

**MINUTES
ROANE COUNTY COMMISSION
REGULAR MEETING
MARCH 11, 2019
STATE OF TENNESSEE**

BE IT REMEMBERED that the County Commission of Roane County, Tennessee convened in regular session in Kingston, Tennessee on the 11th day of March, 2019 at the Roane County Courthouse.

The Commission was *called to order* by **Jim Kelley**.

Invocation was given by **Pastor Brenda A Poole of the Swan Pond United Methodist Church**.
The Pledge of Allegiance to the Flag of the United States of America was led by Bailiff **Jim Kelley**.

Present and presiding was the Honorable **Randy Ellis** and the following Commissioners: **Bell, Berry, Bowers, Brashears, East, Ellis, Gann, Hendrickson, Hester, Hooks, Meadows, Moore, White, and Wilson. (14)**

Absent: Commissioner **Hickman**

THEREUPON, Chairman Ellis announced the presence of a **quorum**.

Also present were Budget Director **Connie Aytes**, Purchasing **Agent Lynn Farnham**, County Attorney **Greg Leffew**, Building Inspector **Glen Cofer**, County Clerk **Beth Johnson**, Deputy Clerk **Carol Peck**.

APPROVE THE MINUTES OF THE FEBRUARY 11, 2019 MEETING:

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

MOTION PASSED upon unanimous voice vote.

THEREUPON, the Chairman announced that the Minutes were **approved**.

ACCEPTANCE OF COMMITTEE REPORTS AND CORRESPONDENCE:

1. **MINUTES** of Planning Commission **06-20-18**
2. **MINUTES** of Environmental Review Board Revised **11-01-18**
3. **MINUTES** of Environmental Review Board Workshop **01-03-19**
4. **MINUTES** of Public Utility Board **01-08-19**
5. **MINUTES** of Fire Board **01-08-19**
6. **MINUTES** of School Board Liaison Committee **01-15-19**
7. **MINUTES** of Planning Commission **01-16-19**
8. **MINUTES** of Planning Commission **01-23-19**
9. **MINUTES** of AD-Hoc Roane Academy Committee **02-04-19**
10. **MINUTES** of Road Committee **02-04-19**
11. **MINUTES** of Property Committee **02-05-19**
12. **MINUTES** of Long Range Planning Committee **02-07-19**
13. **MINUTES** of Employee Insurance & Benefits Committee **02-12-19**
14. **MINUTES** of Parks and Recreation System **02-21-19**

ACCEPTANCE OF COMMITTEE REPORTS AND CORRESPONDENCE (continued)

15. **MINUTES** of Workshop-School Liaison & County Comm. **02-25-19**
16. **LETTER** from Department of Environment and Conservation regarding the proposed EMDG **02-14-19**
17. **LETTER** from Department of Environment and Conservation: Re: Federal Facility Agreement Milestone Modification Request for the Environmental Management Disposal Facility Record of Decision **02-13-19**
18. **LETTER** from John Binseel to the County Commission concerning local entertainment **02-13-19**
19. **LETTER** from Senator Ken Yager for Roane County receiving a clean 2017-2018 audit **01-31-19**
20. **EMAIL** from Sidney Jones (UTK) to Commissioner Creasey regarding disposal site of waste containing mercury in Oak Ridge (EMWMF) **02-11-19**
21. **LETTER** from State Department of Finance and Benefits Administration regarding Local Government Agency-Retiree Coverage **02-07-19**
22. **LETTER** from TDEC regarding minor permit modification request for the Leachate storage improvements **02-04-19**
23. **QUARTERLY REPORT** from community Probation Services **02-05-19**
24. **LETTER** from Office of The State Chief Medical Examiner-Awarded grant funds as part of the Opioid Overdose Crisis which will be used to pay for autopsies **01-08-19**
25. **LETTER** from Department of Military RE: National flood Insurance Program **02-21-19**
26. **LETTER** from Greg Leffew Attorney At Law, RE: Post-Retirement Health Insurance Benefits-Revised Opinion **02-19-19**
27. **ORDER OF VOLUNTARY DISMISSAL**, Roane Co. v. Michael Powers
28. **ORDER OF DISMISSAL**, Roane Co. v. Kimberli Pedley
29. **ORDER TO SHOW CAUSE** Roane Co. v. Donald E. Goldberg

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

MOTION PASSED upon unanimous voice vote.

THEREUPON, The Chairman announced that the Committee Reports and Correspondence had been **accepted**.

