

**MINUTES
ROANE COUNTY COMMISSION
REGULAR MEETING
JULY 11, 2011**

**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 11th day of July, 2011 at 7:00 P.M.
The Commission was called to order by **Bailiff Lloyd Cook**.

Invocation was given by **Commissioner Cantrell**.

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

Present and presiding was the Honorable **James Brummett** and the following Commissioners: **Bacon, Berry, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder**. (15)

Absent: -0-

THEREUPON Chairman **Brummett** announced the presence of a quorum. Also present was the Honorable **Ron Woody**, County Executive, Budget Director **Kaley Walker**, County Clerk **Barbara J. Anthony**, Deputy Clerk **Bobbie Tipton** and Zoning Officer **Kay Christopher**.

APPROVE MINUTES OF THE JUNE 13, 2011 MEETING.

MOTION was made by **Commissioner Collier** with second by **Commissioner East** to approve the minutes of the June 13, 2011 meeting.

Motion **Passed** upon unanimous voice vote.

COMMITTEE REPORTS AND CORRESPONDENCE:

1. BOARD OF ZONING APPEALS- MARCH 16,2011
2. PLANNING COMMISSION MAY 18, 2011
3. COURTHOUSE AND COURTROOM SECURITY - MAY 26, 2011
4. COUNTY BOARD OF PUBLIC UTILITIES - MAY 26, 2011
5. BACK TAX COMMITTEE JUNE 02, 2011
6. ENVIRONMENTAL REVIEW BOARD - JUNE 2, 2011
7. SHERIFF'S LIAISON - JUNE 6,2011
8. SOLID WASTE COMMITTEE - JUNE 9, 2011
9. PROPERTY COMMITTEE - JUNE 9, 2011
10. FIRE BOARD - JUNE 14, 2011
11. PUBLIC RECORDS COMMITTEE - JUNE 15, 2011
12. BUDGET COMMITTEE - JUNE 3, 2011
13. BUDGET COMMITTEE - JUNE 10 2011
14. BUDGET COMMITTEE - JUNE 22, 2011
15. BUDGET COMMITTEE - JUNE 24, 2011
16. LETTER RE: NATIONAL FLOOR INSURANCE
17. LETTER RE: HOUSEHOLD HAZARDOUS WASTE

18. LETTER RE: PAYMENT FOR MENTAL HEALTH EVALUATION AND TREATMENT.
19. LETTER RE: LOCAL PLANNING OFFICE SERVICES.
20. REPORT FROM NRG ON MEDICARE APPLICATION
21. LETTER RE: COLLECTON STSTEM EXTENSION IN TWO AREAS. DELOZIER LANE AND POST OAK VALLEY ROAD AREA AND THE KEYLON DRIVE, SWAN POND, AND HWY 70 NEAR TH CLINCH RIVER AREA.
22. SAMPLE RESOLUTION RE: REDUCTION IN STATE EDUCATION FUNDING (BEP)

Motion to receive the Committee Reports and Correspondence was made by **Commissioner Berry** with second by **Commissioner Forrester**.

Commissioner Berry discussed item # 9 and # 21.

Motion to adopt as **Passed** upon voice vote.

NOTARIES:

The following persons desiring to be elected as a Notary Public in Roane County were presented to the Commission by County Clerk **Barbara Anthony**: Christie Carr, Robin G. Copeland, Eric Cromwell, Frank J. Kneis, Jeanie M. Pressley and Browder G. Williams.

Motion to elect was made by **Commissioner Bacon** with second by **Commissioner East**.

Motion **Passed** upon unanimous voice vote.

HEARING OF DELEGATION:

J.D. Sampson of Harriman, TN voiced his displeasure regarding the tax hike for Harriman, TN.

COUNTY ATTORNEY'S REPORT: Absent

COUNTY EXECUTIVE'S REPORT:

County Executive Ron Woody expressed his appreciation to the Budget Committee for all of their work on the Budget.

He also discussed the newsletter.

SPECIAL ORDERS:

CONFIRMATION OF THE RE-APPOINTMENT OF GLEN LONG TO THE COUNTY BOARD OF PUBLIC UTILITIES. TERM WILL EXPIRE JUNE 30, 2014.

Motion to confirm was made by **Commissioner East** with second by **Commissioner Bacon**.

Motion **Passed** upon unanimous voice vote.

