

**MINUTES
ROANE COUNTY COMMISSION
REGULAR MEETING
DECEMBER 12. 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 12th day of December, 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: **George Bacon, Ron Berry, Ray Cantrell, Bobby Collier, Benny East, Randy Ellis, Nick Forrester, Jerry Goddard, Carolyn Granger, Chris Johnson, Steve Kelley, Stanley Moore, George Nelson, (14)**

Absent: **Tedder (1)**

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

APPROVE MINUTES OF THE NOVEMBER 14, 2011 MEETING.

MOTION was made by **Commissioner Bacon** with second by **Commissioner Moore** to approve the minutes of the November 14, 2011 meeting.

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

ACCEPTANCE OF COMMITTEE REPORTS AND CORRESPONDENCE:

1. **Minutes** of Planning Commission 10-19-11.
2. **Minutes** of Road Committee 10-25-11.

3. **Minutes** of Board of Public Utilities 10-27-11.
4. **Minutes** of Fire Board 11-08-11.
5. **Minutes** of Budget Committee 11-10-11.
6. **Minutes** of Courthouse & Courtroom Security 11-15-11.
7. **Minutes** of Parks & Recreation Advisory Board 11-25-11
8. **Minutes** of Legislative Committee 11-17-11.
9. **Minutes** of Property & Records Committee 11-22-11.
10. **Letter** from Sheriff Jack Stockton re: Inspection of Big Orange Bar/Grill & Pub 11-03-11.
11. **Order** re: Roane County vs. Paula Brackett.
12. **Order** re: Roane County vs. Garry Brown.
13. **Order** re: Roane County vs. Debbie Green.
14. **Order** re: Roane County vs. Wayne & Regenni Lewis.
15. **Order** re: Roane County vs. Jane Janamae McInnis.
16. **Order** re: Roane County vs. John K. Wilkinson.
17. **Order** re: Roane County vs. William John Smith.
18. **Letter** from Senator Yager to TDEC in support of Roane County's application for a RTP Grant in the amount of \$119,680.00.
19. **Hotel/Motel** Tax audit report.
20. **Letter** from Chairman Brummett to comptroller re: Establishment of County Audit Committee with draft Resolution.
21. **Letter** from Director of Schools, Toni McGriff, ED D. to Chairman Brummett re: preferred date of joint meeting between County Commission and School Board.
22. **Minutes** of Committee on Committees 11-22-11.

Commissioner Berry discussed item # 2, Minutes of the Road Committee and item 8, Minutes of the Legislative Committee.

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

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 County Clerk **Barbara Anthony**: Jennifer L. Roby, Patricia H. Guge, Chris Howard, Angela Dougal, Stephanie S. Buckholtz, Timm Thayer, Pamela Y. Guy and Cecelia D. Newman.

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

Motion **Passed** upon unanimous voice vote.

HEARING OF DELEGATION:

- Val McNabb Chairman of Roane County Tea Party. invited the Commissioners to attend a meeting on the 1st Thursday in January to listen to a guest speaker address agenda 21.
- Nancy Walker of Marble View Drive, Kingston stated that due to work by the Sewer Department, her driveway had been damaged and requested that they make the necessary repairs.
- Ed Harper of Crosswind Rd. Ten Mile voiced his complaint regarding the county closing Windward Way Road.
- Robert Cooker, one of the Ambulance Department Employees that resigned on December 1, 2011 addressed the commission regarding that resignation.
- Karen Human who was laid off from the Ambulance Department in January 2011 stated that she was the one who had made the call concerning the Ambulance Department Employees.

COUNTY ATTORNEY'S REPORT:

County Attorney Tom McFarland reported on the zoning lawsuits.

COUNTY EXECUTIVE'S REPORT:

Executive Woody discussed the establishment of a County Audit Committee and reported that a meeting had been scheduled for 6

o'clock p.m. January 12, 1012 at the Transportation Building in Midtown.

SPECIAL ORDERS:

Approval of Bond # LSM0117437 of Carlton Spurling, Coroner for a term beginning July 27, 2011 and ending July 27, 2013.

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

Motion **Passed** upon unanimous voice vote.

Approval of Bond # LSM0318710 of J. Brandon Browning, Deputy County Coroner for a term beginning August 1, 2011 and ending August 1, 2012.

Motion to approve was made by **Commissioner Forrester** with second by **Commissioner Johnson**.