NOTARIES: The following persons desiring to be elected as a Notary Public in Roane County were presented by Deputy Clerk **Carol Peck:** (11)

Veronica Suzanne Walker Ray
Connie Voyles
Autumn Childs
Kimberly Ramsey
Jeremy R. Hobbs
Elena W. Jolly

Haley Alexis Wiggins
Elizabeth Ann Cain
Rachael R. Wampler
Tammy Lynn Goddard
Macayla Logan Davidson

Notaries continued

MOTION to accept was made by **Commissioner Hendrickson** with second by **Commissioner Hooks**.

Upon roll call vote, the following Commissioners voted **Aye: Bell, Berry, Bowers, Brashears, East, Ellis, Gann, Hendrickson, Hester, Hooks, Meadows, Moore, White, and Wilson. (14)**

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

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

THEREUPON, the Chairman announced that the **Notaries** were **approved**.

HEARING OF DELEGATION: (5)

1. Robert Kennedy of 209 Whippoorwill Dr. Chairman of the City of Oak Ridge's Environmental Quality Advisory Board addressed the Commission spoke out against the waste site and about an item on the agenda rescinding the resolution from last October regarding EMDF, large amounts of mercury and fish kill in poplar creek.

2. Pam May with The Roane Alliance spoke of the high points from the 2018 report and the lowest unemployment since 2004 in Roane County, with an the increase of jobs in our industries, including the 143 Roane Graduates that became Tennessee Scholars. Roane County was awarded with the seal of approval from the American Association of Retirement Communities, saying that Roane County is a great place to retire. Organized the first ever All Teacher Visits where teachers visited participating Industries. Visitor spent 70 million dollar's which is an increase from previous years and adding the Ribbon cutting this spring for the K25 overlook.

3. Mark Turpin of 210 Sportsman's Club Rd addressed the Commission about the number of problems on his road, and conditions on Sportsman's Club Rd and his fear of what may happen to his home from the excess rain damage, he has been dealing with problems for the past 2 years, also his concern for his new neighbor stating the whole mountain side is coming down on him and the 150 foot crack going down the mountain towards his house. Deep concern that his new neighbor will lose his house first and his home second. Mr. Turpin does not feel as though anything is being done to fix the problem.

4. Michael Parkinson of 222 Hawk Trail addressed the Commission of the good job they have done on addressing the possible consolidation of the high schools in Roane County, thanking the Commissioner's on open and honest participation and as to why the Commissioners voted the way they did.

5. Henry Redman of 142 Clearview Dr. of the Rockwood American Legion Post 50 addressed the Commission about the Memorial Day prayer breakfast on May 18, 2019 inviting everyone to come.

COUNTY ATTORNEY'S REPORT:

Greg Leffew Spoke about Sportsman Club Rd. conditions as well as Airport Rd, Bowman Bend and Riggs Chapel owners have to give slope easement. County does not have a right of way and will need core samples before repair can be discussed. April 4th for lawsuit for property maintenance, requesting to amend 03-19-03 for name correction.

COUNTY EXECUTIVE'S REPORT:

**County Executive's Report
March 11, 2019**

The following items were presented and discussed with the commission:

- A. The Legislative committee met prior to the commission meeting recommending and waiving the 12 day rule and recommended resolution 03-19-13 "local sales tax revenue from out of state sellers.
 - B. Legislative committee deferred resolution 02-19-12 to the fall agenda.
 - C. Legislative committee deferred resolution 02-19-10 to the fall agenda.
 - D. Legislative house bill 1365 and senate bill 1356 deals with tax relief on delinquent taxes due to the ash spill. The county was unaware of the filing. It could cost the county and the city in hundreds of thousands of dollars. We have been working with the comptroller's office on this bill.
 - E. Legislative resolutions 02-19-09 and 02-19-11 are moving in the House and Senate.
-
1. We received on Friday a draft lawsuit from our ash spill attorney Jim Scott. We have this draft under review.
 2. TDEC and Department of Health submitted sampling plans for the SPSC to the county about three (3) weeks ago which were then sent to TVA. TVA asked for some amendments. These amendments were sent back to TDEC. TDEC also sent us an implementation schedule. It appears that the county could have results in the fall. The Swan Pond Sports Complex is off limits to events and staff.
 3. Next month we will be submitting a loan (debt) resolution for repairs on county roads due to the recent flood damage. We have contacted the Tennessee Loan Pool regarding the borrowing.
 4. The county has estimated flood damage to be over \$6 million which is greater than Knox County's \$44 million when compared on a per capita basis.
 5. The financials of the county were noted, specifically county property tax at 93.40% collection.
 6. Tim Joseph PHD presented on the behalf of Executive Woody a report on Invasive Aquatic Plants. (Report on file with the county clerk's office).

SPECIAL ORDERS: (5)

1. Confirmation of Appointment of **Cecil Crowe** to the Board of Equalization due to the resignation of T.H. Brown. The new term will expire May 18, 2020.

MOTION to approve was made by Commissioner **White**, seconded by Commissioner **Bowers**.

