

**MINUTES
ROANE COUNTY COMMISSION
REGULAR MEETING
SEPTEMBER 14, 2015**

**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 September 2015 at 7:00 P.M.

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

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

The Pledge of Allegiance to the Flag of the United States of America was led by Bailiff Jerry White.

Present and presiding was the **Honorable James Brummett**, and the following Commissioners: **Bell, Berry, East, Ellis, Ferguson, Fink, Granger, Hendrickson, Hooks, Johnson, Kelley, Meadows, Moore (14)**

Absent: **Collier (1)**

Thereupon Chairman Brummett announced the presence of a quorum.

Also present was Executive **Ron Woody**, Budget Director **Kaley Walker**, County Attorney **Greg Leffew**, Deputy Clerk **Bobbie Tipton**, Building Inspector **Glen Coffey** and Zoning Officer **Kay Christopher**.

APPROVE MINUTES OF THE AUGUST 10, 2015 MEETING.

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

Motion **Passed** upon unanimous voice vote.

Acceptance of Committee Reports and Correspondence

- 1. Minutes of Environmental Review Board 05-07-15.**
- 2. Minutes of Environmental Review Board 06-04-15.**
- 3. Minutes of Public Utility Board 07-14-15.**
- 4. Minutes of Planning Commission 07-15-15.**
- 5. Minutes of Road Committee 07-29-15.**
- 6. Minutes of Sports and Recreation Committee 07-30-15.**

7. Minutes of Local Board of Equalization 07-31-15.
8. Minutes of Fire Board 08-11-15.
9. Minutes of Sheriff's Liaison Committee 08-17-15.
10. Minutes of County Commission- Tourism Committee 08-18-15.
11. Minutes of Animal Control Authority 08-20-15.
12. Minutes of Building Inspector- Codes and Review Committee 08-24-15.
13. Minutes of Sports and Recreation Committee 08-25-15.
14. Minutes of Industrial Committee 08-25-15.
15. Financial Report- Circuit Court ending 6-30-15.
16. Financial Report -General Sessions Court ending 6-30-15.
17. Financial Report - Sheriff Department ending 06-30-15.
18. Letter from United States Department of Interior 7-23-15.
19. Letter from Department of Environment and Conservation 07-27-15.
20. Letter from Comptroller of the Treasury 08-03-15.
21. Letter from Department of Economic and Community Development 08-03-15.
22. Notification of Inspection Findings Requiring a TCI Plan Of action 08-10-15.
23. Letter to Sheriff Stockton re: Detention Facility 08-10-15.
24. Plan of Action from Sheriff Jack Stockton 08-28-15.
25. Letter from Honorable Beth Harwell, Speaker of the House 08-20-15.
26. Letter of appreciation to Phillip James 08-28-15.
27. Report from Roane County Trustee Wilma Eblen re: New Property Tax add ons 09-01-15.
28. Letter from Dr. John Merwin BS, MS, ED, D, MBA 09-01-15.
29. Accounting reports (3) as of 06-30-15.
30. Proclamation – Suicide Prevention Awareness Month September 2015.
31. Settlement Agreement and Release.

Motion to accept was made by **Commissioner Berry** with second by **Commissioner Moore**.

Motion **Passed** upon unanimous voice vote.

NOTARIES:

The following persons desiring to be elected as a Notary Public in Roane County were presented by Deputy Clerk Bobbie Tipton:

Stephanie S. Buckholtz, Krista D. Melson, Karen Denise Higgins, Angela Dougal, Nicole Kinser, Angela A. Skiles and Kiara Elkins.

Motion to accept was made by **Commissioner Meadows** with second by **Commissioner East**.

Motion **Passed** upon unanimous voice vote.

HEARING OF DELEGATION:

- **Omer Cox-** Commander of DAV Chapter 266 of Oliver Springs, TN thanked the Commissioners for money donated to help purchase a van for the veterans.

COUNTY ATTORNEY'S REPORT:

Attorney Leffew updated the Commissioners on pending lawsuits and requested a short executive meeting with the Commissioners.

COUNTY EXECUTIVE'S REPORT:

Back Tax Property Sale: Saturday, September 12th the Clerk and Master sold at Back Tax 114 properties of which the county purchased approximately 60. The original listing had approximately 288 properties but many of these were paid up before the sale. The county probably had 30 man hours on review of properties prior to sale, mainly buildings inside of city limits, to determine if the county could petition the court not to bid for the county.

