2017

ATTESTED:

County Clerk

I do hereby approve / veto _____ the foregoing
_____ resolution this the _____
Day of July 2017.

County Executive

SUBMITTED BY: County Executive Ron Woody

RESOLUTION #07-17-07

IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE

A RESOLUTION authorizing the county attorney to file a lawsuit regarding the properties as listed on attached Case Request Form, by violating Roane County Resolution #11-12-09 and/or Resolution # 11-12-08 regarding the 2012 International Building Codes and the 2012 International Residential Codes.

WHEREAS, Roane County, Tennessee adopted Resolution #11-12-09 and Resolution # 11-12-08 regarding the 2012 International Building Codes and the 2012 International Residential Codes.

WHEREAS, Resolution #11-12-09 and/or Resolution # 11-12-08 regarding the 2012 International Building Codes and the 2012 International Residential Codes sets the criteria for building codes in Roane County.

WHEREAS, Roane County, Tennessee Resolution #11-12-09 and/or Resolution # 11-12-08 regarding the 2012 International Building Codes and the 2012 International Residential Codes on November 21, 2012.

WHEREAS, the property owners listed having violated Resolution #11-12-09 and/or Resolution # 11-12-08 regarding the 2012 International Building Codes and the 2012 International Residential Codes regarding the 2012 International Building Codes and the 2012 International Residential Codes, by continuing to allow the listed condition(s) to remain on properties as listed.

WHEREAS, the property owners listed, having failed to comply with Roane County Roane County Resolution #11-12-09 and/or Resolution # 11-12-08 regarding the 2012 International Building Codes and the 2012 International Residential Codes on properties as listed.

THEREFORE, BE IT RESOLVED: The county attorney is authorized to file a lawsuit to determine whether the property owners listed, having failed to comply with Roane County Resolution #11-12-09 and/or Resolution # 11-12-08 regarding the 2012 International Building Codes and the 2012 International Residential Codes on properties as listed, are subject to Roane County Resolution #11-12-09 and/or Resolution # 11-12-08 regarding the 2012 International Building Codes and the 2012 International Residential Codes, and if they are, petitioning the court to enforce the same by granting injunctive and other relief.

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

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

The following Commissioner passed: -0-

The following commissioners voted No: -0-

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

APPROVED: _____,

County Commission Chairman

The foregoing resolution was submitted by the County Executive for his consideration this the ____ day of _____, 2017.

ATTESTED: _____, County Clerk

I hereby approve/veto the foregoing resolution, this the ____ day of _____ 2017.

Roane County Executive

Submitted by the County Executive at the request of the Roane County Planning Commission.

RESOLUTION #07-17-08

IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE

A RESOLUTION authorizing the county attorney to file lawsuits against each property owner regarding the properties as listed on attached Case Request Form, by violating Roane County Zoning Regulations Resolution #2101 (April, 2013) and/or Resolution # 01-14-03 regarding overgrown vegetation and accumulated debris.

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

WHEREAS, the property owners listed having violated Roane County Zoning Regulations Resolution #2101 (April, 2013) and/or Resolution # 01-14-03 regarding overgrown vegetation and accumulated debris, by continuing to allow the listed condition(s) to remain on properties as listed.

WHEREAS, the property owners listed, having failed to comply with Roane County Zoning Regulations Resolution #2101 (April, 2013) and/or Resolution # 01-14-03 regarding overgrown vegetation and accumulated debris on properties as listed.

THEREFORE, BE IT RESOLVED: The county attorney is authorized to file lawsuits to determine whether the property owners listed, having failed to comply with Roane County Zoning Regulations Resolution #2101 (April, 2013) and/or Resolution # 01-14-03 regarding overgrown vegetation and accumulated debris on properties as listed, are subject to Roane County Zoning Regulations Resolution #2101 (April, 2013) and/or Resolution # 01-14-03 regarding overgrown vegetation and accumulated debris, and if they are, petitioning the court to enforce the same by granting injunctive and other relief.

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

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

The following Commissioner passed: -0-

The following Commissioners voted No: -0-

Resolution #07-17-08 Amended

Upon on motion to amend #07-17-08 to exclude item 2 and 7 from the list, due to being included in Resolution #07-17-07. Would omit **Julie Delvecchio** at Roane Manor Road and **DTH REO INC** at 149 Mayton Lane from Resolution #07-17-08.

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

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

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

APPROVED: _____, County Commission Chairman

The foregoing resolution was submitted by the County Executive for his consideration this the _____ day of _____, 2017.

ATTESTED: _____, County Clerk

I hereby approve/veto the foregoing resolution, this the _____ day of _____ 2017.