The following Commissioners voted **Aye: Bell, Berry, Bowers, Brashears, East, Ellis, Gann, Hendrickson, Hester, Hooks, Meadows, Moore, White, and Wilson. (14)**

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

2. Approval of Surety Bond No. 63383158 in the amount of \$2,500 for **Denard Bertram** as a Youth Intake Officer.

MOTION to approve was made by Commissioner **Hendrickson**, seconded by Commissioner **Bell**.

The following Commissioners voted **Aye: Bell, Berry, Bowers, Brashears, East, Ellis, Gann, Hendrickson, Hester, Hooks, Meadows, Moore, White, and Wilson. (14)**

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

3. Approval of Surety Bond No. 63091223 in the amount of \$2,500 for **Marty Miles** as a Youth Intake Officer.

MOTION to approve was made by Commissioner **Hooks**, seconded by Commissioner **Wilson**.

The following Commissioners voted **Aye: Bell, Berry, Bowers, Brashears, East, Ellis, Gann, Hendrickson, Hester, Hooks, Meadows, Moore, White, and Wilson. (14)**

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

4. Resolution honoring **Harriman Middle School Girls Basketball Team** and their coaches, **Ken Tilley** and **Leslie Ladd. (as amended)**

MOTION to approve was made by Commissioner **Hendrickson**, seconded by Commissioner **Gann**.

The following Commissioners voted **Aye: Bell, Berry, Bowers, Brashears, East, Ellis, Gann, Hendrickson, Hester, Hooks, Meadows, Moore, White, and Wilson. (14)**

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

SPECIAL ORDERS (continued)

5. Resolution honoring Carolyn Bush-Roddy.

MOTION to approve was made by Commissioner **Wilson**, seconded by Commissioner **Gann**.

The following Commissioners voted **Aye: Bell, Berry, Bowers, Brashears, East, Ellis, Gann, Hendrickson, Hester, Hooks, Meadows, Moore, White, and Wilson. (14)**

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

ZONING RESOLUTIONS: (1)

REZONING RESOLUTION No. 03-19-01Z (as amended)

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: Jere L. Wright

__X__ APPROVAL PUBLIC HEARING INFORMATION

_____ DENIAL NOTICE DATE: 1/30/2019

_____ OTHER NEWSPAPER: ROANE COUNTY NEWS

HEARING DATE: 2/20/2019

COUNTY COMMISSION ACTION

READING DATE: 3/11/2019

EFFECTIVE DATE: 3/11/2019

Planning Commission Chairman

Planning Commission Secretary

Date

REZONING RESOLUTION No. 03-19-01Z (continued)

COMMENT:

Planning Commission unanimously approved the request.

WHEREAS, Roane County Legislative Commission has been asked to consider the rezoning of Map 0055E, Group A, Parcel 006.00 as shown on the attached map, and,

WHEREAS, the planning commission of jurisdiction has reviewed the request to have said parcel **(130 Winters Loop)** rezoned from

R-1 (Low Density Residential) 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 055E, Group A, Parcel 006.00 as shown on the attached map is hereby zoned A-2 (Developing Agriculture)

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

UPON MOTION by Commissioner **Meadows**, seconded by Commissioner **White**, the following commissioners voted **Aye: Bell, Berry, Bowers, Brashears, East, Ellis, Gann, Hendrickson, Hester, Hooks, Meadows, Moore, White, and Wilson. (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 attachments)

OLD BUSINESS: NONE

NEW BUSINESS: (13)

**RESOLUTION No. 03-19-01 (as amended)
IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE**

A RESOLUTION authorizing the county attorney to file a lawsuit regarding the properties as listed on attached Case Request Form, by violating Roane County Resolution #11-12-09 and/or Resolution #11-12-08, regarding the 2012 International Building Codes and the 2012 International Residential Codes.

WHEREAS, Roane County, Tennessee adopted Resolution #11-12-09 and Resolution # 11-12-08 regarding the 2012 International Building Codes and the 2012 International Residential Codes.

WHEREAS, Resolution #11-12-09 and/or Resolution # 11-12-08 regarding the 2012 International Building Codes and the 2012 International Residential Codes sets the criteria for building codes in Roane County.

WHEREAS, Roane County, Tennessee Resolution #11-12-09 and/or Resolution # 11-12-08 regarding the 2012 International Building Codes and the 2012 International Residential Codes on November 21, 2012.

WHEREAS, the property owners listed having violated Resolution #11-12-09 and/or Resolution # 11-12-08 regarding the 2012 International Building Codes and the 2012 International Residential Codes regarding the 2012 International Building Codes and the 2012 International Residential Codes, by continuing to allow the listed condition(s) to remain on properties as listed.