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1. **2020 Reappraisal Plan: Resolution #09-15-12-** We had to file the resolution without the plan attachment which is at your desk tonight. The plan should have been approved in late spring or early summer, but wasn't finished at this time due to the final work on the current plan running late. The state provided the plan to us and requested approval this month as the State Board of Equalization will meet prior to our next commission meeting. Approval of the resolution (plan) allows Assessor David Morgan and me to sign the Memorandum of Understanding with the Division of Property Assessments. The plan is the 2020 Reappraisal Plan which outlines what is required of the county and state each quarter and each year of the next reappraisal cycle.
2. **Correspondence #29-** These are budget fiscal review reports that Director Walker prepared.

Demolition of Harriman Gencay Properties: The contractor plans to move in heavy equipment the end of this week. Hopefully, we will see some demolition starting next week.

3. **Alliance Gala:** The annual Alliance Gala is October 17th at Volkswagen. Please email Melanie if you plan on attending.

4. **Founder's Day:** Founder's Day is November 3rd. Please submit your nominations by the end of September.
5. **Home Grant: Resolution #09-15-11-** Public Hearing on Thursday, September 17th at 5:00 pm in the Commission Room. If you know of anyone that could qualify for home improvements, please encourage them to attend this meeting. They will discuss eligibility and application process. This is a no match grant which is funded by Tennessee Housing Development Agency.
6. **Annual Debt and Capital Project Report-** You have a copy at your desk and for the public it has been posted on our website.
7. **Elected Officials BBQ** at Alliance tomorrow at 5:30.
8. **Executive Woody** yielded to Barre Paulson of **Dark Horse Entertainment, LLC**. Ms. Paulson spoke about the Tennessee Medieval Festival and the other events that Dark Horse is planning in the near future. They are planning a Halloween event and a Christmas event. The next medieval festival will be in the spring.
- 9.

SPECIAL ORDERS :

Approval of Bond 32S100525 for Chris Mason in the amount of \$2500.00

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

Motion **Passed** upon unanimous voice vote.

Confirmation of appointment of David Wasilko as Student Representative to the Environmental Review Board due to the vacancy caused by end of term of John Hixon. The new term will expire July 31, 2017.

Motion to confirm was made by **Commissioner Granger** with second by **Commissioner Ellis**.

Motion **Passed** upon unanimous voice vote.

ZONING RESOLUTIONS:

Resolution # 09-15-01Z

A Resolution by Patricia Smith to rezone Map 71, Parcels 33.00 & 33.02 from A-2 (Developing Agriculture) to C-2 (Highway Commercial)

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: **Patricia Smith**

 X APPROVAL

PUBLIC HEARING INFORMATION

 DENIAL

NOTICE DATE: **Aug. 7, 2015**

 OTHER

NEWSPAPER: ROANE COUNTY NEWS

HEARING DATE: **Sept. 14, 2015**

COUNTY COMMISSION ACTION

READING DATE: **Sept. 14, 2015**

EFFECTIVE DATE: **Sept. 15, 2015**

Allen Williams, by Kay Christopher

Planning Commission Chairman

Warren Kocher by Kay Christopher

Planning Commission Secretary

9-14-15

Date

COMMENT:

Planning Commission approved the rezoning on a 6-1 vote. The request is to allow possible future development. This property lies adjacent to the property that was rezoned to C-2 in June of this year.

WHEREAS, Roane County Legislative Commission has been asked to consider the rezoning of Map 71, Parcels 33.00 & 33.02 as shown on the attached map, and,

WHEREAS, the planning commission of jurisdiction has reviewed the request to have said parcel rezoned from

A-2 (Developing Agricultural to C-2 (Highway Commercial)) and,

WHEREAS, the planning commission recommendation is certified:

BE IT RESOLVED BY THE ROANE COUNTY COMMISSION THAT:

Section 1: Map 71, Parcels 33.00 & 33.02 as shown on the attached map is hereby zoned C-2 (Highway Commercial).

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

Motion to adopt was made by **Commissioner Fink** with second by **Commissioner Bell**.

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

See Attachment

REZONING RESOLUTION 09-15-02Z

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:
Commission

REQUESTED BY: Roane County Planning

X APPROVAL

PUBLIC HEARING INFORMATION

_____ DENIAL

NOTICE DATE: Aug. 7, 2015

_____ OTHER

NEWSPAPER: ROANE COUNTY NEWS

HEARING DATE: Sept. 14, 2015

COUNTY COMMISSION ACTION

READING DATE: Sept. 14, 2015

EFFECTIVE DATE: Sept. 14, 2015

Allen Williams by Kay Christopher
Planning Commission Chairman

Warren Kocher by Kay Christopher
Planning Commission Secretary

09-14-15
Date

COMMENT:

This rezoning request has been reviewed and endorsed by the Industrial Board of Roane County. Planning Commission unanimously approved the rezoning. An asphalt plant was located on the property for years. An apparent mapping error shows the property is currently zoned A-2, but should be I-2 (Medium Industrial).

