

**MINUTES
ROANE COUNTY COMMISSION
REGULAR MEETING
AUGUST 14, 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 14th day of August 2017 at 7:00 P.M.

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

Invocation was given by **Executive Woody**.

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, Johnson, Moore, Meadows (13)**

Absent: **Hooks, Kelley (2)**

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

APPROVE MINUTES OF THE JULY 10, 2017 MEETING.

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

Upon roll call vote, the following Commissioners voted Aye: **Bell, Berry, Brummett, Collier, East, Ferguson, Fink, Granger, Hendrickson, Johnson, Meadows, Moore (13)**

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

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

Thereupon the Chairman announced that the Minutes were approved.

ACCEPTANCE OF COMMITTEE REPORTS AND CORRESPONDENCE:

- | | |
|--|-----------------|
| 1. Public Utility Board | 06-13-17 |
| 2. Environmental Review Board | 06-14-17 |
| 3. Building and Code | 06-19-17 |
| 4. Board of Zoning Appeals | 06-21-17 |
| 5. Planning Commission | 06-21-17 |
| 6. Fire Board | 07-11-17 |
| 7. Emergency Services | 07-13-17 |
| 8. Road Committee | 07-18-17 |
| 9. Industrial Liaison Committee | 07-25-17 |
| 10. Non Profit | 08-02-17 |

ACCEPTANCE OF COMMITTEE REPORTS AND CORRESPONDENCES:

1. Response Ltr to Wade Creswell per his request for assistance from the Environmental Review Board in the matters concerning East Tennessee Technology Park Area K-31 and K-33.
2. Ltr to Alvin Daniels regarding 2011 delinquent tax suit.
3. Monitoring Report: Department of Mental Health and Substance Abuse review of Roane County Recovery Court.
4. Ltr from District Attorney General Russell Johnson to Commissioner Robert J. Martineau Jr. regarding the TVA ash spill cleanup and health concerns.
5. Annual Financial Report- Trustee
6. Annual Financial Report- Register of Deeds
7. Annual Financial Report- County Clerk
8. Annual Financial Report- Clerk and Master
9. Annual Financial Report- Sheriff Department
10. Ltr from County Attorney ref: adoption of portions of Bournemouth Road and Lake Overlook Road.
11. Ltr from County Attorney ref: opinion whether the Road Committee/County Commission can adopt or abandon a road without recommendation of the Road Superintendent.
12. Ltr from County Attorney ref: Roane County, Tennessee vs. 2012 Delinquent Taxpayers.
13. Ltrs from County Attorney ref: Default Judgments and Orders pertaining to violations in zoning laws.
14. Ltr from County Attorney ref: Orders of Show Cause, Order Continuance and Orders.

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

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

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

The following Commissioners voted **(0)**

Thereupon the Chairman announced that the motion was accepted.

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**: Mia Bell-Scott, Pamela S. Fowler, Sherry P. May, William E. Miller, Alma Moore, Joyce L. Roberts, Missi Scandyln, Tiffany Thearp, Lori A. Treadway, and Margaret Davis Warren.

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

Motion **Passed** upon unanimous voice vote.

HEARING OF DELEGATION:

COUNTY ATTORNEY'S REPORT No Report

COUNTY EXECUTIVE'S REPORT

County Executive Woody discussed the Following:

- On August 7, 2017 we received a letter from the Director of the Office of State and Local Finance. This letter is in reference to Resolution 08-17-09, which has been provided at your desk (See Attached)
- Reviewed the year-end closing unaudited financial report.
Example: Fund 101 was short on Revenue \$256,620 and spent below the in appropriation by \$2,310,944.
However, the fund only experiences a profit of \$44,274. So, we were in line with policy, we have a sufficient fund balance in which we neither took from nor added to.

The County Executive reviewed other funds regarding budget performance and actual operations of profits lost, all with explaining variances.

- Distributed General Capital Plans and Current Capital Projects Report. (113 Pages)
 - Section 4, 20 year Capital request.
It is not perfect by any means, but it does lay out a direction of future needs.

- Section 6, in the 2018 programmed Capital Budget for general government page 79, Column "B", Rows 40 and 41 reflect the current year and the prior year carrying over \$2.2 and \$1.1 respectfully.
- Section 7, 8 and 9 is Highway Capital request and budget.

- Distributed Annual Debt Report 82 Pages
Multi Year Debt Budgets until Debt is paid off. Looking at page 32, it gives one a good summary of the indebtedness by fund and various ratios.
 - Section 9, page 47 is our Education Debt Service Fund 152 that will never have any debt added or paid from it.
 - Section 10, page 50 is the Education Debt fund 156 that is anticipated to be used if new school debt is approved. This budget (p.51) goes through 2020.