WHEREAS, the property owners listed, having failed to comply with Roane County Roane County Resolution #11-12-09 and/or Resolution # 11-12-08 regarding the 2012 International Building Codes and the 2012 International Residential Codes on properties as listed.

THEREFORE, BE IT RESOLVED: The county attorney is authorized to file a lawsuit to determine whether the property owners listed, having failed to comply with Roane County Resolution #11-12-09 and/or Resolution # 11-12-08 regarding the 2012 International Building Codes and the 2012 International Residential Codes on properties as listed, are subject to Roane County Resolution #11-12-09 and/or Resolution # 11-12-08 regarding the 2012 International Building Codes and the 2012 International Residential Codes, and if they are, petitioning the court to enforce the same by granting injunctive and other relief.

RESOLUTION No. 03-19-01 (continued)

UPON MOTION by Commissioner **Bell**, seconded by Commissioner **Moore**, The following commissioners voted **Aye: Bell, Berry, Bowers, Brashears, East, Ellis, Gann, Hendrickson, Hester, Hooks, Meadows, Moore, White, and Wilson. (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 attachments)

**RESOLUTION No. 03-19-02 (as amended)
IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE**

A RESOLUTION authorizing the county attorney to file lawsuits against each property owners including **(1005 Winton Chapel Rd.)** regarding the properties as listed on attached Case Request Form including, by violating Roane County Resolution #2101 (April, 2013) regarding Roane County Zoning Regulations and/or Resolution #01-14-03 regarding overgrown vegetation and accumulated debris.

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

WHEREAS, Resolution # 01-14-03 sets the criteria for overgrown vegetation and accumulated debris.

WHEREAS, Roane County, Tennessee adopted regional zoning by adoption of Resolution #2101 on May 4, 1990.

WHEREAS, the property owners listed having violated Roane County Resolution #2101 (April, 2013) regarding Roane County Zoning Regulations and/or Resolution # 01-14-03 regarding overgrown vegetation and accumulated debris, by continuing to allow the listed condition(s) to remain on properties as listed.

WHEREAS, the property owners listed, having failed to comply with Roane County Resolution #2101 (April, 2013) regarding Roane County Zoning Regulations and/or Resolution # 01-14-03 regarding overgrown vegetation and accumulated debris on properties as listed.

THEREFORE, BE IT RESOLVED: The county attorney is authorized to file lawsuits to determine whether the property owners including **(1005 Winton Chapel Rd)** listed, having failed to comply with Roane County Resolution #2101 (April, 2013) regarding Roane County Zoning Regulations and/or Resolution #01-14-03 regarding overgrown vegetation and accumulated debris on properties as listed, are subject to Roane County Resolution #2101 (April, 2013) regarding Roane County Zoning Regulations and/or Resolution # 01-14-03 regarding overgrown vegetation and accumulated debris, and if they are, petitioning the court to enforce the same by granting injunctive and other relief.

UPON MOTION by Commissioner **Berry**, seconded by Commissioner **Meadows**, The following commissioners voted **Aye: Bell, Berry, Bowers, Brashears, East, Ellis, Gann, Hendrickson, Hester, Hooks, Meadows, Moore, White, and Wilson. (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 attachments)

RESOLUTION No. 03-19-03 (as amended)
IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE

A Resolution Resending Authority for the County Attorney to File Certain Lawsuits

WHEREAS, Roane County adopted Resolution No. 01-19-02, authorizing the County Attorney to file lawsuits on behalf of Roane County against certain individuals hereinafter named regarding properties with overgrown vegetation and/or accumulated debris.

WHEREAS, one of those Defendants, John Eakins, no longer owns the real estate referred to in said Resolution. By Deed recorded January 11, 2019 in the Roane County Register's Office in Record Book 1677, Page 207, and John Eakins conveyed his interest in said real estate to another person.

WHEREAS, Jimmy Lowe and Teresa Lowe, two of the persons named in said Resolution, no longer own the real estate referred to therein. By Deed recorded in the Roane County Register's Office on January 16, 2019 in Record Book 1677, Page 773, they conveyed their interests in said real estate to another person.

WHEREAS, the Roane County Codes Enforcement Office has received information that Harold and Nina Pickard, two of the persons named therein, have passed away.

NOW, THEREFORE, BE IT RESOLVED that the authority granted to the County Attorney in Resolution No. 01-19-02 to file lawsuits against John Eakins, Jimmy Lowe, Teresa Lowe, Harold Pickard and Nina Pickard is hereby rescinded.

