

**MINUTES
ROANE COUNTY COMMISSION
REGULAR MEETING
FEBRUARY 8, 2016**

**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 8th day of February, 2016 at 7:00 P.M.

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

Invocation was given by **Commissioner Hooks**.

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

Present and presiding was the **Honorable Ron Berry** and the following Commissioners: **Bell, Brummett, Collier, East, Ellis, Ferguson, Fink, Granger, Hendrickson, Hooks, Johnson, Kelley, Moore, Meadows (15)**.

Absent: **-0-**

THEREUPON Chairman Berry announced the presence of a quorum. Also present was County Executive **Ron Woody**, County Attorney **Greg Leffew**, Budget Director **Kaley Walker**, Building Inspector **Glen Cofer**, and Deputy Clerk **Bobbie Tipton**.

APPROVE MINUTES OF THE JANUARY 11, 2016 MEETING.

MOTION was made by **Commissioner Hooks** with second by **Commissioner Moore** to approve.

MOTION Passed upon unanimous voice vote.

ACCEPTANCE OF COMMITTEE REPORTS AND CORRESPONDENCE:

1. **Minutes** of Public Utility Board 12-08-15.
2. **Minutes** of Road Committee 12-17-15.
3. **Minutes** of Budget Committee 01-04-16.
4. **Minutes** of Fire Board 01-12-16.
5. **Minutes** of In Lieu-of Tax Committee 01-19-16.
6. **Minutes** of Building Inspector/Coded & Review 02-25-16.

7. **Minutes** of Special Called Meeting re: Judgeship 01-04-16.
8. **Letter** re: protest Tiger Haven 12-28-15.
9. **Monthly** Reports for County Executive's Department.
10. **Letter** from Executive Woody re: back tax properties 01-04-16.
11. **Letter** to Glen Cofer re: complaint against Zoning Board of Appeals 01-14-16.
12. **Order** re: UT-Batelle Development Corporation.
13. **Letter** from County Executive Woody re: audits 01-29-16.
14. **Letter** to Property Assessor Morgan re: Adjustment of PILT values for Roane County 01-06-16.
15. **Letter** from Executive Woody re: ThreeStar program requirements 01-12-16.
16. **Report** from Community Probation Services 01-12-16.
17. **Letter** from Speaker of the House Beth Harwell re: funding of roads and highways 01-20-16.

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

MOTION Passed upon unanimous voice vote.

NOTARIES:

The following persons desiring to be elected as a Notary Public in Roane County were presented to the Commission by Deputy Clerk **Bobbie Tipton**: Wm. A. Newcomb, Stephen P. Ellis, Billy Joe Sexton Jr., Cathy S. Jackson, Tangie Wright, William J. Igou, Darcy P. Soard,

Motion to accept was made by **Commissioner Hooks**, with second by **Commissioner Fink**.
Motion **Passed** upon unanimous voice vote.

HEARING OF DELEGATION:

Wade Cresswell spoke regarding Education in Roane County.

Albert Tate and Toby Rhyhart had concerns regarding Tiger Haven.

Larry Guzen discussed the huge increase in his property tax.

COUNTY ATTORNEY'S REPORT:

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

COUNTY EXECUTIVE'S REPORT:

A check presentation from the Community Action Group will be made at the front gate of the Swan Pond Sports Complex on Wednesday, February 10th at 11:00 am.

SB1949- Roane County requested this bill related to delinquent tax properties. The bill will be heard in the State and Local Government Committee which is chaired by Sen. Ken Yager. In addition to Roane County, there are five other interested parties in the bill.

A lot of discussion is going on in Nashville regarding school vouchers. I suggested to Sen. Yager and Rep. Calfee that if the school vouchers were approved, then an amendment might be in order to limit the use to the county in which the student resides.

Update of Financial Beginning Balances for the current FY16 budget. See attached report. This information will also be posted to www.roanecountytn.gov > County Executive > FY17 Budget Work.

Audit completed their work about two (2) weeks ago.

Review of the 2017 to 2030 Debt Service budget. See attached spreadsheets. This information will also be posted to www.roanecountytn.gov > County Executive > FY17 Budget Work.

SPECIAL ORDERS:

Property Assessor **David Morgan** updated the Commission on the progress of the property assessments and answered questions from the Commission concerning these assessments.

ZONING RESOLUTIONS: None

OLD BUSINESS: None

NEW BUSINESS

Resolution # 02-16-01

A Resolution authorizing the County Executive to enter into a payment-in-lieu-of-tax agreement with Department of Energy.

WHEREAS, Roane County has requested that the Department of Energy (DOE) render financial assistance to the County in the form of a payment-in-lieu-of-taxes on real property acquired for nuclear and other energy purposes, and

WHEREAS, DOE has agreed to aid Roane County by making a payment-in-lieu-of-taxes in the amount of the ad valorem tax revenue loss for tax year which Roane County has suffered by virtue of removal of said real property from taxable ownership provided Roane County will accept such payment in release of tax claims, if any, it may have against DOE or its contractors engaged in the performance of functions of DOE in Roane County; and

WHEREAS, Roane County is authorized by state law to accept financial assistance from Federal agencies and to make agreements and execute instruments containing such terms and conditions as may be necessary for the purpose of obtaining such financial assistance.