WHEREAS, Roane County Legislative Commission has been asked to consider the rezoning of Map 45, Parcels 56.01, 56.04, & 55.00 as shown on the attached map, and,

WHEREAS, the planning commission of jurisdiction has reviewed the request to have said parcel rezoned from

A-2 (Developing Agricultural) to I-2 (Medium Industrial) and,

WHEREAS, the planning commission recommendation is certified:

BE IT RESOLVED BY THE ROANE COUNTY COMMISSION THAT:

Section 1: Map 45, Parcels 56.01, 56.04, & 55.00 as shown on the attached map is hereby zoned I-2 (Medium **Industrial**).

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

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

Motion **Passed** upon unanimous voice vote. (Commissioner Ferguson read the disclosure statement)

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

See Attachment

OLD BUSINESS:

Resolution #09-15-01

A RESOLUTION Electing a Chairman of the Roane County Commissioners, and setting compensation for Chairman

WHEREAS, *Tennessee Code Annotated* Section 5-5-103, et seq., requires the Board of Commissioners to elect a Chairman and fix the compensation for said Chairman.

BE IT THEREFORE RESOLVED that **Ron Berry**, is hereby elected Chairman of the Roane County Board of Commissioners and the compensation for Chairman is set at \$287.04.

MOTION to adopt was made by **Commissioner Moore** with seconded by **Commissioner Hendrickson**.

MOTION to cease nominations and elect **Ron Berry** by acclamation was made by Commissioner **Ellis**.

Passed upon unanimous voice vote.

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

At this time the Committee adjourned into executive session with the County Attorney.

Upon the meeting coming back to order, Chairman Ron Berry took the chair.

Resolution # 09-15-02

A Resolution electing a Chairman Pro Tempore of the Roane County Commissioners, and setting compensation for the Chairman Pro Tempore.

Whereas, *Tennessee Code Annotated* Section 5-5-103 seq., requires the Board of Commissioners to elect a Chairman Tempore and fix the compensation for said Chairman Pro-Tempore.

BE IT THEREFORE RESOLVED that **Randy Ellis**, is hereby elected Chairman Pro Tempore of the Roane County Board of Commissioners and the compensation for Chairman Pro-Tempore is set at \$191.36. The Chairman Pro-Tempore shall receive the same pay as a regular commissioner except when serving as Chairman; for the duration of the meeting he would then receive the same compensation as Chairman.

Motion to appoint **Randy Ellis** was made by **Commissioner Hooks**.

Motion to cease nominations and elect **Randy Ellis** by acclamation was made by **Commissioner Hendrickson**.

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

Resolution # 09-15-03

A Resolution adopting the rules and procedure for the Roane County Board of Commissioners.

WHEREAS, it is necessary to adopt rules of procedure to govern the meetings of the Roane County Board of Commissioners and all committees thereof;

BE IT THEREFORE RESOLVED that all rules previously adopted or ratified by the Board of Commissioners are hereby repealed.

BE IT FURTHER RESOLVED that the following rules are hereby adopted, said rules to govern the meetings of the Roane County Board of Commissioners and all committees thereof:

1. All resolutions shall be filed at least Twelve (12) days prior to each regular meeting of the Commission before they can be considered at said regular meeting. This rule shall be known as the Twelve Day Rule, and may be waived by an affirmative vote of two-thirds (2/3) of the entire membership of the Commission.
2. All resolutions causing or requiring the appropriation of money shall be automatically referred to the Budget Committee for its recommendation before consideration by the full commission. No resolution causing or requiring the appropriation of money shall be considered by the Board of commissioners until it has been considered by the Budget Committee. No resolution causing or requiring the appropriation of money should be considered by the Board of Commissioners until a fiscal note is filed with the Commission. Said fiscal note shall state the impact, if any, of said resolution on the appropriations, reserve funds and tax rate. However, if such a resolution is not considered by the Budget Committee during the period between regular meetings, it may be considered at the second meeting without waiving the rules.
3. A resolution shall have a sponsor before it may be considered by the Board of Commissioners or its Committees. Only the County Executive, a Commissioner, or the County Attorney may file a resolution with the County Clerk.
4. The rules of the Commission may be waived upon an affirmative vote of two-thirds (2/3) of the entire membership of the Commission.
5. Roberts Rules of Order(edition published 2004) are hereby adopted and shall control the conduct of the meetings of the Roane County Board of commissioners and all
6. committee meetings thereof, except where they conflict with the foregoing rules or the laws of the State of Tennessee or the United States of America.

MOTION to adopt was made by **Commissioner Johnson** with second by Commissioner **Kelley**.

Motion Passed upon unanimous voice vote.