UPON MOTION by Commissioner **Meadows** seconded by Commissioner **Hendrickson** the following Commissioners voted **Aye: Bell, Berry, Bowers, Brashears, East, Ellis, Gann, Hendrickson, Hester, Hooks, Meadows, Moore, White, and Wilson. (14)**

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

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

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

Resolution No. 03-19-04

IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE

A RESOLUTION rescinding resolution No. 10-18-23 adopted by the Roane County Commission on October 15, 2018.

WHEREAS, Resolution No.10-18-23 was adopted by the Roane County Commission without being reviewed by the Roane County Environmental Review Board, and;

WHEREAS, Resolution No. 10-18-23 supported a proposed new onsite disposal facility in Roane County known as the Environmental Management Disposal Facility (EMDF) , and;

WHEREAS, the resolution was requesting our state and federal legislations to also support the construction of the EMDF, and;

WHEREAS, the Roane County Environmental Review Board has now reviewed the proposed planned EMPF landfill and expresses environmental concerns and challenges of the landfills operation, and;

WHEREAS, these concerns and challenges of operations are noted as follows:

- The new onsite disposal facility is being constructed under Superfund site rules (CERCLA) designed for remediation of contaminated property but the site is a “green” (i.e. clean) site, which actually creates a contamination site.
- Current landfill construction requirements are not being met since CERCLA requirements are being used for creation of this landfill, allowing the negation/bypass of many crucial requirements through the use of numerous exceptions/waivers.
- A finalized waste acceptance criteria (WAC) document will not be available until after the landfill is approved, thus leaving the public, Tennessee Department of Environment Conservation (TDEC), and the U.S. Environmental Protection Agency (EPA) in a state of unknowing as to what hazardous/toxic materials, or the quantities of each, will be stored in the landfill (i.e., radiological, mercury, etc.).
- Operational controls on waste separation has not been identified in order to ensure that the new landfill will not be mismanaged as the existing landfill has been to prevent its filling with inappropriate waste (the existing landfills were marketed as large enough to handle all waste for current and future disposal activities but waste disposal records indicate large quantities of “clean” waste were placed in the landfill that should have gone elsewhere due to improper separation techniques).
- Onsite disposal has been deemed cheaper but the economics of this conclusion does not match a more detailed cost analysis which includes all available current and future disposal costs and operational factors; an analysis that concludes offsite disposal would be cheaper now and in the out years.

Resolution No. 03-19-04 (continued)

- Onsite disposal was deemed safer than offsite disposal, which conflicts with DOE's own Transit record of zero transit incidents sending waste up to 1300 miles to the WIPP in Carlsbad, NM from multiple widely dispersed DOE generators; while toxic hazards to residents from contamination to east Tennessee aquifers and groundwater's from past/current DOE activities are very evident today.
- TDEC has filed very vocal opposition to the proposed design and planned operation of the new landfill site (such as, much of the landfill will be at or below the existing water table thus requiring extraordinary drainage requirements that upon failure would almost immediately cause potential surface water issues and geological structure not appropriate).
- The EPA has objected to the currently proposed design of the landfill as inappropriate for the chosen site and locale environment (same objections as TDEC plus considers site too wet for proposed waste constituents – better to use a dry environment).
- For everyone, the revelation that mercury will be placed in the landfill creates many issues since only appropriately permitted facilities, that are located in an appropriate environment, should be utilized for this material's storage, with many such permitted sites already existing in the western U.S. while a waiver will have to be requested in order for it to be stored at the new Y-12 landfill.

NOW THEREFORE BE IT RESOLVED, that the Roane County Commission does hereby rescind Resolution No. 10-18-23.

BE IT FUTHER RESOLVED, that the Roane County Commission does hereby voice their opposition of the construction of the proposed EMDG Landfill, and;

BE IT FUTHER RESOLVED, that this resolution be transmitted to our State and Federal legislators asking that our legislators work diligently to insure that the proposed landfill is not built.

UPON MOTION by Commissioner **Bowers**, seconded by Commissioner **Berry**, The following commissioners voted **Aye: Berry, Bowers, Meadows (3)** The following commissioners voted **No: Bell, Brashears, East, Ellis, Gann, Hendrickson, Hester, Hooks, Moore, White, and Wilson. (11)**

The following Commissioner **Passed: -0-**
The following commissioners voted **No: -11-**

THEREUPON, the County Chairman announced to the Commission that said resolution **#03-19-04** had **NOT** received a constitutional majority and therefore **FAILED**.

RESOLUTION FAILED

**RESOLUTION No. 03-19-05
IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE**

A RESOLUTION TO AMEND RESOLUTION 07-13-10 (ATTACHED) WHICH EXPANDS THE ACCEPTANCE OF DONATIONS TO INCLUDE REAL AND PERSONAL PROPERTY OF WHICH THE PROCEEDS WOULD BE DONATED TO THE ROANE COUNTY EDUCATION FOUNDATION.

