

**MINUTES
ROANE COUNTY COMMISSION
REGULAR MEETING
FEBRUARY 14, 2011**

**STATE OF TENNESSEE
COUNTY OF ROANE**

BE IT REMEMBERED, that the County Commission of Roane County, Tennessee convened in regular session in Kingston, Tennessee on the 14th day of February 2011 at 7:00 P.M.
The Commission was called to order by **Bailiff Lloyd Cook**.

Invocation was given by **Commissioner Cantrell**.

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

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

Absent: -0-

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

APPROVE MINUTES OF THE JANUARY 18, 2011 MEETING.

MOTION was made by **Commissioner Ellis** with second by **Commissioner Tedder** to approve the minutes of the January 18, 2011 meeting.

Motion **Passed** upon unanimous voice vote.

COMMITTEE REPORTS AND CORRESPONDENCE:

- 1.**MINUTES** Sheriff's Liaison Committee Meeting 01-03-11.
- 2.**MINUTES** Budget Committee 01-04-11.
- 3.**MINUTES** Environmental Review Board 01-06-11.
- 4.**MINUTES** Ambulance Committee 01-13-11.
- 5.**MINUTES** Solid Waste Committee 01-18-11.
- 6.**MINUTES** Emergency Services Meeting 01-19-11.
- 7.**MINUTES** Utility Board 12-30-10.
- 8.**MINUTES** Safety Committee 01-19-11.
- 9.**MINUTES** Fire Board 01-20-11.
- 10.**MINUTES** Legislative Committee 01-27-11.
- 11.**MINUTES** Back Tax Committee 01-27-11.
- 12.**MINUTES** Utility Board 01-17-11.
- 13.**MINUTES** Planning Commission 12-15-10.
- 14.**MINUTES** Board of Zoning Appeals 12-15-10.
- 15.**MINUTES** Planning Commission 11-17-10.
- 16.**MINUTES** Beer Board 01-25-11.
- 17.**LETTER** re: environmental legacies in Oak Ridge.

18. **LETTER** re: Plateau Partnership Park property tax.
19. **LETTER** to Wildlife Resources Agency re: Tiger Haven.
20. **LETTER** to Dept. Environment & Conservation -Tiger Haven.
21. **LETTER** to Dept. of Health re: Tiger Haven
22. **LETTER** to Emergency Management Agency re: Tiger Haven.
23. **LETTER** to Dept. of Commerce & Insurance re: Tiger Haven.
24. **LETTER** to Dept of Economic & Community Dev .Tiger Haven.
25. **LETTER** to Rep. Hurley & Senator Yager re Tiger Haven.
26. **LETTER** to Mary Lynn Haven re: Tour of Tiger Haven
27. **PUBLIC NOTICE** re: Utility Board Public Hearing.
28. **LETTER** to Executive Woody re: Financial Sys Approval.
29. **CAPITAL** Projects Policy 1-20-11.

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

Commissioner Berry discussed items # 3,6,7,8,9,10 and 17.

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

NOTARIES:

The following persons desiring to be elected as a Notary Public in Roane County were presented to the Commission by County Clerk **Barbara Anthony**: Richard K. Evans, Darla M. Watson, Tiffany N. Tilley, Sarah K. McDonald, Lisa J. Pickel, Christie M. Wallace, Sara E. Stewart and Mickie T. Mashburn.

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

Motion **Passed** upon unanimous voice vote.

HEARING OF DELEGATION:

- Clyde Harmon of Swan Pond Circle discussed the destruction of his property caused by TVA rock trucks. Commissioner Nelson with the Highway Dept. will check into it.
- Business Manager of Roane County Schools, Eric Harmon discussed the School budget.
- Karen Human formally of the Roane County Ambulance spoke regarding problems at the Ambulance Service.
- Clint Stinnett discussed problems that that were occurring at his residence.

COUNTY ATTORNEY'S REPORT:

County Attorney McFarland discussed the following lawsuits:

- Docks at Caney Creek
- Jail
- Site Works
- Helen Hayes (zoning)

COUNTY EXECUTIVE'S REPORT:

County Executive Woody discussed the following:

- Newsletter
- Midtown sewer
- Founders Day
- Roane Alliance - web site
- Executive summary
- Workers comp.
- Urban Growth Plan
- Capital Policy Plan.
- Fund Balance

SPECIAL ORDERS:

Confirmation of the appointment of Brian Niekerk to the Environmental Review Board to replace Bobby Davis whose term expired 7-30-10 and does not desire reappointment. The term will expire 7-30-13

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

Motion **Passed** upon unanimous voice vote.