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

RESOLUTION # 09-15-04

A RESOLUTION setting the regular meeting date of the Roane County Legislative Body

WHEREAS, *Tennessee Code Annotated* Section 5-5-104 requires the Board of Commissioners to set a regular meeting date and place.

BE IT THEREFORE RESOLVED that the regular meeting date for the Roane County Board of Commissioners shall be the 2nd Monday night of each month at 7 o'clock PM, at the Roane County Courthouse.

MOTION to adopt was made by Commissioner Ellis with second by Commissioner Moore

Motion Passed upon unanimous voice vote.

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

Resolution # 09-15-05

A Resolution electing the membership of the Budget Committee.

WHEREAS, it is necessary to elect the membership of the Budget Committee;

BE IT THEREFORE RESOLVED that the following persons are elected to the Budget Committee: **Commissioner Collier, Commissioner Fink, Commissioner Kelley and Commissioner Meadows.**

BE IT FURTHER RESOLVED that the Budget Committee shall serve for a period of twelve (12) months.

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

Motion **Passed** upon unanimous voice vote.

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

Resolution # 09-15-06

A Resolution electing a Committee on Committees.

WHEREAS, it is necessary to elect a Committee on Committees;

BE IT THEREFORE RESOLVED that the following persons are elected to the Committee on Committees: **Moore, East, Hendrickson, Johnson, Hooks.**

BE IT FURTHER RESOLVED that the Committee shall serve for a period of twelve (12) months.

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

Motion **Passed** upon unanimous voice vote.

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

Resolution # 09-15-07

A Resolution authorizing the county attorney to file a lawsuit regarding a violation of the 2006 International residential Code, Section R105 by allowing a structure to be placed on property identified as Tax Map 57E, Group C, Parcel 4.00 without a building permit, and a violation of the Roane County Zoning Regulations Resolution # 2101, by continuing allowing a building setback violation on the property.

WHEREAS, Roane County, Tennessee adopted the 2006 International Residential Code by adoption of Resolution # 7-07-06, and the Zoning Regulations by adoption of Resolution #2101.

WHEREAS, said property is located in a R-1 (Low-Density Residential) District.

WHEREAS, Christopher and Christina Branham, having failed to comply with the 2006 International Residential Code, Section R105 by allowing a structure to be placed on property

identified as Tax Map 57C, Group C, Parcel 4.00 without a building permit, and a violation of the Roane County Zoning Regulations Resolution #2101, by continuing allowing a building setback violation on the property is subject to said building code and zoning regulation, and if they are, petitioning the court to enforce the same by granting injunctive and other relief.

THEREFORE, BE IT RESOLVED:

The county attorney is authorized to file a lawsuit to determine whether Christopher and Christina Branham, having failed to comply with the 2006 International Residential Code, Section R105 by allowing a structure to be placed on property identified as Tax Map 57E, Group C, Parcel 4 .00 without a building permit, and a violation of the Roane County Zoning Regulations Resolution #2101, by continuing allowing a building setback violation on the property are subject to the existing building code, and they are, petitioning the court to enforce the same by granting injunctive and other relief.

Motion to adopt was made by **Commissioner Ellis** seconded by **Commissioner Moore**.

Motion Passed upon unanimous voice vote.

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

See Attachment

Resolution # 09-15-08

A Resolution authorizing the county attorney to file a lawsuit regarding an unsafe building on property designated as Map 1N, Group E. Parcel 33.00.

WHEREAS, Roane County, Tennessee adopted the Unsafe Building and Equipment Guidelines 115 (06 International Existing Building Code) by adoption of Resolution # 07-07-07.

WHEREAS, said property is located in an R-1 (Low-Density Residential) District.

WHEREAS, Regions Bank, having failed to comply with the Unsafe Building and Equipment Guidelines 115 (06 International Existing Building Code) by allowing an unsafe building on property designated as Map 11N, Group E, Parcel 33.00 is subject to the existing building code, and if they are, petitioning the court to enforce the same by granting injunctive and other relief.

THEREFORE, BE IT RESOLVED: The county attorney is authorized to file a lawsuit to determine whether Regions Bank, having failed to comply with the Unsafe Building and Equipment Guidelines 115 (06 International Existing Building Code) by allowing an unsafe building on property designated as Map 11N, Group E, Parcel 33.00, is subject to the existing building code, and they are, petitioning the court to enforce the same by granting injunctive and other relief.

Motion to adopt was made by **Commissioner Ellis**, with second by **Commissioner Johnson**.

Motion Passed upon unanimous voice vote.

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

See Attachment

Resolution # 09-15-09

A Resolution authorizing the county attorney to file a lawsuit regarding overgrown vegetation on property designated as Tax Map 107, Parcel 65.00. overgrown vegetation on property designated as Tax Map 107, Parcel 65.00.