WHEREAS, the attached Resolution 07-13-10 is not explicitly clear that Roane County can accept and dispose of restricted donations to the Roane County Education Foundation, and

WHEREAS, it is in the County's best interest to accept donations and assign them to the Roane County Education Foundation.

NOW THEREFORE BE IT RESOLVED, that Resolution **07-13-10** established policy be amended to explicitly state that real and personal property donated to Roane County on behalf of the Roane County

Education Foundation is hereby accepted and will be disposed of and the proceeds transferred in accordance with the donor's restrictions.

BE IT FUTHER RESOLVED that the revenue and expenditures budget be establish with each posting of revenue proceeds and expenditures.

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 by Commissioner **Meadows**, seconded by Commissioner **Berry**, The following commissioners voted **Aye: Bell, Berry, Bowers, Brashears, East, Ellis, Gann, Hendrickson, Hester, Hooks, Meadows, Moore, White, and Wilson. (14)**

The following Commissioner **Passed: -0-**

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

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

**Resolution No. 03-19-06 (amended)
IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE**

A RESOLUTION regarding Roane County Government pre-65 employee benefits coverage.

WHEREAS, on January 17, 2019 the Local Government Insurance Committee adopted final amendments to the “Plan Document” that allow each local government agency to decide whether or not to offer State Insurance Plan pre-65 retire health coverage to its members, and;

WHEREAS, the agency’s choice to opt out and no longer offer retiree coverage to its active employee and retirees is irrevocable, and;

WHEREAS, the attached “retiree coverage election form” describes in more details various aspects of the decision, and;

NOW THEREFORE BE IT RESOLVED, Roane County government hereby makes the following selection concerning health insurance coverage under the Local Government Insurance Plan:

OPT In (1) the agency elects to continue to offer pre-65 retiree health insurance coverage under the Local Government Plan to all eligible employees and retirees.

NOW THEREFORE BE IT RESOLVED that the Roane County Commission further understands that the agency is responsible for all decision regarding retiree coverage to its employee and retirees.

BE IT FURTHER RESOLVED, That Roane County reserves the right to amend, modify or cancel the terms of this resolution and the Pre-65 health insurance benefits provided through this resolution and further reserves the right to amend, modify or cancel the corresponding financial contributions of Roane County toward the costs of said Pre-65 health insurance benefits at any time, provided said change is approved by Resolution of the Roane County commission.

UPON MOTION of Commissioner **Berry** seconded by Commissioner **Meadows**, the following Commissioners voted **Aye: Bell, Berry, Bowers, Brashears, East, Ellis, Gann, Hendrickson, Hester, Hooks, Meadows, White, and Wilson. (13)**

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

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

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

(see attachments)

**RESOLUTION No. 03-19-07
 IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE**

A RESOLUTION to allow the County Executive’s office to apply for the Pre-Trial Risk Assessment Pilot Project Grant that is available through the Justice Assistance Grant Program.

WHEREAS, this grant will require no match, and

WHEREAS, this grant will have a 3-year contract funding totaling \$360,000, and

WHEREAS, the program will be administered through the Sheriff’s department, and

WHEREAS, the key elements to this grant include the early release of all eligible arrestees after positive identification and risk assessment, the presence of a defense counsel prepared to provide effective representation at the earliest hearing that could result in pretrial detention, release or detention decisions being informed by the outcomes of the risk assessment and adversarial hearing, and

WHEREAS, final decision on pretrial release rest with the Judicial System, and

WHEREAS, this program is not intended to supplant, replace or otherwise duplicate any existing diversion programs or current positions.

WHEREAS, this grant is not meant to provide positions that would otherwise be needed to ensure the court’s required infrastructure within the local judicial district.

NOW, THEREFORE, BE IT RESOLVED that the General Fund 101 be amended as follow:

<u>Fund</u>	<u>Object</u>	<u>Description</u>	<u>Current BG</u>	<u>Amendment</u>	<u>Ending BG</u>
Revenue Code:					
101	47590-PTRAP	Other Federal Thru State	-	120,000	120,000
Expenditure Code:					
101	54210-various	Payroll, Benefits & Other	-	120,000	120,000

RESOLUTION No. 03-19-07 (continued)

BE IT FURTHER RESOLVED that this resolution will be void and null if the application process is denied.

UPON MOTION of Commissioner **Hester**, seconded by Commission **Gann**, the following Commissioners voted **Aye: Bell, Berry, Bowers, Brashears, East, Ellis, Gann, Hendrickson, Hester, Hooks, Meadows, White, and Wilson. (13)**

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

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

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

**RESOLUTION No. 03-19-08
IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE**

A RESOLUTION to amend the General Fund (101); Special Purpose Fund (121) – Fire; General Debt Service Fund (151); Judicial Drug Task Force Fund (357); and the District Attorney General Fund (364), where overages exist either by unexpected changes to the departments or needs have changed since the first of the fiscal year.