Motion **Passed** upon unanimous voice vote.

FIREMAN OF THE YEAR:

The following firemen were presented Fireman of the Year trophies:

Blair Ty Sather, West Roane County - John Cloudy, Midtown-Lt. John Clody, East Roane County- Capt. Andrew Murray and South Roane County - Capt. Michael Farrell was not present, but was presented his trophy later.

ZONING RESOLUTIONS:

RESOLUTION # 12-11-01Z

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: REQUESTED BY: Gordon Webster & Christian & Judith Linn

 X APPROVAL

PUBLIC HEARING INFORMATION

 DENIAL

NOTICE DATE: November 4, 2011

 OTHER

NEWSPAPER: ROANE COUNTY NEWS

HEARING DATE: Dec. 12, 2011

COUNTY COMMISSION ACTION

READING DATE: Dec. 12, 2011

EFFECTIVE DATE: Dec. 12, 2011

Planning Commission Chairman

Planning Commission Secretary

Date

COMMENT:

Planning Commission unanimously approved the request. The request is to rezone from C-2 (Highway Commercial) to A-2 (Developing Agricultural).

WHEREAS, Roane County Legislative Commission has been asked to consider the rezoning of Map 78E, Group A, Parcels 1.00 & 2.00 as shown on the attached map, and,

WHEREAS, the planning commission of jurisdiction has reviewed the request to have said parcel rezoned from **C-2 (Highway Commercial) to A-2 (Developing Agricultural)** and,

WHEREAS, the planning commission recommendation is certified:

BE IT RESOLVED BY THE ROANE COUNTY COMMISSION THAT:

Section 1: Map 78E, Group A, Parcels 1.00 & 2.00 as shown on the attached map is hereby zoned A-2 (Developing Agricultural).

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

Upon motion by Commissioner **Granger**, Seconded by Commissioner **Cantrell**.

The following commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, Ellis, East, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson (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.

See Attachment

OLD BUSINESS:

RESOLUTION # 09-11-18

A RESOLUTION AMENDING HIGHWAY DEPARTMENT FUNDS ALLOWING AN APPROPRIATION TO FUNDS TO THE HOT MIX ACCOUNT.

WHEREAS, loan proceeds were accrued and need to be appropriated into the Hot Mix account. .

NOW, THEREFORE, BE IT RESOLVED the Highway Fund be hereby amended as follows:

Account Number	Description	Approved Budget	Amendment	Amended Budget
<hr/>				
Highway Fund Equities				
131.34990	BDS10 Reserved for	\$ 193,245.83	(\$193,245.83)	\$ 0
General Purposes				
Highway Fund Expenditures				
131.62000.404	Hot Mix	\$ 1,200,000.00	\$193,245.83	\$1,393,245.83

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 Collier** the following Commissioners voted AYE: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson (14)**

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.

NEW BUSINESS:

RESOLUTION # 12-11-01

A RESOLUTION AUTHORIZING ROANE COUNTY TO REFUND TO: HASLER FINANCIAL SERVICES LLC, TAX DEPT. 3RD FLOOR, 478 WHEELERS FARM RD, MILFORD CT 06461, THE SUM OF \$10.00.

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

Reason: delete 2010-double assessed to 44-032.00 P006

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
058G	E	002.00 P106	2010	\$10.00	\$10.00

NOW, THEREFORE, BE IT RESOLVED, that **ROANE COUNTY** is hereby authorized to refund to: Hasler Financial Services LLC, Tax Dept, 3rd Floor, 478 Wheelers Farm Rd, Milford CT 06461 the sum of \$10.00.

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

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson (14)**

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.

RESOLUTION # 12-11-02

A RESOLUTION AUTHORIING ROANE COUNTY TO REFUND TO: HOME QUALITY MANAGEMENT @ ROCKWOOD CARE (SIGNATURE HEALTHCARE) 12201 BLUEGRASS PARKWAY, LOUISVILLE KY 40299, THW SUM OF \$760.00.

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

Reason: change 2010 due to filing of amended return

Map Refund	Group	Parcel No.	Year	Amount of tax paid
055A	C	001.00 P003		
	2010	\$1544.00		\$760.00

NOW, THEREFORE, BE IT RESOLVED, that **ROANE COUNTY** is hereby authorized to refund to: Home Quality Management @ Rockwood Care (Signature Healthcare LLC, 12201 Bluegrass Parkway, Louisville KY 40299, the sum of \$760.00.