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

WHEREAS, said property is located in an A-2 (Developing Agricultural) District.

WHEREAS, Kendall Wormsley, having failed to comply with Resolution # 01-14-03, by continually allowing conditions of overgrown vegetation/accumulated debris on property identified as Tax Map 107, Parcel 65.00, is subject to Resolution # 01-14-03, and if he is, petitioning the court to enforce the same by granting injunctive and other relief.

THEREFORE, BE IT RESOLVED:

The county attorney is authorized to file a lawsuit to determine whether Kendall Wormsley, having failed to comply with Resolution # 01-14-03 by continually allowing overgrown vegetation on property identified as Tax Map 107, Parcel 65.00, is subject to Resolution # 01-14-03, and if he is, petitioning the court to enforce the same by granting injunctive and other relief.

Motion to adopt was made by Commissioner **Hooks** with second by **Commissioner Hendrickson**

Motion Passed upon unanimous voice vote.

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

See attachment

Resolution # 09-15-10

A Resolution establishing licensure requirements for motor vehicle race tracks in Roane County.

WHEREAS, the operators of motor vehicle race tracks were previously required to obtain licenses through the Tennessee Department of Commerce and Insurance pursuant to *Tennessee Code Annotated Section 55-22-101 et seq.*

WHEREAS, pursuant to 2015 Tennessee Public Act 354, effective July 1, 2015, the Tennessee General Assembly repealed *Tennessee Code Annotated Section 55-22-101 et seq.*, and transferred the licensure requirements to the Counties.

WHEREAS, pursuant to the newly adopted version of *Tennessee Code Annotated Section 55-22-101*, effective July 1, 2015, the Roane County Clerk is required to insure that motor vehicle race tracks operating in Roane County have insurance for the general public with limits of \$100,000.00 per person and \$300,000.00 per accident, or \$300,000.00 combined single limit, for loss because of bodily injury, including death. Prior to July 1, 2015, the responsibility to determine whether said insurance existed was vested with the Tennessee Department of Commerce and Insurance.

WHEREAS, pursuant to the newly adopted *Tennessee Code Annotated Section 55-22-102*, the Roane County Commission, effect July 1, 2015, is now empowered to provide for the times, dates and conditions under which motor vehicle races shall be conducted, and may establish any other rule relative to the regulation and licensure of motor vehicle race tracks.

WHEREAS, the Department of Commerce and Insurance previously charged fees for said licenses pursuant to the now repealed statute.

WHEREAS, the newly enacted statute does not set forth a licensure fee to be collected by the County, meaning a Resolution is necessary for the County to receive a licensure fee.

NOW, THEREFORE, BE IT RESOLVED as follows, to-wit:

a. No person, firm entity, partnership, limited liability company, association or corporation shall operate or conduct any motor vehicle races on any permanent race tracks or other place for the holding of a motor vehicle race upon which motor vehicles of any description are raced, unless a license to operate and conduct the race is first obtained from the County Clerk of Roane County, Tennessee upon compliance with the provisions of *Tennessee Code Annotated Section 55-22-101 et seq.*, the provisions of this Resolution, and the payment of a fee in the amount and the manner provided in this Resolution.

b. Any person, firm, partnership, limited liability company, entity, association or corporation owning or operating two tracks on the same premises shall be required

to obtain only one license for the whole premises and shall not be required to obtain a license for each track on the premises.

c. Application for a license to operate or conduct a race track or other place for the holding of races shall be made in writing to the County Clerk for Roane County at least thirty (30) days before the date on which any race or series of races shall be held. The application shall describe the track or the place desired to be licensed and shall contain any further information the County Clerk may require.

d. The application shall be accompanied by a fee of \$100.00, of which \$75.00 shall be returned to the applicant if the license is refused.

e. All fees collected pursuant to this Resolution shall be deposited to the credit of the Roane County General Fund.

f. No license shall be issued for the operation or conduct of any race track or other place unless the applicant has insurance for the general public as required by *Tennessee Code Annotated Section 55-22-101*, effective July 1, 2015, and as thereafter amended by the Tennessee General Assembly. Effective July 1, 2015, *Tennessee Code Annotated Section 55-22-101*, requires that no license shall be issued for the operation or conduct of any motor vehicle races on any permanent race track or other place for the holding of a motor vehicle race upon which motor vehicles of any description are raced, unless the applicant has insurance for the general public with minimum limits of \$100,000.00 per person and \$300,000.00 per accident or \$300,000.00 combined single limit, for loss because of bodily injury, including death at any time resulting from such bodily harm caused to any person or persons by the operation of the track or other place; provided, this insurance shall not be application to:

1. Drivers;
2. Pit area personnel;
3. All persons involved in the conduct of any motor vehicle race; or
4. Any persons involved with the race who have signed a written release of liability.

g. Upon the applicant providing to the Roane County Clerk a completed application, the aforesaid application fee, and proof of said insurance, the Roane County Clerk shall issue to the applicant, a license for a period not to exceed one (1) year from the date of said application, and documentation confirming that the aforesaid insurance requirements have been met for the duration of said license.

h. The licenses granted under this Resolution shall expire on December 31 of each year, and may be renewed during the month of December upon proper application, compliance with the terms of this Resolution and payment of \$150.00 non-refundable renewal fee.

i. Any license granted pursuant to this Resolution may be revoked at any time for failure of the licensee to comply with the requirements of this Resolution. A licensee shall be afforded at least thirty (30) days notice of revocation and a reasonable opportunity to be heard prior thereto. A license that has been revoked

may be reinstated by the County Clerk's Office upon compliance with the requirements of this Resolution and payment of a reinstatement fee in the amount of \$20.00.

j. "Proof of Insurance" means a Certificate of Insurance issued by an insurance company describing the type of insurance policy issued, the limits of liability and the expiration date of the insurance policy.

MOTION to adopt was made by **Commissioner Hooks** with second by **Commissioner**

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

Resolution # 09-15-11

A Resolution adopting the program policies and procedures for Roane County's Home Rehabilitation Program.

WHEREAS, the Roane County submitted an application to the Tennessee Housing Development Agency (THDA) and received HOME funds in the amount of \$250,000; and

WHEREAS, the County will use the funds for the purpose of rehabilitating substandard single family owner-occupied housing, on a county wide basis, for low income families; and

WHEREAS, it is the intent of the County to assure its residents that all applications for the grant assistance will be prioritized in a manner that will identify the low-income households which are in the greatest need of the program's assistance and therefore develop a priority list representative of this need; and

WHEREAS, it is the desire of the County to ensure that all policies and procedures regarding the rehabilitation of homes are equitable and comply with the Department of Housing and Urban Development and the Tennessee Housing Development Agency's program requirements.

NOW THEREFORE BE IT RESOLVED, with concurrence from the Tennessee Housing Development Agency, that the Roane County Commission does hereby adopt the Program Policies and Procedures for the County's 2014 HOME Program.

BE IT FURTHER RESOLVED that the Roane County Commission does hereby authorize the County Executive to execute the required HOME Program Documents and to review, monitor and coordinate the program implementation activities performed by Roane County's staff and its consultant.

MOTION to adopt was made by **Commissioner Moore**, seconded by **Commissioner Hook**.

MOTION Passed upon unanimous voice vote.

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

See attachment

Resolution # 09-15-12

A Resolution approving the plan of reappraisal for Roane County Tennessee.

WHEREAS, Public Chapter 495 of 1989 requires periodic reappraisal of each jurisdiction in Tennessee imposing a property tax, based on an initial schedule developed by the State Board of Equalization; and

WHEREAS, Roane County has been scheduled for reappraisal by the State Board of Equalization and directed pursuant to Public Chapter 495 to submit a plan of reappraisal; and

WHEREAS, the law requires the governing body of reappraisal jurisdictions to review the reappraisal plan and communicate to the State Board of Equalization whether said governing body approves or disapproves of such plan; and

WHEREAS, the County Commission of Roane County has reviewed the county's proposed reappraisal plan and desires to communicate the results of its review to the State Board of Equalization as required by law;

NOW, THEREFORE, BE IT RESOLVED that the Roane County Commission does hereby approve said plan of reappraisal.

BE IT FURTHER RESOLVED that the Roane County Commission directs that this resolution be forwarded to the State Board of Equalization with such explanatory comments as are approved by the Commission in adopting this resolution.

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

Motion Passed upon unanimous voice vote.

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

Resolution # 09-15-13

A Resolution fixing the Tax Levy in Roane County, Tennessee for the Fiscal Year beginning July 1, 2015.

BE IT RESOLVED by the County Commission of Roane County, Tennessee, assembled in session on the 14th day of September 2015, that the combined property tax rate for Roane County, Tennessee, for the Fiscal Year beginning July 1, 2015, shall be \$2.575 on each \$100.00 of taxable property within the County and outside the corporate limits of the cities of Harriman, Kingston, Oak Ridge, Oliver Springs, and Rockwood, and \$2.515 on each \$100.00 of taxable property within the corporate limits of the cities of Kingston, Oliver Springs, and Rockwood, and \$2.37 on each \$100.00 of taxable property within the limits of the city of Harriman, and \$2.35 on each \$100.00 of taxable property within the limits of the city of Oak Ridge, which is to provide revenue for each of the following funds and otherwise conform to the following levies:

SEE ATTACHED SHEET

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.