WHEREAS, this is the second clean-up of the fiscal year, and

WHEREAS, during the month May there will be an additional review of the funds to look at the line items against their budgets; and.

NOW, THEREFORE, BE IT RESOLVED that General Fund (101); Special Purpose Fund (121) – Fire; General Debt Service Fund (151); Judicial Drug Task Force Fund (357); and the District Attorney General Fund (364), be amended as follows:

UPON MOTION of Commissioner **Hooks**, seconded by Commission **Meadows**, the following Commissioners voted **Aye: Bell, Berry, Bowers, Brashears, East, Ellis, Gann, Hendrickson, Hester, Hooks, Meadows, White, and Wilson. (13)**

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

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

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

(see attachments)

**Resolution No. 03-19-09
 IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE**

A RESOLUTION amending the General Capital Project Fund 171-CHJ (Courthouse and Jail Maintenance sub fund) to account for additional funding for the Administrative Office of Courts (AOC) Court Security Grant Program.

WHEREAS, Resolution #11-18-08 approved this grant at \$23,400, and

WHEREAS, an additional \$23,400 has been approved by (AOC) to allow the purchase of a new X-ray machine for the courthouse security, and

WHEREAS, this grant requires a 10% match from the county, and

WHEREAS, additional funding has been allocated to bring the total budget up to \$55,000 showing an 18% match from the county.

NOW, THEREFORE BE IT RESOLVED that the General Capital Project Fund 171 (CHJ) be amended as follows.

<u>Fund</u>	<u>Function</u>	<u>Description</u>	<u>Original Budget</u>	<u>Amend.</u>	<u>Amended Budget</u>
Revenue Code:					
171-CHJ	46980-XRAY	Other State Grants	23,400	23,400	46,800
Reserve Code:					
171-CHJ	34585	Restricted Capital Projects	65,647	(5,600)	60,047
Expenditure Code:					
171-CHJ	91130-790-XRAY	Other Capital Equipment	26,000	29,000	55,000

UPON MOTION of Commissioner **Meadows**, seconded by Commission **Hooks**, the following Commissioners voted **Aye: Bell, Berry, Bowers, Brashears, East, Ellis, Gann, Hendrickson, Hester, Hooks, Meadows, White, and Wilson. (13)**

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

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

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

**Resolution No 03-19-10
 IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE**

A RESOLUTION amending the General Capital Project Fund 171 (REC) to allow the Parks and Recs Department along with the Health Department to proceed with a Multi-Use Trail Master Plan.

WHEREAS, the funding for this project will come from the Tennessee Department of Health Grant "Access to Health through Healthy Active Build Environments (AHHBBE)" (\$20,000) and local funds currently allocated in the REC sub fund (\$11,500), and

WHEREAS, the total cost of this phase of the Master Plan Project is \$31,500, and

WHEREAS, the grant is noncompetitive in that every county will be receiving funding, and

WHEREAS, the work will be performed by CRJA-IBI Group (Landscaping Architects) alongside with Michael Brady Inc. who is currently working on updating our Parks and Recs Master Plan, and

WHEREAS, with these two plans in place, Roane County will have access to multiple grants that will help fund the future projects of our Roane County Parks and Trails located at Caney Creek and other tourist sites throughout our county, and

NOW, THEREFORE BE IT RESOLVED that the General Capital Project Fund 171 (REC) be amended as follows:

<u>FUND</u>	<u>FUNCTION</u>	<u>DESCRIPTION</u>	<u>ORIGINAL BUDGET</u>	<u>AMENDMENT</u>	<u>AMEND. BUDGET</u>
Revenue Code:					
171 (REC)	46980-TRAIL	State Grants	-	20,000	20,000
Expenditure Codes:					
171 (REC)	91150-718	Motor Vehicles	15,000	(11,500)	3,500
171 (REC)	91150-321	Other Charges	45,000	31,500	76,500

UPON MOTION of Commissioner **Berry**, seconded by Commission **Gann**, the following Commissioners voted **Aye: Bell, Berry, Bowers, Brashears, East, Ellis, Gann, Hendrickson, Hester, Hooks, Meadows, White, and Wilson. (13)**

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

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

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

**RESOLUTION No. 03-19-11
 IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE**

A RESOLUTION to amend the General Capital Project Fund 171 (TEQ) by allocating the balance of a three-year TVA grant awarded to the Roane County Office of Emergency.

WHEREAS, at the end of June 30th there was a balance of the grant totaling \$29,138 that was not appropriated in the original budget, and

WHEREAS, this balance was rolled into the Capital Project OES reserve balance during the year end closing, and

WHEREAS, this being the final year for this grant it is being requested to be appropriated for spending.