OLD BUSINESS: None

NEW BUSINESS:

RESOLUTION # 07-11-01

A RESOLUTION AUTHORIZING ROANE COUNTY TO REFUND TO: HENRY D. AND VIRGINIA N. SMITH JR. 141 TANGLEWOOD ROAD, KINGSTON, TN 37763 THE SUM OF \$119.00.

WHEREAS, taxes on the following parcel were changed by the Property Assessor's office.

Reason: appeal made to Roane County Equalization Board

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
066		124.00	2010	\$2774.00	\$119.00

NOW, THEREFORE, BE IT RESOLVED, that ROANE COUNTY is hereby authorized to refund to: Henry D and Virginia N Smith Jr. 141 Tanglewood Road, Kingston TN 37763, the sum of \$119.00

Upon motion of **Commissioner Bacon** seconded by **Commissioner Berry**,

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger,**

Johnson, Kelley, Moore, Nelson, Tedder (15)

The following Commissioners passed: -0-

The following Commissioners voted No: -0-

Therefore, the County Chairman announced to the Court that said resolution had received a constitutional majority and ordered same spread record.

See attachment

RESOLUTION # 07-11-02

A RESOLUTION AUTHORIZING ROANE COUNTY TO REFUND TO: BEULAH BUTLER, 183 NEW HOPE COVE ROAD, ROCKWOOD, TN 37854 THE SUM OF \$213.00.

WHEREAS, taxes on the following parcel were changed by the Property Assessor's office.

Reason: mobile home and garage were double assessed

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
076		049.00	2010	\$1391.00	\$213.00

NOW, THEREFORE, BE IT RESOLVED, that **ROANE COUNTY** is hereby authorized to refund to: Beulah Butler, 183 New Hope Cove Road, Rockwood TN 37854, the sum of \$213.00.

Upon motion of **Commissioner Berry** seconded by **Commissioner Kelley**.

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder (15)**

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

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

Therefore, the County Chairman announced to the Court that said resolution had received a constitutional majority and ordered same spread record.

See Attachment

RESOLUTION # 07-11-03

A RESOLUTION AUTHORIZING ROANE COUNTY TO REFUND TO: PAUL R. AND JANET CLOAK, 357 DELOZIER LANE, ROCKWOOD, TN 37854 THE SUM OF \$134.00.

Withdrawn at the request of Property Assessor Teresa Kirkham.

RESOLUTION # 07-11-04

A RESOLUTION AUTHORIZING THE COUNTY ATTORNEY TO FILE A LAWSUIT REGARDING OVERGROWN VEGETATION/ACCUMULATED DEBRIS ON PROPERTY OF VIVIAN STOUT BY VIOLATING THE ROANE COUNTY ZONING REGULATIONS, RESOLUTION # 2709, FOR CONTINUALLY ALLOWING CONDITIONS OF OVERGROWN VEGETATION/ACCUMULATED DEBIRS ON PROPERTY IDENTIFIED AS MAP 70, PARCEL 27.00.

Postponed until the August 2011 meeting, at the request of Commissioner Nelson.

RESOLUTION # 07-11-05

A RE SOLUTION AUTHORIZING THE COUNTY ATTORNEY TO FILE A LAWSUIT REGARDING THE PROPERTY OF BRIGADOON PARTNERS LLC, BY VIOLATING ROANE COUNTY ZONING REGULATIONS REGARDING A BUILDING SETBACK VIOLATION ON PROPERTY IDENTIFIED AS MAP 102, PARCEL 19.02.

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

Motion and second was withdrawn and the resolution was Postponed until the August 2011 meeting.

RESOLUTION # 07-11-06

A RESOLUTION ACCEPTING USE OF TVA PROPERTY IN THE SWAN POND COMMUNITY TO BE USED FOR THE DEVELOPMENT AND OPERATIONS OF A RE CREATION AREA AND AN OFFICE OF EMERGENCY SERVICES AREA.

WHEREAS, TVA is making available approximately 75 acres and providing design and preliminary site work for soccer, softball, and baseball playing fields and;

WHEREAS, the Roane County Parks and Recreation Advisory Board will work with TVA on the potential use and design and;

WHEREAS, Roane County shall be responsible for construction of lighting, fencing, and any service buildings and;

WHEREAS, Roane County will solicit city government support and any grant opportunities for construction and operation of the facility and;

WHEREAS, Roane County will operate the facility under the control of the Roane County Park System.