Upon motion of **Commissioner Ellis**, seconded by **Commissioner Kelley**

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson (14)**

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 # 12-11-03

A RESOLUTION AUTHORIZING ROANE COUNTY TO REFUND TO: ROCKWOOD CARE & REHABILITATION CENTER (SIGNATURE HEALTHCARE LLC) 12201 BLUEGRASS PARKWAY, LOUISVILLE KY 40299, THE SUM OF \$2055.00.

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

Reason: delete 2010 readded under Signature Healthcare LLC 055A-c-001 P003

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
055A	C	001.00P004	2010	\$2055.00	\$2055.00

NOW, THEREFORE, BE IT RESOLVED, that **ROANE COUNTY** is hereby authorized to refund to: Rockwood care & Rehabilitation Center (Signature Healthcare LLC) 122 Bluegrass Parkway, Louisville Ky 40299, the sum of \$2055.00.

Upon motion of **Commissioner Ellis**, seconded by **Commissioner Kelley**

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson (14)**

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 # 12-11-04

A RESOLUTION AUTHORIZING ROANE COUNTY TO REFUND TO: BRIAN MURAWSKY RE: WESTON & MARY LOU TUCKER, PO BOX 51822, KNOXVILLE, TN 37950, THE SUM OF \$104.08.

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

Reason: delete-county took possession 6-28-2010

Map	Group	Parcel No	Year	Amount of tax paid	Refund
119		043.00	2010	\$75.04	\$38.08
119		043.00	2011	\$66.00	\$66.00

NOW, THEREFORE, BE IT RESOLVED, that **ROANE COUNTY** is hereby authorized to refund to: Brian Murawsky RE: Weston & Mary Lou Tucker, PO Box 51822, Knoxville TN 37950, the sum of \$104.08.

Upon motion of **Commissioner Ellis**, seconded by **Commissioner Kelley**

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson (14)**

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 # 12-11-05

A RESOLUTION AUTHORIZING ROANE COUNTY TO REFUND TO: SALLIE M COLLIER RE: MITCHELL WRIGHT, 1018 SERVIER AVENUE, HARRIMAN, TN 37748 THE SUM OF \$13.44.

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

Reason: pro-rate for 2010-county took possession

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
026D	D	001.01	2010	\$26.88	\$13.44

NOW, THEREFORE, BE IT RESOLVED, that **ROANE COUNTY** is hereby authorized to refund to: Sallie M Collier RE: Mitchell Wright, 1018 Sevier Avenue, Harriman TN 37748, the sum of \$13.44.

Upon motion of **Commissioner Ellis**, seconded by **Commissioner Kelley**

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson (14)**

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 # 12-11-06

A RESOLUTION AUTHORIZING ROANE COUNTY TO REFUND TO: TONY CLOUGH RE H F MCCARROLL HEIRS, 108 POWELL AVENUE HARRIMAN, TN 37748 THE SUM OF \$3.36.

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

Reason: pro-rate for 2010-county took possession

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
017E	G	010.00	2010	\$6.72	\$3.36

NOW, THEREFORE, BE IT RESOLVED, that **ROANE COUNTY** is hereby authorized to refund to: Tony Clough RE: H F McCarroll Heirs, 108 Powell Avenue, Harriman TN 37748 the sum of \$3.36.

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

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson (14)**

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 # 12-11-07

**A RESOLUTION AUTHORIZING ROANE COUNTY TO REFUND TO: TONY CLOUGH
RE: RONALD HAMBY, 108 POWELL AVENUE, HARRIMAN, TN 37748 THE SUM
OF \$62.72.**

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

Reason: pro-rate 2010-county took possession

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
054K	E	014.01	2010	\$123.20	\$62.72

NOW, THEREFORE, BE IT RESOLVED, that **ROANE COUNTY** is hereby authorized to refund to: Tony Clough RE: Ronald Hamby, 108 Powell Avenue, Harriman TN 37748, the sum of \$62.72.

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

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson (14)**

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 # 12-11-08

**A RESOLUTION AUTHORIZING ROANE COUNTY TO REFUND TO: TONY CLOUGH
RE: JESSIE MOORE, 108 POWELL AVENUE, HARRIMAN, TN 37748 THE SUM
OF \$35.84.**

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

Reason: pro-rate 2010-county took possession

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
026N	E	002.00	2010	\$71.68	\$35.84

NOW, THEREFORE, BE IT RESOLVED, that **ROANE COUNTY** is hereby authorized to refund to: Tony Clough RE: Jessie Moore, 108 Powell Avenue, Harriman TN 37748, the sum of \$35.84.