- We have a refinancing opportunity tonight with Resolution 08-17-09 which is debt in the 152 fund.

SPECIAL ORDERS:

ZONING RESOLUTIONS:

OLD BUSINESS: None

NEW BUSINESS:

Resolution # 08-07-01

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 Moore**, seconded by **Commissioner Hendrickson**.

The following commissioners voted Aye: **Bell, Berry, Brummett, Collier, East, Ellis, Ferguson, Fink, Granger, Hendrickson, Johnson, Meadows, Moore (13)**

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.

RESOLUTION NO. 08-17-02

IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE

A RESOLUTION requesting the Tennessee General Assembly and the Tennessee Department of Transportation name a portion of Highway 27 three quarters of a mile in each direction of 1613 Spring City Highway in honor of George Copper Bacon.

WHEREAS, George Copper Bacon was a Veteran of the U.S. Marine Corps.

WHEREAS, He was a member of the Crab Orchard Christian Church in Crab Orchard, Tennessee.

WHEREAS, George Copper Bacon was very active in the Rockwood Community which he called home, he was a lifelong member of the Rockwood Civitan Club.

WHEREAS, George Copper Bacon served on the Roane County Commission for 16 years; and,

WHEREAS, Mr. Bacon was a 50 year member of Rockwood Masonic Lodge #403 and was a Shriner.

WHEREAS, Mr. Bacon was a 50 year member of the Rockwood Lodge of the Knights of Pythias; and,

WHEREAS, Mr. Bacon was a lifelong farmer who had a passion for Tennessee walking horses, he was a member of the Tennessee Walking Horses Breeders Associations.

NOW, THEREFORE, BE IT RESOLVED that the Roane County Commission meeting in regular session on August 14, 2017 does hereby respectfully request that the Tennessee General Assembly and the Tennessee Department of Transportation name a state road in honor of George Copper Bacon.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to the family of George Copper Bacon

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Roane County's legislative delegation.

UPON MOTION of Commissioner Ellis seconded by all Commissioners present.

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

RESOLUTION #08-17-03

A Resolution to place in surplus certain Roane County vehicles and equipment (2-2011 Ford Crown Victoria, 1 Dodge Charger, and 2005 Keystone RV Hideout 26RLS).

Deferred

RESOLUTION NO. 08-17-04

IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE

A RESOLUTION amending the Special Revenue Fund (121-Animal) to appropriate money from the American Society for the Prevention of Cruelty to Animals (the "ASPCA")/Subaru National Fee-Waived Adoption

WHEREAS, this grant is for the amount of \$5,000 and does not have a match requirement, and

WHEREAS, Grant Number 2017-0454 has a term limit of July 10, 2017 to January 10, 2018, and

WHEREAS, these funds are designated for the purpose of pet adoption fairs, and

NOW, THEREFORE, BE IT RESOLVED the Special Revenue Fund(121) 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>Grant No. 2017-0454</i>			
Revenues					
121	44570-DUFF	Contributions	0	5,000	5,000
Expenditures					
121	55120-599-DUFF	Other Charges	0	5,000	5,000

Upon motion of Commissioner Fink, seconded by Commissioner Moore.

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

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

**RESOLUTION # 08-17-05
IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE**

A RESOLUTION amending the Roane County Emergency Medical Services' billing rates for dedicated ambulance standby

WHEREAS, the Roane County Emergency Services Committee met on July 13, 2017 and recommends that the billing rates for the Emergency Medical Service's (EMS) ambulance dedicated standby rate should be set at \$120 per hour; and

WHEREAS, Roane County EMS provides on-site emergency personnel and transport for many events within Roane County; and

WHEREAS, Roane County EMS currently offers two (2) levels of service: dedicated standby and non-dedicated standby; and

WHEREAS, the Roane County Emergency Services Committee recommends setting the Roane County EMS dedicated ambulance standby rate at \$120 per hour while leaving the non-dedicated standby rate at \$0.

NOW, THEREFORE, BE IT RESOLVED that the Roane County Commission meeting in regular session the 14th day of August 2017 does hereby approve the setting of the Roane County Emergency Medical Service's ambulance dedicated standby rate at \$120 per hour and the non-dedicated standby rate at \$0.

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 Granger**, seconded by **Commissioner Meadows**, the following Commissioners voted Aye: **Bell, Berry, Brummett, Collier, East, Ellis, Ferguson, Fink, Granger, Hendrickson, Meadows, Moore (13)**

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 08-17-06

IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE

**A RESOLUTION TO PLACE A DONATION TO THE
ROANE COUNTY HIGHWAY DEPARTMENT INTO THE
COUNTY HIGHWAY FUND, TO BE DISBURSED FOR PAVING**

WHEREAS, Tennessee Code Annotated Section 54-7-115 authorizes the county highway department to receive funds donated for the benefit of the county highway department. Said statute requires the funds to be disbursed in accordance with the terms or conditions of the donation. Said statute further

states that funds shall be paid to the county trustee to be credited to the county highway fund.