Confirmation of the appointment of Haley Caldwell and Riley Collins, students at Roane County High School (both juniors), to the Environmental Review board (terms to expire 7-30-2012.

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

Motion **Passed** upon unanimous voice vote.

PRESENTATION OF AWARD:

Director of Emergency Services, Howie Rose and the following Commissioners: James Brummett, Bobby Collier and Randy Ellis presented Mr. Andriulli with a plaque of appreciation on behalf of the work of his late wife Minna Andriulli.

At this time motion to waive the 12 day rule and add Resolutions # 02-11-24 and 02-11-25 to the agenda was made by **Commissioner Goddard** with second by **Commissioner Collier**.

Upon roll call vote the following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Nelson, Tedder (14)**

The following Passed: **-0-**

The following voted No: **Moore (1)**

Thereupon the Chairman announced that the motion to waive the 12 day rule and place the resolutions on the agenda **Passed**.

ZONING RESOLUTIONS: None

OLD BUSINESS: None

NEW BUSINESS:

RESOLUTION # 02-11-01

A RESOLUTION AUTHORIZING ROANE COUNTY TO REFUND TO: STEVEN E. AND TAMARO O. ANDERSON, 123 BRADFORD VILLAGE WAY, KINGSTON, TN 37763 THE SUM OF \$1253.00.

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

Reason: pro-rated for 2010-did not move in until 8/15/10

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
068G	C	25.00	2010	\$2204.00	\$1253.00

NOW, THEREFORE, BE IT RESOLVED, that **ROANE COUNTY** is hereby authorized to refund to: Steven E and Tamara O Anderson, 123 Bradford Village Way, Kingston TN 37763, the sum of \$1253.00

Motion to adopt was made by **Commissioner Forrester** with second by **Commissioner Cantrell**.

Motion **Passed** upon unanimous voice vote.

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

See Attachment

RESOLUTION # 02-11-02

A RESOLUTION AUTHORIZING ROANE COUNTY TO REFUND TO: NELLIE LOUISE AND ROSALEE BAILEY, 123 STEVENS CIRCLE, ROCKWOOD, TN 37854 THE SUM OF \$16.00.

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

Reason: house is not livable.

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
055I	B	027.00	2010	\$82.66	\$16.66

NOW, THEREFORE, BE IT RESOLVED, that **ROANE COUNTY** *is* hereby authorized to refund to: Nellie Louise and Rosalee Bailey, 123 Stevens Circle, Rockwood TN 37854, the sum of \$16.66.

Motion to adopt was made by **Commissioner Forrester** with second by **Commissioner Cantrell**.

Motion **Passed** upon unanimous voice vote.

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

See Attachment

RESOLUTION # 02-11-03

A RESOLUTION AUTHORIZING ROANE COUNTY TO REFUND TO: JOLINE D. COLE (BOB C. BOWEN), PO BOX 7, KINGSTON TN 37763 THE SUM OF \$329.00.

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

Reason: delete buildings that were duplicated by computer

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
104		038.01	2009	\$1697.00	\$329.00

NOW, THEREFORE, BE IT RESOLVED, that **ROANE COUNTY** *is hereby* authorized to refund to: Joline D Cole (Bob C Bowen), PO Box 7, Kingston Tn 37763, the sum of \$329.00

Motion to adopt was made by **Commissioner** Forrester with second by **Commissioner Cantrell**.

Motion **Passed** upon unanimous voice vote.

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

See Attachment

RESOLUTION # 02-11-04

A RESOLUTION AUTHORIZING ROANE COUNTY TO REFUND TO: PAUL T. AND LOUISE ASHLEY, PO BOX 151, HIXON, TN 37343, THE SUM OF \$139.00.

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

Reason: delete mobile home that was moved from property prior to 1/1/2009

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
036		094.00	2009	\$333.00	\$139.00

NOW, THEREFORE, BE IT RESOLVED, that **ROANE COUNTY** is hereby authorized to refund to: Paul T and Louise Ashley, PO Box 151, Hixson TN 37343, the sum of \$139.00

Motion to adopt was made by **Commissioner** Forrester with second by **Commissioner Cantrell**.

Motion **Passed** upon unanimous voice vote.

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

See Attachment

RESOLUTION # 02-11-05

A RESOLUTION AUTHORIZING ROANE COUNTY TO REFUND TO: DAVID AND WANDA MCKINNEY, 8463 HOTCHKISS VALLEY ROAD, LOUDON, TN 37774, THE SUM OF \$50.00.