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

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson (14)**

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.

RESOLUTION # 12-11-09

A RESOLUTION AUTHORIZING ROANE COUNTY TO REFUND TO: ROBERT H AND KATHLEEN C COWAN, 1346 INDIAN SHADOWS DRIVE, TEN MILE, TN 37880, THE SUM OF \$328.00.

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

Reason: per Equalization Board

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
110D	B	003.00	2010	\$2,743.00	\$328.00

NOW, THEREFORE, BE IT RESOLVED, that **ROANE COUNTY** is hereby authorized to refund to: Robert H and Kathleen C Cowan, 1346 Indian Shadows Drove. Ten Mile TN 37880, the sum of \$328.00.

Upon motion of **Commissioner Ellis**, seconded by **Commissioner Kelley**

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson (14)**

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 # 12-11-10

A RESOLUTION AUTHORIZING ROANE COUNTY TO REFUND TO: JAMES F AND TINA BROWNING. 165 WHIPPOORWILL DRIVE, OAK RIDGE TN 37830, THE SUM OF \$107.00.

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

Reason: change per Equalization Board

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
014C	C	009.00	2010	\$2,060.00	\$107.00

NOW, THEREFORE, BE IT RESOLVED, that **ROANE COUNTY** is hereby authorized to refund to: James F and Tina Browning, 165 Whippoorwill Drive, Oak Ridge TN 37830, the sum of \$107.00.

Upon motion of **Commissioner Ellis**, seconded by **Commissioner Kelley**

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson (14)**

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 # 12-11-11

A RESOLUTION AUTHORIZING ROANE COUNTY TO REFUND TO: JAMES A AND FREEMA ST INNETT (BRIGADOON), 1518 LAURENS GLEN LANE, KNOXVILLE TN 37923, THE SUM OF \$1,308.00.

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

Reason: correct sketch, basement added twice

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
102	023.00	L038	2010	\$4,095.00	\$1,308.00

NOW, THEREFORE, BE IT RESOLVED, that **ROANE COUNTY** is hereby authorized to refund to: James A and Freema Stinnett (Brogadoon), 1518 Laurens Glen Lane, Knoxville TN 37923, the sum of \$1,308.00.

Upon motion of **Commissioner Ellis**, seconded by **Commissioner Kelley**

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson (14)**

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 # 12-11-12

A RESOLUTION AUTHORIING ROANE COUNTY TO REFUND TO: DAVID AND MARGARET H BRASHEARS, 290 HOBSON ROAD, KINGSTON TN 37763 THE SUM OF \$143.00.

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

Reason: change per Equalization Board

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
059		040.00	2010	\$799.00	\$143.00

NOW, THEREFORE, BE IT RESOLVED, that **ROANE COUNTY** is hereby authorized to refund to: David and Margaret Brashears, 290 Hobson Road, Kingston TN 37763, the sum of \$143.00.

Upon motion of **Commissioner Ellis**, seconded by **Commissioner Kelley**

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson (14)**

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

See attachment

RESOLUTION # 12-11-13

A RESOLUTION AUTHORIZING ROANE COUNTY TO REFUND TO: REICHARD J AND LELIA R HARTIGAN, 151 HIGHLAND RESERVE WAY, KINGSTON TN 37763 THE SUM OF \$468.00.

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

Reason: per Equalization Board

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
079		044.00	2010	\$4,739.00	\$468.00

NOW, THEREFORE, BE IT RESOLVED, that **ROANE COUNTY** is hereby authorized to refund to: Richard J and Lelia R Hartigan, 151 Highland Reserve Way, Kingston TN 37763, the sum of \$468.00.

Upon motion of **Commissioner Ellis**, seconded by **Commissioner Kelley**

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson (14)**

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 # 12-11-14

**A RESOLUTION AUTHORIZING ROANE COUNTY TO REFUND TO: CARL DENNIS
-AND GAIL SORRENSEN, 107 WINCHESTER CIRCLE, OAK RIDGE TN 37830,
THE SUM OF \$269.00.**

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

Reason: per Equalization Board

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
008M	F	023.00	2010	\$2,639.00	\$269.00

OW, THEREFORE, BE IT RESOLVED, that **ROANE COUNTY** is hereby authorized to refund to: Carl Dennis and Gail L Sorenson, 107 Winchester Circle, Oak Ridge TN 37830, the sum of \$269.00.