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.

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.

BE IT FURTHER RESOLVED, that there is hereby levied a tax upon the users of the Court System of Roane County a Litigation Tax to pay for the judge's salaries and mandated benefits over and above a base amount set forth by TCA 16-15-5006. The tax per case is set at \$61 and will be reviewed on an annual basis to determine if this is sufficient to cover expenditures. This tax may be adjusted up or down depending on the analysis, however a separate resolution must be approved by County Commission to amend this tax rate.

BE IT FURTHER RESOLVED, that there is hereby levied a tax upon the users of the Court System of Roane County a Litigation Tax to pay for capital improvements or debt reduction related to the Courthouse or Jail per TCA 67-4-601 subsection (b). This tax is set at \$50 per case.

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. The proceeds of said taxes shall accrue to the County General Fund and shall be dedicated to tourism.

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

The following Commissioners voted Aye **Bell, Brummett, Ellis, Fink, Granger, Johnson, Kelley, Meadows. (8)**

The following Commissioners voted No: **Berry, East, Ferguson, Hendrickson, Hooks, Moore. (6)**

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

See attachment

Resolution # 09-15-14

A Resolution asking Roane County to name the bridge at Lawnville after the District Attorney Charlie Hawk.

WHEREAS, Charlie Hawk provided many years of dedicated to Roane County, including serving in the position of District Attorney

WHEREAS, during his life Charlie Hawk lived in the Lawnville Community

WHEREAS, it is altogether fitting and proper to name the bridge of Lawnville, the Charlie Hawk Bridge.

NOW, THEREFORE, BE IT RESOLVED that the Roane County Highway Department will make and install the proper signage.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to Charlie Hawk's Family by Road Superintendent Dennis Ferguson.

Motion to adopt was made by **Commissioner Bell** with second by **Commissioner Moore**.

Motion **Passed** upon unanimous voice vote.

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

RESOLUTION # 09-15-15

IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE

A RESOLUTION to provide incentive payments to county officials and full-time employees of Roane County Government

WHEREAS, under T.C.A. §5-1-310(i), counties are authorized and encouraged to provide for payment of an educational incentive for attainment of the designation of "Certified Public Administrator" under the University of Tennessee County Technical Assistance Service's County Officials Certificate Training Program (COCTP); and

WHEREAS, such incentive payment cannot exceed Three Thousand (\$3,000) Dollars, less any incentive payment provided by the State of Tennessee under T.C.A. §5-1-310(a); and

WHEREAS; Roane County desires to provide in its budget for the fiscal year 2016 an incentive payment for those elected and appointed county officials who are eligible for the state educational incentive under T.C.A. §5-1-310(a) and to full-time paid employees of the county;

NOW, THEREFORE, BE IT RESOLVED by the Roane County Commission meeting in regular session at Kingston, Tennessee on the 14th day of September , 2015 that:

Section 1. Any elected or appointed official of Roane County who is eligible for the state educational incentive payment under T.C.A. §5-1-310(a) and any full time paid employee of Roane County who has completed the COCTP and attained the designation of Certified Public Administrator and who submits to the County Executive proof of such attainment before August 31, 2015, shall be paid an amount as follows, out of county funds appropriated for the purpose for the fiscal year 2016.

Full-time officials	\$	-0-
County Commissioners	\$	1,000.00
Full-time paid Employees	\$	1,000.00

Section 2. This resolution shall take effect upon its passage and approval, the public welfare requiring it.

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

MOTION Passed upon unanimous voice vote.

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

Resolution # 09-15-16

A Resolution amending the General Fund (101) regarding a State of Tennessee Drug Court Grant.

WHEREAS, the State of Tennessee has indicated to Roane County that the state desires a Drug Court be established in Roane County, and

WHEREAS, the state has awarded to Roane County a \$50,000 grant to be annually reoccurring subject to state budgets, and

WHEREAS, the original budget did not contain adequate funding for travel as needed to establish a successful drug court, and

WHEREAS, the State of Tennessee has adjusted the budget to better meet the needs of Roane County.

NOW, THEREFORE, BE IT RESOLVED, that the General Fund (101) budget shall be amended as follows:

Fund	Account No.	Description	Current Bgt	Amend	Amend Bgt
Expenditures					
	Drug Court				
101	53330	105 Supervisor/Director	31,159	(6,600)	24,559
		355 Travel	3,550	6,600	10,150

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

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

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

Resolution # 09-15-17

A Resolution to receive and appropriate in grants funds for the Health Department.