NOW, THEREFORE BE IT RESOLVED that the Roane County Commission hereby accepts the use of the TVA property and supports the input and advice of the Roane County Parks and Recreation Advisory Board's working with TVA in the design and development of the Swan Pond Recreation complex.

BE IT FURTHER RESOLVED that Roane County understands that no commitment of funds are being made by Roane County at this time; however, if funding is needed for capital improvements then a capital budget will be approved by the Roane County Commission.

BE IT FURTHER RESOLVED that Roane County understands that operations of this facility will be by the Roane County Government and approved annually by an approved park and recreation budget.

Upon a motion by **Commissioner Ellis** seconded by **Commissioner Kelley** the following

Commissioners voted Aye: **Bacon, Berry, Bruummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder (15)**

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

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

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

RESOLUTION # 07-11-07

A RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION FOR A LITTER AND TRASH COLLECTING GRANT FOR FISCAL YEAR 2011-2012 FROM THE DEPARTMENT OF TRANSPORTATION AND AUTHORIZING THE ACCEPTANCE OF SAID GRANT.

WHEREAS, Roane County Commission intends to apply for the aforementioned Grant from the Department of Transportation and,

WHEREAS, the grant is a 100% grant with no matching funds required and,

WHEREAS, the contract for the Grant for Fiscal Year 2011-2012 will impose certain legal obligations upon Roane County.

THEREFORE BE IT RESOLVED:

1. That County Executive of Roane County is authorized to apply on behalf of Roane County for a Litter and Trash Collecting Grant for Fiscal Year 2011-2012 from the Tennessee Department of Transportation.
2. That should said application be approved by the Tennessee Department of Transportation, then the County Executive of Roane County is authorized to execute contracts or other necessary documents, which may be required to signify acceptance of the Litter and Trash Collecting Grant by Roane County.

Upon a motion by Commissioner **Kelley** seconded by **Commissioner Moore**, the following Commissioners voted Aye: **Bacon, Berry, Bruummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder (15)**

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

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

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

RESOLUTION # 07-11-08

A RESOLUTION BY THE ROANE COUNTY COMMISSION TO PARTICIPATE IN THE RETIRE TENNESSEE PROGRAM THROUGH THE TENNESSEE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT.

WHEREAS, the Tennessee Department of Economic and Community Development is committed to assisting Tennessee communities with the promotion of their community as a destination and possible residence for out-of-state retiring persons; and

WHEREAS, the Retire Tennessee Program affords participating communities the opportunity to nationally promote and market their community with the state and other Tennessee communities; and

WHEREAS, migrating retirees into Roane County should be considered an industry since they receive most of their income from sources outside of Tennessee and their contribution economically and socially to the community is extensive with benefits far exceeding costs; and

WHEREAS, Roane County has significant community assets attractive to retirees such as: water oriented activities, planned residential waterfront/ golf communities, low cost of living, central geographical location and low taxes; and

WHEREAS, participation in the Retire Tennessee Program involves a cooperative effort by numerous local entities and the sharing of the costs of advertising, development of promotional materials, participation in retiree recruitment shows and events and responding to inquiries; and

WHEREAS, the Roane Alliance will direct and fund the activities of the program; and

WHEREAS, Roane County wishes to be an active participant in the Retire Tennessee Program,

NOW, THEREFORE, BE IT RESOLVED that the Roane County Commission, meeting in regular session on July 11, 2011, hereby states its intention to participate in the Retire Tennessee Program.

UPON MOTION by Commissioner Moore, seconded by Commissioner Forrester, the following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder (15)**

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

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

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

RESOLUTION # 07-11-09

A RESOLUTION THAT WOULD ALLOW THE ELECTION OFFICE TO USE THE OLD ZONING/CODE ENFORCEMENT OFFICE ON THE THIRD FLOOR FOR STORAGE AND A VOTING MACHINE MAINTENANCE ROOM.

WHEREAS, the storage area on the third floor is of concern due to the volume and weight of documents and materials stored there, and

WHEREAS, the Elections office currently has to store voting machines in the hallway and there is currently not an area that is suitable for performing maintenance on the machines, and

WHEREAS, the old Zoning/Codes Enforcement office is currently unoccupied and the Director of Elections has gone before the Property Committee and they recommend approving this resolution, and

WHEREAS, should there be a more pressing need for the area, the Election office would relocate their storage.

NOW, THEREFORE, BE IT RESOLVED that the Elections office is allowed to move their files, machines, etc. from the records room and use the old Zoning/Codes Enforcement office for storage and a maintenance room.