Upon motion of **Commissioner Ellis**, seconded by **Commissioner Kelley**

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson (14)**

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 # 12-11-15

A RESOLUTION AUTHORIZING ROANE COUNTY TO REFUND TO: ROBERT AND LINDA THOMPSON, 159 FARRS ROAD, KINGSTON, TN 37763 THE SUM OF \$665.00.

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

Reason: per Equalization Board

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
078		041.17	2010	\$7,022.00	\$665.00

NOW, THEREFORE, BE IT RESOLVED, that **ROANE COUNTY** is hereby authorized to refund to: Robert and Lind Thompson, 159 Farris Road, Kingston TN 37763, the sum of \$665.00.

Upon motion of **Commissioner Ellis**, seconded by **Commissioner Kelley**

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson (14)**

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 # 12-11-16

A RESOLUTION AUTHORIZING ROANE COUNTY TO REFUND TO: KENNETH E AND PEGGY R TILLEY, 256 HIGH POINT VILLAGE WAY, KINGSTON TN 37763 THE SUM OF \$419.00.

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

Reason: per Equalization Board

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
068J	A	015.00	2010	\$4,323.00	\$419.00

NOW, THEREFORE, BE IT RESOLVED, that **ROANE COUNTY** is hereby authorized to refund to: Kenneth E and Peggy R Tilley, 256 High Pointe Village Way, Kingston TN 37763, the sum of \$419.00.

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

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson (14)**

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 # 12-11-17

A RESOLUTION AUTHORIZING ROANE COUNTY TO REFUND TO: DANNY AND LIDA SHEPPARE, 1144 WEST OUTER DRIVE, OAK RIDGE TN 37830 THE SUM OF \$2,152.00.

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

Reason: pre Equalization Board

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
008M	B	026.01	2010	\$6,990.00	\$2,152.00

NOW, THEREFORE, BE IT RESOLVED, that **ROANE COUNTY** is hereby authorized to refund to: Danny and Lida Whitaker-Sheppard, 1144 West Outer Drive, Oak Ridge TN 37830, the sum of \$2,152.00.

Upon motion of **Commissioner Ellis**, seconded by **Commissioner Kelley**

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson (14)**

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 # 12-11-18

A RESOLUTION AUTHORIZING ROANE COUNTY TO REFUND TO: FRANK A AND NORMA J FATH, III, GABLEBERRY AVENUE, OAK RIDGE TH 37830 THE SUM OF \$76.00.

A RESOLUTION authorizing **ROANE COUNTY** to refund to: Frank A and Norma J Fath, 111 Galeberry Avenue, Oak Ridge TN 37830 , the sum of \$76.00.

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

Reason: Per Equalization Board

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
039J	A	006.00	2010	\$933.00	\$76.00

NOW, THEREFORE, BE IT RESOLVED, that **ROANE COUNTY** is hereby authorized to refund to: Frank A and Norma J Fath, 111 Galeberry Avenue, Oak Ridge TN 37830, the sum of \$76.00.

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

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson (14)**

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 # 12-11-19

A RESOLUTION AUTHORIZING ROANE COUNTY TO REFUND TO: ROMA C GUTH % MICHAEL GUTH, 116 OKLAHOMA AVENUE, OAK RIDGE TN 37830 THE SUM OF \$103.00.

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

Reason: per Equalization Board

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
009P	C	005.00	2010	\$1,052.00	\$103.00

NOW, THEREFORE, BE IT RESOLVED, that **ROANE COUNTY** is hereby authorized to refund to: Roma C Guth % Michael Guth, 116 Oklahoma Avenue, Oak Ridge TN 37830 the sum of \$103.00.

Upon motion of **Commissioner Ellis**, seconded by **Commissioner Kelley**

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson (14)**

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 # 12-11-20

A RESOLUTION AUTHORIZING ROANE COUNTY TO REFUND TO: ROYCE WARREN AND KAYBE M SLAVEN II, (OLIVER BLAKE) PO BOX 525, KINGSTON, TN 37763 THE SUM OF \$178.00.