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

Reason: adjust land value

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
055		27.00	2010	\$167.00	\$50.00

NOW, THEREFORE, BE IT RESOLVED, that ROANE COUNTY is hereby authorized to refund to: David and Wanda McKinney, 8463 Hotchkiss Valley Road, Loudon TN 37774, the sum of \$50.00

Motion to adopt was made by **Commissioner** Forrester with second by **Commissioner Cantrell**.

Motion **Passed** upon unanimous voice vote.

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

See Attachment

RESOLUTION # 02-11-06

A RESOLUTION AUTHORIZING ROANE COUNTY TO REFUND TO: RICKY AND DORIS COKER, 164 OAK GROVE ROAD, LOUDON TN 37774, THE SUM OF \$77.00.

Reason: correct land value **WHEREAS**, taxes on the following parcel were changed by the Property Assessor's office.

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
100D	B	005.00	2010	\$400.00	\$77.00

NOW, THEREFORE, BE IT RESOLVED, that **ROANE COUNTY** is hereby authorized to refund to:

Ricky and Doris Coker, 164 Oak Grove Road, Loudon Tn 37774, the sum of \$77.00

Motion to adopt was made by **Commissioner Forrester** with second by **Commissioner Cantrell**.

Motion **Passed** upon unanimous voice vote.

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

See Attachment

RESOLUTION # 02-11-07

A RESOLUTION AUTHORIZING ROANE COUNTY TO REFUND TO: JAME DIAMOND, 151 PINECREST DRIVE, LOUDON TN 37774, THE SUM OF \$22.00.

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

Reason: correct land value

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
100D	B	004.00	2010	\$263.00	\$22.00

NOW, THEREFORE, BE IT RESOLVED, that **ROANE COUNTY** is hereby authorized to refund to: Jame Diamond, 151 Pinecrest Drive, Loudon TN 37774, the sum of \$22.00

Motion to adopt was made by **Commissioner Forrester** with second by **Commissioner Cantrell**.

Motion **Passed** upon unanimous voice vote.

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

See Attachment

RESOLUTION # 02-11-08

A RESOLUTION AUTHORIZING ROANE COUNTY TO REFUND TO: JACKIE D. MCCULLOUGH AND DAVID E. MCKINNEY, 465 BLACK CREEK ROAD, ROCKWOOD, TN 37854 THE SUM OF \$61.00.

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

Reason: adjust land value

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
055		028.00	2010	\$272.00	\$61.00

NOW, THEREFORE, BE IT RESOLVED, that **ROANE COUNTY** is hereby authorized to refund to: Jackie D. McCullough and David E. McKinney, 465 Black Creek Road, Rockwood TN 37854, the sum of \$61.00

Motion to adopt was made by **Commissioner Forrester** with second by **Commissioner Cantrell**.

Motion **Passed** upon unanimous voice vote.

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

See Attachment

RESOLUTION # 02-11-09

A RESOLUTION AUTHORIZING ROANE COUNTY TO REFUND TO: DAVID J. BADGLEY, 154 SPRING LANE, PHILADELPHIA TN 37846, THE SUM OF \$25.00.

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

Reason: delete mobile home and garage-located in Meigs County

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
126		006.04	2010	\$228.00	\$25.00

NOW, THEREFORE, BE IT RESOLVED, that **ROANE COUNTY** is hereby authorized to refund to: David J. Badgley, 154 Spring Lane, Philadelphia TN 37846, the sum of \$25.00.

Motion to adopt was made by Commissioner **Forrester** with second by Commissioner **Cantrell**.

Motion **Passed** upon unanimous voice vote.

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

See Attachment

RESOLUTION # 02-11-10

A RESOLUTION AUTHORIZING ROANE COUNTY TO REFUND TO: JAMES VANN JOHNSTON JR ETAL, 412 ROYAL BIRKDALE ROAD, KNOXVILLE, TN 37834, THE SUM OF \$94.00.

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

Reason: correct house measurement

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
100P	D	001.00	2010	\$2665.00	\$94.00

NOW, THEREFORE, BE IT RESOLVED, that ROANE COUNTY is hereby authorized to refund to:

James Vann Johnston Jr etal, 412 Royal Birkdale Road, Knoxville TN 37934, the sum of \$94.00

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

Motion to adopt was made by **Commissioner Forrester** with second by **Commissioner Cantrell**.

Motion **Passed** upon unanimous voice vote.

See Attachment

Resolution # 02-11-11

IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE.

A RESOLUTION authorizing **ROANE COUNTY** to refund to: James E and Jean R Murphy 4340 Decatur Highway, Kingston TN 37763, the sum of \$422.00.