NOW, THEREFORE, BE IT RESOLVED that the General Capital Project Fund 171 (OES) be amended as follow:

<u>Fund</u>	<u>Sub Fund</u>	<u>Object</u>	<u>Description</u>	<u>Current BG</u>	<u>Amendment</u>	<u>Ending BG</u>
Revenue Code:						
171	OES	47590	Other Federal Thru State	-	29,138	29,138
Expenditure Code:						
171	OES	91130-790-TEQ	Other Equipment	-	29,138	29,138

UPON MOTION of Commissioner **Hooks**, seconded by Commission **White**, the following Commissioners voted **Aye: Bell, Berry, Bowers, Brashears, East, Ellis, Gann, Hendrickson, Hester, Hooks, Meadows, White, and Wilson. (13)**

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

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

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

**RESOLUTION No. 03-19-12
 IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE**

A RESOLUTION to allow the County Executive’s office to apply for the Victims of Crime Act (VOCA) Grant Program which is administered through the Office of Criminal Justice Programs.

WHEREAS, this grant will require no match, and

WHEREAS, this grant will have a 3-year contract funding totaling 65,000 per year, and

WHEREAS, the program will be specifically for a Victim Coordinator who will work in Roane County courts which handle criminal matters, and

WHEREAS, the primary purpose of the Victims of Crime Act is to support the provision of services to victims of crime and previously underserved victims throughout the state. The VOCA assists public agencies and non-profit organizations in carrying out specific projects related to direct victim services, and

WHEREAS, the supervision and direction of the Coordinator rest with the Judicial System, and

NOW, THEREFORE, BE IT RESOLVED that the General Fund 101 be amended as follow:

<u>Fund</u>	<u>Object</u>	<u>Description</u>	<u>Current BG</u>	<u>Amendment</u>	<u>Ending BG</u>
Revenue Code:					
101	47590-VOCO	Other Federal Thru State	-	65,000	65,000
Expenditure Code:					
101	53930-various	Payroll, Benefits & Other	-	65,000	65,000

BE IT FURTHER RESOLVED that this resolution will be void and null if the application process is denied.

UPON MOTION of Commissioner **Hester**, seconded by Commission **Bowers**, the following Commissioners voted **Aye: Bell, Berry, Bowers, Brashears, East, Ellis, Gann, Hendrickson, Hester, Hooks, Meadows, White, and Wilson. (13)**

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

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

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

**RESOLUTION No. 03-19-13
IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE**

A RESOLUTION, to urge the general assembly to adopt an equitable distribution of local sales Tax revenue from out-of-state sellers.

WHEREAS, county governments in Tennessee are the primary providers of numerous essential government services including, but not limited to, public K-12 education, jails and law enforcement, road building and maintenance, election administration, property assessment, solid waste disposal, and record keeping and administration for the various state courts; and

WHEREAS, county governments are limited by law regarding the forms of taxation and revenue generation which they are authorized to use, making the local sales tax an important source of revenue for counties; and

WHEREAS, the House Finance, Ways, and Means Committee asked the TACIR to study revenue sources of cities and counties in Tennessee and the services each provide; and

WHEREAS, representatives of counties and cities on the TACIR working group agree that the current distribution of the uniform local sales tax rate for out-of-state sellers is inequitable and should be eliminated; and

WHEREAS, the TACIR working group recommends that local sales tax revenue from out-of-state sellers be distributed based on the destination of the purchaser.

NOW, THEREFORE, BE IT RESOLVED by the Roane County Legislative Body meeting in Regular Session at Kingston, Tennessee, on this Eleventh day of March, 2019, that the members of the General Assembly representing the people of Roane County are strongly urged to work for the passage of legislation to provide for an equitable distribution of local sales tax revenue from out-of-state sellers by distributing the tax based on the destination of the purchase; and

BE IT FURTHER RESOLVED that the county clerk shall mail certified copies of this resolution to the members of the Tennessee General Assembly representing the people of Roane County.

UPON MOTION of Commissioner **Meadows**, seconded by Commission **Berry**, the following Commissioners voted **Aye: Bell, Berry, Bowers, Brashears, East, Ellis, Gann, Hendrickson, Hester, Hooks, Meadows, White, and Wilson. (13)**

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

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

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

ADJOURNMENT FOLLOWS:

There being no further business to discuss before the Commission,

MOTION to Adjourn was made by **Commissioner White**, seconded by **Commissioner Wilson**.

Motion PASSED upon unanimous voice vote.

Meeting Adjourned at **9:30** by **Chairman Ellis**.

APPROVED:

Roane County Commission Chairman

ATTEST:

Roane County Clerk