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 Johnson, the following Commissioners voted Aye: Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder (15)

The following Commissioners Passed: -0-

The following Commissioners voted No: -0-

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

RESOLUTION # 07-11-10

**A RESOLUTION MAKING APPROPRIATIONS FOR VARIOUS FUNDS,
DEPARTMENTS, INSTITUTIONS, OFFICES AND AGENCIES OF ROANE COUNTY,
TENNESSEE, FOR THE FISCAL YEAR BEGINNING JULY 1, 2011 AND ENDING
JUNE 30, 2012.**

Motion by **Commissioner Collier** with second by **Commissioner Berry** to adopt.

Motion by **Commissioner Collier** with second by **Commissioner Kelley** to reduce the budget for Board of Equalization, 51210 by \$2,000. To 14,318 and amend the recommended daily pay rate from \$150 per day to \$125.00.

Motion by **Commissioner Ellis** with second by **Commissioner Goddard** to reduce the board of Equalization pay from daily rate of \$125.00 to \$100.00 per day.

Motion **Passed** upon unanimous voice vote.

Prior to voting on the budget resolution, **Commissioners East** and **Johnson** read the conflict of interest statement.

**RESOLUTION # 07-11-11 As Amended
A RESOLUTION FIXING THE TAX LEVY IN ROANE COUNTY, TENNESSEE FOR
THE FISCAL YEAR BEGINNING JULY 1, 2011.**

Motion to adopt was made by **Commissioner Collier** with second by **Commissioner Goddard**.

Motion to reduce the tax in the GPS 141 by one penny, from \$1.01 to \$1.00 was made by **Commissioner Collier** with second by **Commissioner Berry**.

Upon voice vote the following Commissioners voted Aye:
Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder (15)

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

Thereupon **Chairman Brummett** announced the amendment **Passed**.

Motion by **Commissioner Kelly** to remove the 2 cent tax levied on Oak Ridge to support the recycling center be removed, reducing the 3 inside rate from 1.97 to 1.9500.

Upon roll call vote the following voted Aye: **Cantrell, Kelley, Moore (3)**

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

The following Commissioners voted No: **Bacon, Berry, Brummett, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Nelson, Tedder (12)**

Thereupon **Chairman Brummett** announced that the motion **Failed**.

Motion to reduce the Ambulance Fund by 1 penny was made by **Commissioner Berry** with second by **Commissioner Forrester**.

Without objection, the motion and second was **Withdrawn**.

Motion was made by **Commissioner Berry** to reduce the Debt Service by 1 penny.

Motion was **Withdrawn** without objection.

**RESOLUTION # 07-11-11 (AS AMENDED)
A RESOLUTION FIXING THE TAX LEVY IN ROANE COUNTY, TENNESSEE FOR
THE FISCAL YEAR BEGINNING JULY 1, 2011.**

SECTION 1. BE IT RESOLVED by the County Commission of Roane County, Tennessee, assembled in session on the 11th day of July, 2011, that the combined property tax rate for Roane County, Tennessee, for the Fiscal Year beginning July 1, 2011, shall be 2.18 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 2.13 on each \$100.00 of taxable property within the

corporate limits of the cities of Kingston, Oliver Springs, and Rockwood, and 1.99 on each \$100.00 of taxable property within the limits of the city of Harriman, and 1.97 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:

Fund	Proposed Expenditures	Outside Tax Rate	1 Inside Tax Rate	2 Inside Tax Rate	3 Inside Tax Rate
County General	\$14,936,024	0.6200	0.6200	0.6200	0.6200
Urban Services	\$736,194	0.0200			
Solid Waste/Sanitation	\$1,172,906	0.0300			
Ambulance Service	\$3,325,493	0.0100	0.0100	0.0100	0.0100
Industrial & Econ. Dev.	\$2,544,554	0.0150	0.0150	0.0150	0.0150
Recycling Center	\$811,077	0.0200	0.0200	0.0200	0.0200
County Road	\$3,505,390	0.0950	0.0950	0.0950	0.0950
General Purpose Schools	\$51,886,699	1.00	1.00	1.00	1.00
School Federal Projects	\$6,059,410				
School Cafeterias	\$3,835,724				
School Transportation	\$2,615,014				
Extended School Program	\$280,000				
General Debt Service	\$3,254,757	0.1400	0.1400	0.1400	0.1400
Rural Debt Service	\$1,788,910	0.1400	0.1400		
Education Debt Service	\$364,398	0.0200	0.0200	0.0200	
Capital Projects Fund	\$1,520,000	0.0300	0.0300	0.0300	0.0300
Education Capital Projects	\$19,100,000	0.0400	0.0400	0.0400	0.0400
Wastewater Treatment	\$3,734,870				
Employee Insurance	\$2,994,384				
Workers Compensation	\$593,136				
Economic & Community Dev	\$268,650				
Judicial Drug Enforcement	\$359,490				
Other Funds (122, 126,176)	\$204,056				
Total	125,891,136	2.18	2.13	1.99	1.97