_____ Roane County Executive

Submitted by the County Executive at the request of the Roane County Planning Commission.

RESOLUTION #07-17-09

A RESOLUTION asking Roane Count to memorialize the late Paul Cowell by placing memorial signs on a section of Paint Rock Road.

WHEREAS, Paul Cowell impacted Roane County in numerous beneficial ways during his residence; and

Whereas, Paul Cowell, along with his wife, Jean, opened Whitestone Country Inn, a AAA 40diamond resort, in the Paint Rock Community of Roane County in 1997; and

WHEREAS, Paul Cowell offered missionaries and pastors discounted rates for stay at the Whitestone Country Inn in order to provide a place of rest and relaxation; and

WHEREAS, Paul Cowell was an ambassador for Roane County through the excellence of his hospitality, the genuineness of his heart, and his love for people; and

WHEREAS, Paul Cowell served on the Roane County Chamber of Commerce board from 2088-2014, served as Chairman and Vice Chairman of the Tourism board from 2008-2014, and mentored small business owners; and

WHEREAS, Paul Cowell's life made an everlasting impact on all who knew him by setting an example through the way he lived and the way he ran his business; and

WHEREAS, it is altogether fitting and proper to place two (2) memorial signs along a section of Paint Rock Road beginning ½ mile before the entrance to Whitestone Country Inn and ending ½ mile after the entrance to Whitestone Country Inn.

NOW, THEREFORE, BE IT RESOLVED that Roane county Commission meeting in regular session on July 10, 2017 does hereby request the Roane County Highway Department to make and install the proper signage memorializing Paul Cowell on a section of Paint Rock Road beginning ½ mile before the entrance to Whitestone Country Inn and end ½ mile after the entrance to Whitestone Country Inn.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to the family of Paul Cowell.

Motion to adopt made by **Commissioner Granger** and seconded by **Commissioner Moore**.

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

The following Commissioners passed: -0-

The follow 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.

County Chairman

The foregoing resolution was submitted to the County Executive for his consideration this _____ day of _____, 2017.

ATTESTED:

County Clerk

I approve/veto the foregoing resolution this the ____ day of _____, 2017.

Resolution #07-17-10

IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE

A RESOLUTION TO RESTRICT PARKING IN COUNTY PARKINGS LOTS TO VEHICLES THAT ARE THERE FOR THE PURPOSE OF CONDUCTING COUNTY BUSINESS.

WHEREAS, parking space is limited at the courthouse and other county facilities, and

WHEREAS, the Property Committee has met and discussed the need for a policy restricting individuals from storing vehicles and/or equipment in county owned parking lots and for County Deputies to enforce the policy, and

WHEREAS, the Property Committee voted to recommend to the full commission that this policy be established and that parking in county owned parking lots be restricted to persons conducting county business, and

WHEREAS, the Property Committee requested that the County Executive file a resolution to same.

NOW, THEREFORE, BE IT RESOLVED that parking in county owned parking lots is to be used for those persons conducting county business and are not to be used for storing personal vehicles and/or equipment, and that this policy is to be enforced by County Deputies.

SECTION 1. All resolutions in conflict herewith be and the same are repealed insofar as such conflict exists.

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

UPON MOTION of Commissioner Moore, seconded by Commissioner Hendrickson,

The following Commissioners voted yes: Bell, Berry, Brummett, Collier, East, Ellis, Fink, Hooks, Kelley, Meadows. (10)

The following Commissioners No: Ferguson, Granger, Hendrickson, Moore. (4)

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.

APPROVED:

County Commission Chairman

The foregoing resolution was submitted to the County Executive for his consideration the _____ day of _____, 2017

ATTESTED:

County Clerk

I hereby approve _____/ veto_____ the foregoing resolution this the
_____ day of _____, 2017.

County Executive

SUBMITTED BY: County Executive, Ron Woody

Resolution #07-17-10 AMENDED

IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE

A RESOLUTION TO RESTRICT PARKING IN COUNTY PARKINGS LOTS TO VEHICLES THAT ARE THERE FOR THE PURPOSE OF CONDUCTING COUNTY BUSINESS.

WHEREAS, parking space is limited at the courthouse and other county facilities, and

WHEREAS, the Property Committee has met and discussed the need for a policy restricting individuals from storing vehicles and/or equipment in county owned parking lots and for County Deputies to enforce the policy, and

WHEREAS, the Property Committee voted to recommend to the full commission that this policy be established and that parking in county owned parking lots be restricted to persons conducting county business, and

WHEREAS, the Property Committee requested that the County Executive file a resolution to same.