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

Reason: per Equalization Board

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
047K	E	001.00	2010	\$1,403.00	\$88.00
047K	E	001.00	2011	\$1,421.00	\$90.00

NOW, THEREFORE, BE IT RESOLVED, that **ROANE COUNTY** is hereby authorized to refund to: Royce Warren and Kaybe M Slaven II (Oliver Blake), PO Box 525, Kingston TN 37763, the sum of \$178.00.

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

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson (14)**

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 # 12-11-21
IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE

A Resolution asking local businesses not to sell certain synthetic drugs which have not already been made unlawful by way of federal or state law

WHEREAS, certain synthetic drugs pose real and present danger to citizens of Roane County; and

WHEREAS, the Roane County Sheriff's Department finds that certain synthetic drugs are readily available for sale in Roane County; and

WHEREAS, Roane County Government desires to help control the sale and transfer, restrict the use, possession, delivery, trade, barter, exchange and/or purchase of certain synthetic drugs; and

WHEREAS, Roane County Government requests of our retail establishments that certain synthetic drugs not be made available within Roane County, Tennessee;

NOW, THEREFORE BE IT RESOLVED by the Roane County Commission that Roane County Government requests our retail establishments not to have available to sell or trade synthetic drugs noted as:

- Any substance, however denominated, and no matter the common street, brand or trade name of such substance, containing one or more of the following chemicals:
 - Salvia divinorum or salvinorum A
 - (6aR, 10aR)-9-(hydroxymethyl)-6, 6dimethyl-3(2methyloctan-2yl)-6a, 7, 10, 10a-tetrahydrobenzo[c]chromen-1-01 (some trade or other names being: HU-201);
 - 1-Pentyl-3-(1-naphthoyl) indole (some trade or other names being: JWH-018)
 - 1-Butyl-3-(1naphthoyl) indole (some trade or other names being: JWH-073;
 - 1-(3{trifluoromethylphenyl}) piperazine (some trade or other names being: TFMPP);
 - 3, 4-methylenedioxypropylvalerone (MDPV), some trade or other names being: MDPK);
 - 4-methylmethcathinone (Mephedrone);
 - 3,4 – methylenedioxypropylmethcathinone (Methylone);
 - 3, - methoxymethcathinone;
 - 4 – methosymethcathinone;
 - 3 – flouromethcathinone;
 - 4 – fluoromethcathinone
- Any other substance which mimics the effects of any controlled substance (to include, but not limited to, any opiates, opium derivatives, hallucinogenic substances, methamphetamine, MDMA, cocaine, PCP, marijuana, cannabis, cannabinoids, cannabicyclohexanol, and tetrahydrocannabinoids), to include, but not limited to, "bath salts," "plant food," "incense," or "insect repellent," but excluding legitimate bath salts containing as the main ingredient the chemicals sodium chloride (sea salt) and/or magnesium sulfate (Epsom salt), or legitimate plant foods or insect repellent not intended for human consumption, or legitimate incense used as an odor elimination product.
- Any similar substances to the above which when inhaled, or otherwise ingested, may produce intoxication, stupefaction, giddiness, paralysis, irrational behavior, or in any manner, changes, distorts, or disturbs the auditory, visual, or mental process, and the product or substances has no other apparent legitimate purpose for consumers.

BE IT FURTHER RESOLVED that upon adoption this resolution shall be spread upon the Commission minutes and that the County Executive shall provide a copy of this resolution to all applicable retail establishments.

UPON MOTION of **Commissioner Forrester**, seconded by **Commissioner Cantrell**, the following Commissioners voted Aye :**Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson (14)**

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 # 12-11-22

A RESOLUTION TO EXPRESS SUPPORT FOR LEGISLATION THAT WOULD AMEND TITLE 8, CHAPTER 44 TO SUBJECT GOVERNING BODIES TO THE SAME OPEN MEETING ACT THAT THE GENERAL ASSEMBLY IS SUBJECT TO UNDER T.C.A. 3-1-118.

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

Motion and second were **withdrawn**.

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

Motion was made by **Commissioner Ellis** with second by **Commissioner Granger** to amend by including the following:

"The Legislature being their self under the same rules as the County Commission "

Upon roll call vote on the amendment the following Commissioners voted Aye: **Bacon, Collier, Ellis, Granger, Nelson (5)**

The following Commissioners voted No: **Brummett, Cantrell, Collier, East, Forrester, Goddard, Johnson, Kelley, Moore (9)**

Amendment **Failed**.