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 11th day of July, 2011.

Upon motion of **Collier** seconded by Commissioner **Goddard**, the following Commissioners voted

Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Goddard, Granger, Johnson, Kelley, Moore, Tedder (12)**

The following Commissioners passed -0-

The following Commissioners voted No: **Ellis, Forrester, Nelson (3)**

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

RESOLUTION # 07-11-12

A RESOLUTION MAKING APPROPRIATIONS TO NON-PROFIT CHARITABLE ORGANIZATIONS OF ROANE COUNTY, TENNESSEE FOR THE FISCAL YEAR BEGINNING JULY 1, 2011 AND ENDING JUNE 30, 2012.

WHEREAS, Section 5-9-109, TENNESSEE CODE ANNOTATED, authorizes the County Legislative Body to make appropriations to non-profit charitable organizations; and

WHEREAS, the Roane County Legislative Body recognizes that various non-profit or charitable organizations located in Roane County have great need of funds to carry on their non-profit charitable work.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Roane County, on this the 11th day of July, 2011:

SECTION 1. That \$2,780.00 be appropriated to Child & Family Services to promote the public welfare of Roane County.

SECTION 2. That \$30,000.00 be appropriated to the Michael Dunn Rehabilitation Center to promote the public welfare of Roane County.

SECTION 3. That \$13,547.00 be appropriated to Mid-East CAA to promote the public welfare of Roane County.

SECTION 4. That \$1,500.00 be appropriated to the Roane County Heritage Commission to promote the public welfare of Roane County.

SECTION 5. That \$10,823.00 be appropriated to the Michael Dunn Day Care Center to promote the public welfare of Roane County.

SECTION 6. That \$8,800.00 be appropriated to the East Tennessee Human Resources Agency for Health Care Aid to promote the general welfare of Roane County.

SECTION 7. That \$35,000.00 be appropriated to the Roane County Rescue Squad to provide funds for the protection of the citizens of Roane County.

SECTION 8. That \$25,000.00 be appropriated to the Child Advocacy Center of the Ninth Judicial District to promote the public welfare of Roane County.

BE IT FURTHER RESOLVED, that all appropriations enumerated in sections 1 through 6 above are subject to the following conditions:

1. That the non-profit charitable organization to which funds are appropriated shall file with the County Clerk and the disbursing official a copy of an annual report of its business affairs and transactions and the proposed use of the County's funds in accordance with rules promulgated by the Comptroller of the Treasury, Chapter 0380-2-7. Such annual report shall be prepared and certified by the Chief Financial Officer of such non-profit organization in accordance with Section 5-9-109 (c), T.C.A.
2. That said funds must only be used by the named non-profit charitable organization in furtherance of their non-profit charitable purpose benefiting the general welfare of the residents of the County.
3. That it is the expressed interest of the County Commission of Roane County providing these funds to the above named non-profit charitable organizations to be fully in compliance with Chapter 0309-2-7 of the Rules of the Comptroller of the Treasury, and Section 5-9-109 of Tennessee Code Annotated and any and all other laws which may apply to County appropriations to non-profit organizations and so this appropriation is made subject to compliance with any and all of these laws and regulations.
4. That appropriated funds shall be transferred to the appropriate organization on a quarterly basis no earlier than the first month of each quarter upon invoice from the organization.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately upon passage.

UPON MOTION of Commissioner Kelley, seconded by Commissioner Collier, the following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder (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 # 07-11-13

A RESOLUTION OF THE GOVERNING BODY OF ROANE COUNTY, TENNESSEE, AUTHORIZING THE ISSUANCE, SALE, AND PAYMENT OF INTEREST-BEARING REVENUE/TAX ANTICIPATION INTERFUND LOAN NOTES NOT TO EXCEED ONE MILLION DOLLARS.