WHEREAS, the Highlands Development Group, LLC, P.O. Box 50730, Knoxville, Tennessee 37950, has offered to donate \$51,000.00 to the Roane County Highway Department to be used for paving.

THEREFORE, BE IT RESOLVED by the Roane County Commission that said \$51,000.00 donation shall be paid to the Roane County Trustee, shall be credited to the county highway fund, and shall be disbursed for paving.

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

The following commissioners voted aye: **Bell, Berry, Brummett, Collier, East, Ellis, Ferguson, Fink, Granger, Hendrickson, Johnson, Meadows, Moore.** (13)

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 the same spread of record.

RESOLUTION NO 08-17-07

IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE

WHEREAS, the Roane County Commission has previously adopted Resolution 07-17-07 authorizing the County Attorney to file a suit against Julie Delvecchio for code violations regarding property described in the Roane County Property Assessor's Office as 47I/C/47I/24.

WHEREAS, by Deed dated June 30, 2017, and recorded in the Roane County Register's Office in Record Book 1615, Page 902, Julie Delvecchio conveyed the aforesaid real estate to Danny Owens and wife, Palma Owens.

THEREFORE, BE IT RESOLVED that because Julie Delvecchio is no longer the owner of the aforesaid real estate, the portion of Resolution Number 07-17-07 authorizing the County Attorney to file a suit against her is hereby rescinded.

Upon motion by **Commissioner Moore**, and seconded by **Commissioner Fink**.

The following commissioners voted Aye: **Bell, Berry, Brummett, Collier, East, Ellis, Ferguson, Fink, Granger, Hendrickson Johnson, Meadows, Moore (13)**

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.

RESOLUTION NO 08-17-07

IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE

WHEREAS, the Roane County Commission has previously adopted Resolution 07-17-07 authorizing the County Attorney to file a suit against Julie Delvecchio for code violations regarding property described in the Roane County Property Assessor's Office as 47I/C/47I/24.

WHEREAS, by Deed dated June 30, 2017, and recorded in the Roane County Register's Office in Record Book 1615, Page 902, Julie Delvecchio conveyed the aforesaid real estate to Danny Owens and wife, Palma Owens.

THEREFORE, BE IT RESOLVED that because Julie Delvecchio is no longer the owner of the aforesaid real estate, the portion of Resolution Number 07-17-07 authorizing the County Attorney to file a suit against her is hereby rescinded.

Upon motion by **Commissioner Moore**, and seconded by **Commissioner Fink**.

The following commissioners voted Aye: **Bell, Berry, Brummett, Collier, East, Ellis, Ferguson, Fink, Granger, Hendrickson Johnson, Meadows, Moore (13)**

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.

RESOLUTION 08-17-08

IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE

A RESOLUTION TO PLACE A DONATION TO THE ROANE COUNTY HIGHWAY DEPARTMENT INTO THE COUNTY HIGHWAY FUND, TO BE DISBURSED FOR PAVING

Motion to adopt was made by **Commissioner Hendrickson** with second by **Commissioner East**.

Motion to call for the question was made by **Commissioner Bell**.

Resolution #08-17-08

A RESOLUTION TO PLACE A DONATION TO THE ROANE COUNTY HIGHWAY DEPARTMENT INTO THE COUNTY HIGHWAY FUND, TO BE DISBURSED FOR PAVING.

WHEREAS, Tennessee Code Annotated Section 54-7-115 authorizes the county highway department to receive funds donated for the benefit of the county highway department. Said statute requires the funds to be disbursed in accordance with the terms or conditions of the donation. Said statute further states that funds shall be paid to the county trustee to be credited to the county highway fund.

WHEREAS, the Highlands Development Group, LLC, P.O. Box 50730, Knoxville, Tennessee 37950, has offered to donate

\$51,000.00 to the Roane County Highway Department to be used for paving.

THEREFORE, BE IT RESOLVED by the Roane County Commission that said \$51,000.00 donation shall be paid to the Roane County Trustee, shall be credited to the county highway fund, and shall be disbursed for paving.

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

The following commissioners voted aye: **Bell, Berry, Brummett, Collier, East, Ellis, Ferguson, Fink, Granger, Hendrickson, Johnson, Meadows, Moore. (13)**

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 the same spread of record.

See Attachment

Motion duly made by **Commissioner Bell** with second by **Commissioner Johnson**,
the meeting stood adjourned 8:35 P.M.

APPROVED:

Chairman Ron Berry

Attest:

County Clerk Barbara J. Anthony