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

Reason: correct structural elements and land condition

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
105		051.03	2010	\$3406.00	\$422.00

NOW, THEREFORE, BE IT RESOLVED, that **ROANE COUNTY** is hereby authorized to refund to: James E and Jean R Murphy, 4340 Decatur Highway, Kingston TN 37763, the sum of \$422.00

Motion to adopt was made by **Commissioner Forrester** with second by **Commissioner Cantrell**.

Motion **Passed** upon unanimous voice vote.

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

See Attachment

RESOLUTION # 02-11-12

A RESOLUTION DIRECTING THE ROANE COUNTY ATTORNEY TO TAKE STEPS TO RECOVER TNHE COSTS ASSOCIATED WITH THE REMOVAL OF A HAZARDOUS SUBSTANCE AT PROPERTY OWNED BY MARJORIE DODD.

Motion was made by **Commissioner Collier** with second by **Commissioner Berry** to send back to Committee.

Motion **Passed** upon unanimous voice vote.

RESOLUTION # 02-11-13

A RESOLUTION TO PLACE IN SURPLUS CERTAIN ROANE COUNTY VEHICLES .

WHEREAS, the Roane County Purchasing Department has determined that certain vehicles, are of no longer any use to Roane County, a 1989 GMC Pick-Up, VIN 2GTEC14H7K1542447 and a 1995 Ford Crown Victoria, VIN 2FALP71W0SX180272, and

WHEREAS, the vehicle that was being used by the Roane County Health Department is in complete disrepair and the vehicle being used by the Ambulance Service is no longer used, and

WHEREAS, the Roane County Purchasing Department now seeks to have said vehicles declared surplus.

NOW, THEREFORE, BE IT RESOLVED that the vehicles described herein are hereby declared surplus property and may be disposed of pursuant to T.C.A. 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.

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

Motion **Passed** upon unanimous voice vote.

THEREUPON, the County Commission Chairman announced to the Commission that said resolution had received a constitutional majority and

RESOLUTION # 02-11-14

A RESOLUTION TO INFORM THE ROANE COUNTY COMMISSION OF PLANNED ACTIVITIES AT ROANE COUNTY PARK AND TO ASK FOR COMMISSION SUPPORT TO SOLICIT FUNDS FROM THE PRIVATE SECTOR TO HELP FUND THESE ACTIVITIES .

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

Motion to amend by striking the word "**fund**" from the resolution.

Motion to accept the amendment **Passed** upon voice vote.
Commissioner Moore voted **No**.

Thereupon the Chairman announced that the motion to amend **Passed**.

RESOLUTION # 02-11-14 (As Amended)

A RESOLUTION to inform The Roane County Commission of planned activities at Roane County Park and to ask for commission support to solicit funds from the private sector to help these activities

WHEREAS, Roane County Park intends to provide additional activities during 2011 and,

WHEREAS, Roane County did not budget funds to provide for these activities, and

WHEREAS, Roane County feels that these activities are beneficial for our citizens and assist in our tourism effort by not only keeping our citizens in Roane County supporting county business but also bringing new dollars into the local economy, and

WHEREAS, those planned activities include the following:

- Corn-maze in partnership with Roane State Community College
- State-wide Dixie Youth baseball tournament in partnership with Rockwood Parks and Recreation, Kingston Parks and Recreation, and Kingston Optimist Club
- Summer Festival
- Disc Golf Tournaments
- Continued Wild Cat Bass Tournaments and,

WHEREAS, Roane County desires to partner with the community and the private sector in these efforts.

NOW, THEREFORE BE IT RESOLVED that the Roane County Commission supports these activities and the Roane County Park staff's effort to partner with local businesses and the community to assist in these activities.

Motion to adopt as amended was by **Commissioner Collier**, seconded by **Commissioner Tedder**.

Motion **Passed** upon voice vote.

Commissioner Goddard voted No.

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

RESOLUTION # 02-11-15

A RESOLUTION AUTHORIZING AND PROVIDING FOR THE FINANCING OF THE CONSTRUCTION OF A WASTEWATER FACILITIES PROJECT, INCLUDING AUTHORIZING THE EXECUTION OF APPLICATIONS, CONTRACTUAL AGREEMENTS, AND OTHER NECESSARY DOCUMENTS, AND MAKING CERTAIN REPRESENTATIONS, CERTIFICATIONS, AND PLEDGES OF CERTAIN REVENUE IN CONNECTION WITH SUCH FINANCING.