The following Commissioners voted on the Resolution as submitted:

Yea: **Brummett, Collier, Johnson, Kelley, Nelson (5)**

The following Commissioners voted No: **Bacon, Berry, Cantrell, Ellis, East, Forrester, Goddard, Granger, Moore (9)**

Thereupon the Chairman announced that the Resolution # 12-11-22 **Failed**.

RESOLUTION # 12-11-23

A RESOLUTION ALLOCATING THE AVAILABLE SPACE AT THE OLD JAIL AND SECOND FLOOR OF THE COURTHOUSE TO BE ASSIGNED TO VARIOUS COUNTY DEPARTMENTS.

WHEREAS, the old jail is being rehabilitated for county use, and

WHEREAS, several county offices/departments have requested space at the old jail; and

WHEREAS, upon a reassignment of the Juvenile Department to the old jail, space will be available for assignment on the second floor of the Courthouse; and

WHEREAS, the Roane County Property Committee met on November 22, 2011 and recommends that the available space at the old jail and second floor of the Courthouse be assigned to various departments.

NOW, THEREFORE, BE IT RESOLVED that the Roane County Commission does hereby allocate available space at the old jail and second floor of the Courthouse as follows:

1. The front offices are allocated to the Sheriff's Department (starting at the Sheriff's Office and extending to the minimum security area; all facing Highway 70)
2. The actual jail area (cells) is allocated to the Records Department for records storage
3. The booking area and adjacent office space along with the Chief Deputy's office and reception area at the entrance facing the Courthouse is allocated to the Juvenile Probation Department
4. The old drunk tank (holding cells) shall be assigned to juvenile if needed for records or other uses and if both are not needed can be used the Records Department
5. The remainder of the space is allocated to the County Executive for use by the following departments:
 - a) The garage/utility room will be used by the Building and Grounds department

b) The laundry room will be used by the Office of Emergency Services

c) The kitchen will be used as needed

6. Sessions/Circuit Court shall then be assigned space in Courthouse vacated by Juvenile Probation Department. (All Juvenile Probation will vacate the second floor with the exception of one office to be used by Juvenile Officers while attending court hearings.)

UPON MOTION of Commissioner Kelley, seconded by Commissioner Moore, the following Commissioners voted Aye: Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson (14)

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 # 12-11-24

A RESOLUTION TO APPROVE AND SUPPORT THE USE OF CERTAIN ACRES AT THE ROANE COUNTY LANDIFLL SITE.

WHEREAS, Roane County Government has been reviewing various real property assets and evaluating additional potential uses of same; and

WHEREAS, the County has approximately 70 acres of a closed landfill cell that is being maintained in accordance with our State permit; and

WHEREAS, the County has been in discussions with the Tennessee Eagles R/C Club for use of a portion of the closed landfill cell for use to fly remote controlled planes; and

WHEREAS, Executive Summary #21 on the county website further describes the use; and

WHEREAS, the County owns adjacent property to the landfill which is permitted for a landfill cell but is currently not being used; and

WHEREAS, the Sheriff's Department has requested the use of a portion of the permitted, but not used, cell for a firing range location; and

WHEREAS, the County's Sheriff's Liaison Committee, Solid Waste Committee, Property Committee and Parks and Recreation Board have reviewed and studied conceptual drawings and plans, and have expressed their support of the use of the county landfill assets for the above described purposes,

NOW, THEREFORE, BE IT RESOLVED that the Roane County Commission does hereby approve for use:

- d) A portion of the closed landfill cell for a remote controlled airplane park, and
- e) A portion of the permitted, unused, landfill area for use by the Roane County Sheriff's Department of a firing range.

BE IT FURTHER RESOLVED that before any of the above-described uses begin,

- a) The county insures that the activities do not violate any state landfill permits, and
- b) An Agreement of Use for the R/C airpark is approved by the County Attorney, including schedules of use, insurance provided, responsibility and security issues are addressed.

UPON MOTION of Commissioner Goddard, seconded by Commissioner Cantrell, the following Commissioners voted Aye: Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson (14)

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 # 12-11-25

A RESOLUTION TO AMEND THE GENERAL FUND (101), URBAN SERVICES (111), SOLID WASTE FUND (116), AMBULANCE FUND (118), RECYCLING FUND (123), DISTRICT ATTORNEY GENERAL FUND (126), HIGHWAY FUND (131), WASTEWATER FUND (204), AND JUDICIAL DISTRICT DRUG FUND (363), TO PROVIDE A BONUS TO COUNTY EMPLOYEES EXCLUDING SCHOOL SYSTEM EMPLOYEES.