NOW, THEREFORE, BE IT RESOLVED that parking in county owned parking lots is to be used for those persons conducting county business and are not to be used for storing personal vehicles and/or equipment, and that this policy is to be enforced by County Deputies. That any unauthorized vehicle setting for a 24 hour period on County parking lots will be towed at owners expense and be fined \$50.00 plus court cost.

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 Brummett, seconded by Commissioner Fink.

The following Commissioners voted yes: **Bell, Berry, Brummett, Collier, East, Ellis, Fink, Hooks, Kelley, Meadows.** (10)

The following Commissioners No: **Ferguson, Granger, Hendrickson, Moore.** (4)
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.

APPROVED:

County Commission Chairman

The foregoing resolution was submitted to the County Executive for his consideration the _____ day of _____, 2017.

ATTESTED:

County Clerk

I hereby approve _____/ veto_____ the foregoing resolution this the _____ day of _____, 2017.

County Executive

SUBMITTED BY: County Executive, Ron Woody

RESOLUTION #07-17-11

A RESOLUTION AUTHORIZING THE COUNTY ATTORNEY TO FILE AN EMINENT DOMAIN ACTION REGARDING A ROADWAY

WHEREAS, certain plats of Crystal Cove Subdivision recorded in the Roane County Register's Office in Plat Book D, Page 364, Plat Book D, Page 118, Plat Book D, Page 119, Plat Book D, Page 128 and Plat Book D, Page 365 create an ingress-egress easement for the owners of the following lots in said subdivision:

<u>OWNER</u>	<u>LOT NO.</u>	<u>TAX MAP REFERENCE</u>
Crystal Cove Property Owners Association	Common Area	75M/C/26.00
William and Karen Carbeau	328R	75L/C/1.00
Lonnie M. Rogers	404	75N/B/11.00
John Paul & Shelly Markiewicz	405	75N/B/10.00
David & Renee Milner, Jr.	406	75N/B/9.00
Patrick L. & Joanne Helbig	407	75M/D/25.00
Randall S. & Terrie L. Polivka	408	75M/D/24.00
Glenn D. & Doris R. Hutchens	410-R	75M/D/22.00

WHEREAS, said ingress easement runs between Bluegreen Way and Crystal Springs Road, two county roads.

WHEREAS, it has become necessary to use said ingress-egress easement as an alternate route when Bluegreen Way and Crystal Springs Road become impassable because of inclement weather or because of damage to said roads.

WHEREAS, the Roane County Highway Department has made use of said ingress-egress easement in order to make repairs to said county roads when said county roads have been impassable.

WHEREAS, the Roane County Road Committee has recommended that Roane County incorporate said ingress-egress easement into its county road system to be maintained as an alternate road when said county roads are impassable.

WHEREAS, all of the above named owners except Patrick L. Helbig and Joanne Helbig have executed dedications dedicating said ingress-egress easement to Roane County on behalf of the public, as a roadway.

WHEREAS, because said Helbigs have refused to execute said dedication, Roane County must prosecute an eminent domain proceeding against the Helbigs to acquire the portion of said roadway running through their lot.

NOW, THEREFORE, BE IT RESOLVED as follows

1. The aforesaid dedications executed by Crystal Cove Property Owners Association, Carbeau, Rogers, Markiewicz, Milner, Polivka, and Hutchens, are accepted, and the County Attorney is authorized to record the same in the Roane County Register of Deeds Office.

2. The County Attorney is hereby authorized and empowered to file an eminent domain proceeding against the aforesaid Patrick L. Helbig, Joanne Helbig, and all other persons or entities having an interest in any portion of Lot 407, Phase 2, Section 6, Crystal Cove Subdivision to acquire the portion of the aforesaid ingress-egress easement running through the aforesaid lot.

3. The County Attorney is further authorized to employ, at the expense of Roane County, a surveyor to survey the portion of the aforesaid ingress-egress easement running through the aforesaid Helbig lot, and a real estate appraiser to appraise the value thereof.

Upon motion by **Commissioner Hooks**, seconded by **Commissioner Hendrickson**.

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

The following Commissioners passed: -0-

The following Commissioners voted No: -0-

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

APPROVED:

COUNTY COMMISSION CHAIRMAN

The foregoing Resolution was submitted to the County Executive for his consideration this _____ day of _____ 2017.

I hereby approve ___/veto___ the foregoing Resolution, this ___ day of _____ 2017.

ROANE COUNTY EXECUTIVE

Submitted by Roane County Road Committee

Motion duly made by Commissioner Moore , second by Commissioner Fink the,July 17, 2017 meeting stood adjourned at 8:00 P.M.

APPROVED:

Chairman Ron Berry

Attest:

County Clerk Barbara J. Anthony