WHEREAS, Roane County is a public and governmental body in Roane County, Tennessee (the "Local Government"); and

WHEREAS, the Local Government has determined that it is necessary and desirable to undertake certain activities or tasks in connection with a wastewater facilities project, Department of Environment and Conservation Number CWO 2011-285 (the "Project"), in and for the Local Government; and

WHEREAS, Tennessee Code Annotated, Section 68-221-1001 et. seq., provide for the lending of moneys in the wastewater facilities Revolving Loan Fund to Local Governments for the purpose of providing funds for Project Loans; and

WHEREAS, the local Government has determined that it is necessary and advisable to borrow funds for the Project pursuant to these sections.

NOW, THEREFORE, be it resolved as follows:

Section 1. Local Government hereby approves the creation of indebtedness on behalf of the Local Government in the principal amount of FIVE MILLION FIVE HUNDRED EIGHTYFIVE THOUSAND DOLLARS (\$5,585,000) by the obtaining of a Project Loan.

Section 2. The execution and delivery of the Application for a Project Loan in the principal amount of FIVE MILLION FIVE HUNDRED EIGHTY-FIVE THOUSAND DOLLARS

(\$5,585,000) for the purpose of funding all or a portion of the total estimated cost of the Project FIVE MILLION FIVE HUNDRED EIGHTY-FIVE THOUSAND DOLLARS (\$5,585,000), by Ron Woody, the County Executive of the Local Government, is hereby ratified and approved in all respects.

Section 3. The Local Government hereby agrees to honor and accept the method of financing as may be determined by the Authority pursuant to the Loan Agreement.

Section 4. The Local Government hereby agrees to make the monthly payments on the Project Loan in accordance with the Payment Schedule to be attached to the Loan Agreement.

Section 5. The Local Government hereby agrees to levy fees, rates or charges for services provided by the Project and/or to levy ad valorem taxes sufficient to pay the interest on and principal of the Project Loan in accordance with the Loan Agreement. The Local Government also agrees to levy fees, rates, or charges and/or ad valorem taxes sufficient to pay the cost of operation and maintenance of the wastewater system of which the Project is a part, which cost shall include depreciation and all other debt service expense of the system.

Section 6. The Local Government assigns and pledges its State-Shared Taxes to the State and consents to the withholding and application of State-Shared Taxes in the event of failure by the Local Government to remit monthly payments in accordance with the terms of the Loan Agreement, as the Loan Agreement may be supplemented or amended from time to time.

Section 7. The Local Government hereby agrees that there are no local pledges of State-Shared Taxes other than those disclosed.

Section 8. The Local Government hereby agrees to obtain alternative methods of financing for all costs necessary for the completion of the Project, which are in excess of the combined financing provided by any agency of the United States Government and by the Tennessee Local Development Authority.

Section 9. The County Executive of the Local Government is authorized and directed to execute the Loan Agreement, and any amendments of supplements to the Loan Agreement, in the name and behalf of the Local Government; to deliver such documents to the other parties to such documents, such execution and delivery to be conclusive proof of the approval of the Local Government of such documents; and to take such further action and to execute and deliver such further instruments or documents as such officer may consider necessary or advisable in connection with the Loan Agreement. Provided, however, this resolution shall not be deemed to grant authority to the named officer to approve any increase in the amount of the Project Loan.

Section 10. All orders, resolutions, or ordinances in conflict with this resolution be and the same are repealed insofar as such conflict exists. This resolution shall become effective immediately upon its passage.

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

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

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

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

RESOLUTION # 02-11-16

A RESOLUTION AMENDING THE GENERAL CAPITAL PROJECT FUND (171) AND THE EDUCATION CAPITAL PROJECTS FUND (177) IN ORDER TO RECEIVE TVA IN LIEU OF TAX PAYMENT RELATED TO PROPERTIES PURCHASED BY TVA DUE TO THE TVA ASH SPILLS.

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

Motion was made by **Commissioner Berry** with second by **Commissioner Moore** to amend by adding: " **the new funds will be placed into fund 177 as the original resolution states, if the School Board approves receiving the TVA funds into fund 177**"

Motion to amend **Passed** upon voice vote.
Commissioner Johnson voted No.

RESOLUTION # 02-11-16 (As Amended)

THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE

A RESOLUTION amending the General Capital Project Fund (171) and the Education Capital Projects Fund (177) in order to receive TVA in lieu of tax payment related to properties purchased by TVA due to the TVA ash spill.