WHEREAS, the Budget Committee in the November Budget Committee meeting discussed and recommended drafting a resolution for consideration and review during their December Budget Committee meeting, and

WHEREAS, Budget Committee qualified the bonuses to be calculated as follows:

full time employees who have been employed for at least 6 months qualify for a \$500 bonus
part time employees who work at least 18 hours weekly and have been employed for at least 6 months qualify for a \$250 bonus, and

WHEREAS, these employees have been without bonuses or raises for going on four (4) years.

NOW, THEREFORE, BE IT RESOLVED that the aforementioned qualifications of eligibility are approved.

BE IT FURTHER RESOLVED that the General Fund (101), Urban Services (111), Solid Waste Fund (116), Ambulance Fund (118), Recycling Fund (123), District Attorney General Fund (126), Highway Fund (131) Wastewater Fund (204), and Judicial District Drug Fund (363) be amended as follows:

SEE ATTACHED SHEET

BE IT FURTHER RESOLVED that for any employees who may have not been counted in the budgeted adjustments, but do meet the qualifications of eligibility, budgets are hereby amended and a filing of such adjustments will made with commission.

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

The following Commissioners voted Aye: **Brummett, Cantrell, Collier, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson (11)**

No: **Bacon, Berry, East (3)**

Passed:

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

See attachment

RESOLUTION # 12-11-26

**A RESOLUTION AUTHORIZING ROANE COUNTY TO APPLY FOR THE FY 2012
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS UP TO THE AMOUNT OF
\$500,000.**

WHEREAS, the Community Development Block Grant (CDBG) Program as administered by the State of Tennessee offers grants to local jurisdiction to fund sewer and water line extensions, sewer and water system upgrades, as well as community livability projects, and

WHEREAS, Roane County Commission desires to take advantage of this grant opportunity to better serve the citizens of the County, and

NOW, THEREFORE, BE IT RESOLVED by the County Commission of Roane County as follows:

THAT, Roane County Executive, is hereby authorized to execute and submit an application with appropriate assurances to the State of Tennessee, Development of Economic and Community Development, Office of Program Management, requesting Fiscal Year 2012 Community Development Block Grant funds in the amount not to exceed \$500,000; and

BE IT FURTHER RESOLVED, the matching fund amount of 17% or \$102,410 will be committed by Roane County Commission and will be provided in full by funds from the appropriate budget. Recognizing the total CDBG grant application will not exceed the amount of \$602,410.

BE IT FURTHER RESOLVED, Roane County has selected East Tennessee Development District to assist in the application and administration of the proposed project.

UPON MOTION of Commissioner Moore, seconded by Commissioner Collier.

The following Commissioners voted Aye: Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson (14)

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 # 12-11-27

A RESOLUTION TO PLACE IN SURPLUS CERTAIN ROANE COUNTY VEHICLES .

WHEREAS, the Roane County Sheriff's Department has determined that certain vehicles (as described below) are of no longer use to Roane County, and

Mfg	Model	Year	VIN	DISPOSITION
Ford	Windstar	2003	2FMDA52433BA92537	TRADE-IN
Ford	Explorer	2004	1FMZU72K34UA64739	TRANSFER TO PROPERTY ASSESSOR
Ford	Crown Vic	2007	2FAFP71W87X142454	USE FOR PARTS
Dodge	Intrepid	2004	2B3HD46V74H617805	SCRAP
Jeep	Cherokee	1998	1J4F68S0WL176452	TRADE IN/SELL

WHEREAS, the Roane County Sheriff's Department now seeks to have said vehicles declared surplus, and

P+ NOW, THEREFORE, BE IT RESOLVED that these vehicles are hereby declared surplus property and they made be disposed of as described above.

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 Goddard, seconded by Commissioner Nelson, the following Commissioners voted Aye: Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson (14)

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.

Motion duly made by **Commissioner Moore** second by **Commissioner Johnson** the December 12, 2011 meeting stood adjourned at 9:35 P.M.

APPROVED:

Chairman James Brummett

Attest:

County Clerk Barbara J. Anthony