WHEREAS, the Governing Body of Roane County, Tennessee, (the "Local Government") has determined that it is necessary and desirable to borrow a limited amount of funds to meet appropriations made for the operational funds (the "Funds") for the current fiscal year, being July 1, 2011, through June

30, 2012, inclusive, (the “Fiscal Year”), in anticipation of the collection of taxes and revenues for the Fund during the Fiscal Year; and

WHEREAS, under the provisions of Part I, IV, IV, and VIII of Title 9, Chapter 21, Tennessee Code Annotated (the “Act”), local governments in Tennessee are authorized to issue and sell revenue/tax anticipation notes in amounts not exceeding sixty percent (60%) of the Fund appropriation for the Fiscal Year upon the approval of the State Director of Local Finance; and

WHEREAS, under the provisions of Section 9-21-408 of Title 9 Chapter 21, *Tennessee Code Annotated*, Local Governments in Tennessee are authorized to make interfund loans in accordance with procedures for issuance of notes in part VIII of Title 9 Chapter 21 *Tennessee Code Annotated*.

WHEREAS, the Governing Body finds that it is advantageous to the Local Government to authorize the issuance and sale of revenue/tax anticipation notes;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of Roane County Tennessee, as follows:

Section 1. That, for the purpose of providing funds to meet certain appropriations for the Fiscal Year, the Chief Executive Officer of the Local Government is hereby authorized in accordance with the terms of this Resolution to issue sell interest-bearing revenue/tax anticipation notes in a principal amount not to exceed One Million Dollars (\$1,000,000.00) (the “Notes”) from the debt service funds to the operational funds upon approval of the State Director of Local Finance pursuant to the terms, provisions, and conditions permitted by law. The Notes shall be designated “Revenue/Tax Anticipation Interfund Loan Notes, Series 2012”; shall be dated as of the date of issuance and shall bear interest at a rate or rates not to exceed two per cent (2%) per annum, and in no event shall the rate exceed the legal limit provided by law.

Section 2. That, the sum of the principal amount of the Notes, together with the principal amount or amounts of any prior revenue/tax anticipation notes issued during the Fiscal Year, does not exceed sixty percent (60%) of the Fund appropriation for the Fiscal Year.

Section 3. That, the Notes may be renewed from time to time and money may be borrowed from time to time for the payment of any indebtedness evidenced by the Notes; provided, that the Notes and any renewal notes shall mature and be paid in full without renewal on or before the end of the Fiscal Year. If the Local Government overestimates the amount of taxes and revenue collected for the Fiscal Year and it becomes impossible to retire the Notes and all renewal notes prior to the close of the Fiscal Year, then the Local Government shall apply to the State Director of Local Finance within ten (10) days prior to the close of the Fiscal year for permission to issue funding bonds to cover the unpaid Notes in the manner provided by Title 9, Chapter 11 of Tennessee Code Annotated or as otherwise provided for in a manner approved by the State Director of Local Finance.

Section 4. That, the Notes shall be secured solely by the receipt of taxes and revenues by the Fund during the Fiscal Year.

Section 5. That, the Notes shall be subject to redemption at the option of the Local government, in whole or in part, at any time, at the principal amount and accrued interest to the date of redemption without a premium.

Section 6. That, the Notes shall be executed in the name of the Local Government and bear the manual signature of the chief executive officer of the Local Government and the manual signature of the County Clerk with the Local Government seal affixed thereon; and shall be payable as to principal and interest at the office of the Trustee of the Local Government and shall be paid out for the purpose of meeting Fund appropriations made for the Fiscal Year in anticipation of the collection of revenues and taxes pursuant to this Resolution and as required by law.

Section 7. That, the Notes shall be in substantially the form authorized by the State Director of Local Finance and shall recite that the Notes are issued pursuant to Title 9, Chapter 21, Tennessee Code Annotated.

Section 8. That the Notes shall be issued only after the receipt of the approval of the State Director of Local Finance for the sale of the Notes.

Section 9. That, all orders or resolutions in conflict with this Resolution are hereby repealed insofar as such conflict exists and this Resolution shall become effective immediately upon its passage.

Motion duly made by **Commissioner Moore** second by **Commissioner Collier**, the July 11, 2011 meeting stood adjourned at 9:25 P.M.

APPROVED:

Chairman James Brummett

Attest:

County Clerk Barbara J. Anthony