NOW, THEREFORE, BE IT RESOLVED by the Roane County Commission in session at Kingston, Tennessee on February 8, 2016 that Roane County is hereby authorized to accept from DOE payment-in-lieu-of-taxes in full satisfaction and release of any claims for taxes against DOE and its contractors based on or measured by the value of Federal property utilized by such contractors in the performance of activities of DOE in Roane County, provided that the acceptance of this payment shall not operate in any manner in prejudice of Roane County's eligibility for payment-in-lieu-of-taxes based on the benefits and burdens test prescribed in Section 168 of the Atomic Energy Act.

BE IT FURTHER RESOLVED that Ron Woody, Roane County Executive, is authorized to execute, for and on behalf of Roane County agreements with DOE for payment-in-lieu-of-taxes.

BE IT FURTHER RESOLVED that the Roane County Executive is authorized to sign the payment-in-lieu-of-taxes agreement with DOE each year up until the 2021 tax year subject to the payment-in-lieu-of-taxes agreement formula being established as seen on attached tax year 2015 agreement.

BE IT FURTHER RESOLVED that the calculated payment-in-lieu-of-taxes is based on the number of acres of DOE properties in the respective tax rate location (either within City of Oak Ridge or Roane County Rural) times \$8,466 times 25% assessment times the respective tax rate (which is set annually).

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

(Commissioner Hooks was out of the room)

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 # 02-16-02

IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE

A RESOLUTION supporting Tennessee House Bill 1303/Senate Bill 1134 regarding additional authorization to provide broadband and internet services

WHEREAS, as the utility of the 21st century, universal availability of affordable high speed fiber optic broadband services for all citizens has been identified as a national priority; and

WHEREAS, high speed fiber optic services are a modern necessity that is essential for future economic development, education, public health and safety, agribusiness growth and quality of life; and

WHEREAS, affordable access to fiber optic broadband services allows businesses to compete locally, regionally, nationally and internationally in today's emerging knowledge-based global economy; and

WHEREAS, municipal electric utilities that offer fiber optic services provide an option for market competition, consumer choice, economic development and universal, affordable internet access; and

WHEREAS, pursuant to Tennessee Code Annotated 7-52-601, Tennessee's municipal electric providers have had the statutory authority to offer fiber optic services within their electric service territory since 1999; and

WHEREAS, Tennessee's municipal electric utilities that have deployed fiber optic networks have brought some of the fastest broadband services in the world to areas that did not have adequate access to high speed internet services; and

WHEREAS, with municipal electric utilities being limited to offering fiber optic services only to their electric service territories, local governments are severely restricted in their options for providing high speed fiber optic broadband services when incumbent providers are providing inadequate service; and

WHEREAS, the current statutory limitation that restricts municipal electric utilities to providing fiber optic broadband services “within their service area” can prevent vital and essential service from being available to local citizens based solely on which electric provider serves their home or business; and

WHEREAS, if the current statutory limitation that restricts municipal electric utilities that provide fiber optic services to their electric service territory were removed, local governments and their utilities would have more options as they decide how best to meet their communities’ needs for access to high speed broadband internet; and

WHEREAS, Tennessee House Bill 1303/Senate Bill 1134 removes the language “within their service area” from Tennessee Code Annotated 7-52-103 and 7-52-601.

NOW THEREFORE BE IT RESOLVED by the Roane County Commission meeting in regular session this 8th day of February, 2016, that:

Section 1. The Roane County Commission affirms that local governments, potentially through their public utilities, should be able to decide locally how essential services should be offered and how to meet critical infrastructure needs.

Section 2. The local elected leadership and local utilities are best equipped to decide how essential infrastructure and vital services should be offered to citizens, ratepayers, residents, and businesses in their counties.

Section 3. The Roane County Commission requests that the statewide delegation to the Tennessee General Assembly support Tennessee House Bill 1303/Senate Bill 1134, which would remove the current statutory limitation that restricts municipal electric utilities’ ability to provide fiber optic broadband services to its service territory.

UPON MOTION of **Commissioner Moore** seconded by **Commissioner Granger**.

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

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

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

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

Resolution # 02-16-03

IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE

A RESOLUTION TO PLACE IN SURPLUS certain General Fund vehicles as listed on the attached sheet dated 01/26/16 and entitled Surplus Vehicles.

WHEREAS, the vehicles on the attached list have been determined to be surplus property to Roane County, and

WHEREAS, the departments indicated on the attached sheet now seeks to have said vehicles declared surplus, and

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

NOW, THEREFORE, BE IT RESOLVED that the vehicles on the attached list dated 01/26/2016 and entitled Surplus Vehicles are hereby declared surplus property and may be disposed of in accordance with TCA §5-14-108.

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 Kelley** seconded by **Commissioner Hendrickson**.

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

The following Commissioners no: **-0-**

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

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

Motion duly made by **Commissioner Moore** second by **Commissioner Granger** the February 8, 2016 meeting stood adjourned at 9:05 P.M.

APPROVED:

Chairman Ron Berry

Attest:

County Clerk Barbara J. Anthony