WHEREAS, TVA has provided funds within the TVA foundation for in lieu of tax payment for Roane County, and

WHEREAS, Roane County has calculated the taxes lost due to property purchased from TVA related to the ash spill, and

WHEREAS, Roane County shall request form TVA and the foundation the estimated total amount of fund in which the county lost due to property being taken off the tax roll and become exempt due to TVA exempt status, and

WHEREAS, due to the possibility that these TVA in lieu of tax revenues could cease or be reduced over time and the property may not be placed back on the tax rolls Roane County shall treat the revenue as a onetime revenue source, and

WHEREAS, one time revenue sources should not be used for recurring expenses but should be made available for one time capital improvements, and

WHEREAS, both the general county operations and school operations suffered a loss of revenue and both should receive a prorated share of the in lieu of tax, and

WHEREAS, the use of said funds shall be by annual or specific appropriation;

WHEREAS, new funds will be placed into fund 177 as the original resolution states, if the School Board approves receiving the TVA funds into fund 177.

NOW, THEREFORE, BE IT RESOLVED that the General Capital Project Fund and the Education Capital Project Fund shall be amended as follows:

Fund	Account No	Description	Current Bgt	Amend	Amd Bgt
Revenue	Sub Fund	B11			

171	40161 --FY09	PILOT-TVA	-	64,900	64,900
171	40161- -FY10	PILOT-TVA	-	64,700	64,700
Fund Balance					
171	39000		188,000	129,600	317,600
To receive money from TVA Ash Spill PILOT					

Fund	Account No	Description	Current Bgt	Amend	Amd Bgt
Revenue					
177	40161 --FY09	PILOT-TVA	-	55,100	55,100
177	40161 -FY10	PILOT-TVA	-	55,300	55,300
Fund Balance					
177	39000		1794772	110,400	1,905,172
To receive money from TVA Ash Spill PILOT					

MOTION to adopt as amended was made by **Commissioner Berry** 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 # 02-11-17

A RESOLUTION AMENDING THE SPECIAL PURPOSE FUND 121, THE GENERAL CAPITAL PROJECTS FUND 171, AND THE GENERAL DEBT SERVICE FUND 151 IN ORDER TO CLOSE THE SPECIAL PURPOSE FUND 121 AND TRANSFER ANY REMAINING BALANCE TO THE GENERAL CAPITAL PROJECTS FUND 171 AND FURTHER TO RECEIVE THE DOE IN LIEU OF TAX PAYMENT DIRECTLY INTO THE DEBT SERVICE FUND 151.

WHEREAS, the Special Purpose Fund 121 exist only to receive and then transfer funds to the General Debt Service Fund 151, and

WHEREAS, Roane County desires to simplify the accounting and close the Special Purpose Fund 121, and

WHEREAS, Roane County shall budget and receive directly in the General Debt Service Fund 151 the dollar amount of the DOE budgeted payment, and

WHEREAS, if there exist any excess DOE In Lieu of Tax above amount budgeted in the Debt Service Fund 151 said amount shall be received into the General Capital Project Fund 171, and

WHEREAS, funds which now exist in the Special Purpose Fund 121 are considered one time monies and shall be transferred into the General Capital Projects Fund 171.

NOW THEREFORE BE IT RESOLVED that the Special Purpose Fund 121, the General Capital Project Fund 171 and the General Debt Service Fund 151 shall be amended as follows:

Fund	Account No	Description	Current Bgt	Amend	Amd Bgt
Revenue					
121	40163	DOE PILOT - Other	845,000.00	(845,000.00)	-
Expenditure					
121	99100	590- Transfers to other funds	845,000.00	(845,000.00)	-
		Remove DOE fund receipt from Fund 121			

Fund	Account No	Description	Current Bgt	Amend	Amd Bgt
Revenue					
151	40163	DOE PILOT - Other	-	845,000.00	845,000.00
151	49800	DOE Transfers In	845,000.00	(845,000.00)	-
		Receive DOE PILOT direct to Fund 151		-	

Fund	Account No	Description	Current Bgt	Amend	Amd Bgt
Revenue					
121	99100	590- Transfers to other fund	-	144,590.86	144,590.86
Fund Balance					
121	39000	Undesignated Fund balance	144,590.86	(144,590.86)	-
		To Close fund 121		-	

Fund	Account No	Description	Current Bgt	Amend	Amd Bgt
Revenue			B11		
171	49800	Transfers In	-	144,590.86	144,526.86
Fund Balance					
171	39000	Undesignated Fund Balance	188,000.00	144,590.86	332,590.86
		Accept fund balance from Fund 121			

MOTION to adopt was made by **Commissioner Collier** with second by **Commissioner Berry**.