WHEREAS, Roane County Health Department was awarded a grant through the State of Tennessee; and

WHEREAS, This grant is a no match grant; and

WHEREAS, this grant will be used to “establish and enhance multi-cultural partnership within communities to address health disparities.”

NOW, THEREFORE, BE IT RESOLVED that the General Fund (101) be amended as follows:

Fund	Account No.		Description	Current Bgt	Amend	Amend Bgt
Revenue						
101	46980	MINOR	Other State Grants	-	2,500	2,500
Expenditure						
			Other Local Health Services			
		499-				
101	55190	MINOR	Other Supplies	0	2,500	2,500

UPON MOTION of **Commissioner Kelley**, seconded by **Commissioner Ellis**, the following Commissioners voted Aye: **Bell, Berry, Brummett, East, Ellis, Ferguson, Fink, Granger, Hendrickson, Hooks, Johnson, Kelley, Meadows, Moore (14)**

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 # 09-15-18

A Resolution to appropriate \$89,048 to pay the State of Tennessee for additional reappraisal working expenses incurred.

WHEREAS, Roane County must perform a complete and fair reappraisal of county property every five (5) years, and

WHEREAS, the State of Tennessee felt the county could not perform this reappraisal adequately without intervention from the Comptroller's office, and

WHEREAS, the Comptroller of the Treasury's office let us know up front there would be a charge related to the additional work being completed by their office, and

WHEREAS, the state reported they spent over 2,400 hours working on the Roane County reappraisal.

NOW, THEREFORE, BE IT RESOLVED that the General Fund (101) be amended as follows:

Fund	Account No.	Description	Current Bgt	Amend	Amend Bgt
Expenditures					
	Other General Admin				
101	51900	309 Contracts w. Gov't Agencies	30,000	89,048	119,048
Fund Balance					
101	34715	PROPA Assigned for Finance	86,000	(86,000)	-
	39000	Unassigned Fund Balance	2,820,650	(3,048)	2,817,602

UPON MOTION of **Commissioner Kelley**, seconded by **Commissioner Moore**, the following Commissioners voted Aye: **Bell, Berry, Brummett, East, Ellis, Ferguson, Fink, Granger, Hendrickson, Hooks, Johnson, Kelley, Meadows, Moore (14)**

The following Commissioners voted No: **-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 # 09-15-19

A Resolution to amend the General fund (101) to provide additional funding for personal property audits contracted by the Property Assessor.

WHEREAS, the Property Assessor has the responsibility to provide record of taxable personal property located within Roane County, and

WHEREAS, audits of personal property are subcontracted out, and

WHEREAS, the Property Assessor budget was reduced previously and needs to be partially returned for these audits.

NOW, THEREFORE, BE IT RESOLVED, that the General Fund (101) budget shall be amended as follows:

Fund	Account No.	Description	Current Bgt	Amend	Amend Bgt
Expenditures					
	Property Assessor				
		Contracts w/Private			
101	52300	312 Agencies	12,000	30,000	42,000
Fund Balance					
101	39000	Unassigned Fund Balance	2,817,602	(30,000)	2,787,602

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

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

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

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

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

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

Resolution # 09-15-20

IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE

A **RESOLUTION** to appropriate three (3) employees in recognition of their 25 years of service to Roane County.

WHEREAS, Roane County values their employees' work ethic and appreciate employees who maintain employment for the long term; and

WHEREAS, Benny East has been an employee of the Solid Waste Department for the past 25 years, and

WHEREAS, Rickey Daniels and Jerry Renfro have been employees of the Highway Department for 25 years.

NOW, THEREFORE, BE IT RESOLVED that the Solid Waste Fund (116) and the Highway Fund (131) be amended as follows:

Fund	Account No.	Description	Current Bgt	Amend	Amend Bgt
Expenditures					
	Convenience Centers				
116	54110	188 Bonus Payments	-	2,500	2,500
Fund Balance					
116	34530	Restricted for Public Health	476,526	(2,500)	474,026
Expenditures					
	Highway and Bridge Maintenance				
131	62000	188 Bonus Payments	-	5,000	5,000
Fund Balance					
131	34550	Restricted for Highway	789,305	(5,000)	784,305

UPON MOTION of **Commissioner Hooks**, seconded by **Commissioner Granger**, the following Commissioners voted Aye: **Bell, Berry, Brummett, East, Ellis, Ferguson, Fink, Granger, Hendrickson, Hooks, Johnson, Kelley, Meadows, Moore (15)**

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

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

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

Motion being duly made by **Chairman Ellis**, with second by **Commissioner Granger** the September 14, 2015 meeting stood adjourned at 8:50 P.M.

Chairman Ron Berry

Attest:

County Clerk Barbara J. Anthony