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 # 02-11-18

A RESOLUTION AMENDING THE GENERAL CAPITAL PROJECTS FUND 171 SUB FUND REC IN ORDER TO RECEIVE AND APPROPRIATE A TWRA GRANT AND MAKE IMPROVEMENTS AT THE CANEY CREEK BOAT RAMP AND PARKING LOT.

WHEREAS, Roane County Park operations includes the management of the Caney Creek Boat Ramp and Parking Lot, and

WHEREAS, TWRA shall provide \$20,000 and Roane County shall provide additional funds to in order to complete the total project of improvements for the Boat Dock and Parking Lot, and

WHEREAS, Roane County funds shall be derived from recreation fees of the Caney Creek Marine and RV Park.

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

Fund	Account No	Description	Current Bgt	Amend	Amd Bgt
		Sub Fund	REC		
Revenue					
171	46980	TWRA Other State Grants	-	20,000	20,000
Expenditure					
171	91150	791 Other Construction	-	37,000	37,000
Fund Balance					
171	39000	Undesignated Fund Balance	54,000	(17,000)	37,000

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

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

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

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

RESOLUTION # 02-11-19

A RESOLUTION AMENDING THE GENERAL FUND 101 IN ORDER TO RECEIVE AND APPROPRIATE THE REMAINDER OF A 2008 OFFICE OF EMERGENCY SERVICES (OES) GRANT.

WHEREAS, A grant was received by the OES department in 2008, and

WHEREAS, all purchases made with funding through this grant must first be approved by the Emergency Services Committee of the Roane County Commission.

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

FUND	FUNCTION	ACCOUNT NO	DESCRIPTION	CURRENT BGT	AMEND	AMEND BGT
Revenue						
101	46800	HLS08	Other State Grants	-	7,410	7,410
Expenditure						
101	54410	499- HLS08	Other Supplies and Materials	-	5,410	5,410
Fund Balance						
101	39000		Undesignated Fund Balance	1,374,674	2,000	1,376,674

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

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

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

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

RESOLUTION # 02-11-20

A RESOLUTION TO AMEND THE INDUSTRIAL ECONOMIC FUND (119) IN ORDER TO PROVIDE FOR AN AUDIT OF THE HOTEL/MOTEL TAX RECEIVED BY ROANE COUNTY.

WHEREAS, Roane County receives all of the Hotel/Motel Tax into our Industrial/Economic Fund; and

WHEREAS, a proper audit of the Hotel/Motel Tax needs to be performed.

NOW, THEREFORE, BE IT RESOLVED that the Industrial/Economic Development Fund (119) be amended as follows:

FUND	FUNCTION	ACCOUNT NO	DESCRIPTION	CURRENT BGT	AMEND	AMEND BGT
Expenditure						
	Industrial Development					
119	58120	312	Contracts w/Priv Agencies	-	13,000	13,000

Fund Balance					
119	39000	Undesignated Fund Balance	526,313	(13,000)	(513,313)

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

RESOLUTION # 02-11-21

A RESOLUTION TO PROVIDE STIPENDS IN LIEU OF PAYING FOR CELL PHONES FOR CERTAIN COUNTY EMPLOYEES.

WHEREAS, the cell phone bills are burdensome and time consuming to process, and

WHEREAS, it is much more efficient and economical to provide stipends for county use of personal cell phones.

NOW, THEREFORE, BE IT RESOLVED that the General Fund (101) and Drug Fund (122) be amended as follows:

Fund	Account Number			Current Bgt	Amend	Amd Bgt
Property Assessor's Office						
101	52300	199	Per Diem	600	300	900
101	52300	307	Communication	3,400	(300)	3,100
Health Dept.						
101	55110	199	Per Diem	-	180	180
101	55110	307	Communication	9,000	(180)	8,820
Sheriff's Office						
101	54110	199	Per Diem	-	4,500	4,500
101	54110	307	Communication	23,000	(4,500)	18,500
Jail						
101	54210	199	Per Diem	-	1,200	1,200
101	54210	307	Communication	4,000	(1,200)	2,800

Fund	Account Number			Current Bgt	Amend	Amd Bgt
Sheriff's Department						
122	54110	199	Per Diem	-	600	600
122	54110	307	Communication	5,000	(600)	4,400

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

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

The following Commissioners voted No; **Moore (1)**

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

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

RESOLUTION # 02-11-22

A RESOLUTION AMENDING THE AMBULANCE FUND (118) TO MORE ACCURATELY REFLECT REVENUES AND EXPENDITURE ESTIMATES THROUGH THE END OF THE FISCAL YEAR, JUNE 30, 2011.

WHEREAS, We have better expenditure estimates than previously available, and

WHEREAS, our most important expense is to provide salaries and benefits for our employees, and

WHEREAS; revenues were slightly underestimated.

NOW, THEREFORE, BE IT RESOLVED that the Roane County Commission does hereby (action by Commission)

Fund	Account Number		Description	Current Bgt	Amend	Amd Bgt
Revenue						
118	43120		Patient Charges	2,626,658	200,000	2,826,658
Expense						
118	55130	103	Assistants	24,552	2,500	27,052
118	55130	164	Attendants	1,495,479	30,000	1,525,479
118	55130	201	Social Security	126,032	10,000	136,032
118	55130	204	State Retirement	110,002	36,000	146,002
118	55130	206	Life Insurance	2,112	400	2,512
118	55130	210	Unemployment	1,000	13,000	14,000
118	55130	338	Mtce Service - Veh	70,000	20,000	90,000
118	55130	353	Tow-In Service	500	300	800
118	55130	413	Drugs Med Supplies	75,000	20,000	95,000
118	55130	450	Tires and Tubes	12,100	500	12,600
Fund Balance						
118	39000			18,098	67,300	85,398
To amend fund 118 due to better cost estimates						

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

The following Commissioners passed: -0-

The following Commissioners voted No: -0-

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

RESOLUTION # 02-11-23

A RESOLUTION TO AUTHORIZE THE COUNTY EXECUTIVE TO EXECUTE A THREE-YEAR AGREEMENT WITH BUILDING SYSTEMS TECHNOLOGY, INC FOR FIRE ALARM MAINTENANCE FOR THE BUILDING HOUSING THE ROANE COUNTY SHERIFF'S OFFICE, JAIL & OFFICE OF EMERGENCY SERVICES.

WHEREAS, Building Systems Technology, Inc. installed the Fire Alarm System at the aforementioned facility, and

WHEREAS, the Roane County Sheriff's Department has requested to purchase a full service maintenance agreement, and

WHEREAS, this will provide better service of the system at a lower cost than contracting with Building Systems Technology, Inc for Fire Alarm Maintenance on an as-needed basis, and

WHEREAS, the County Attorney has reviewed and approved the contract.

NOW, THEREFORE, BE IT RESOLVED that the Roane County Commission does hereby authorize the County Executive to execute a three-year agreement with Building Systems Technology, Inc. for Fire Alarm Maintenance for the building housing the Roane County Sheriff's Office, Jail & Office of Emergency Services.

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

The following Commissioners Passed: -0-

The following Commissioners voted No: -0-

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

RESOLUTION # 02-11-24 (Waive the 12-day rule)

A RESOLUTION AMENDING THE ROANE COUNTY EMERGENCY MEDICAL SERVICES BILLING RATES FOR TRANSPORT.

Motion to adopt was made by Commissioner Collier with second by Commissioner Kelley.

Upon roll call vote the following Commissioners voted Aye: Bacon, Brummett, Collier, Goddard, Granger, Kelley, Nelson (7)

The following Commissioners Passed: -0-

The following Commissioners voted No: **Berry, Cantrell, East, Ellis, Forrester, Johnson, Moore, Tedder (8)**

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

RESOLUTION # 02-11-25 Waive the 12-day rule:

IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE

A RESOLUTION to authorize the County Executive to execute an agreement with N.R.G. for billing services

WHEREAS, Roane County sent out a request for proposals for outsourcing the ambulance billing service; and

WHEREAS, all proposals received have been evaluated by an evaluation team consisting of two Commissioners, the EMS Director, the EMS Administrative Assistant/Billing Clerk, the Purchasing Agent and the Budget Director; and

WHEREAS, N.R.G.'s proposal has been favorably approved by the evaluation team; and

WHEREAS, the Ambulance Committee has accepted the recommendation to engage N.R.G. to perform the billing services for the Roane County Emergency Medical Services;

NOW, THEREFORE, BE IT RESOLVED that the Roane County Commission does hereby authorize the County Executive to execute an agreement with N.R.G. to perform the ambulance billing services for the Roane County Emergency Medical Service.

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 Ellis, seconded by **Commissioner Berry**, the following Commissioners voted Aye: **Berry, Brummett, East, Ellis, Forrester, Goddard, Granger, Moore, Nelson (9)**

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

The following Commissioners voted No: **Bacon, Cantrell, Collier, Johnson, Kelley, Tedder (6)**

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

ANNOUNCEMENTS: None

Motion duly made by **Commissioner Moore** with second by **Commissioner Johnson** the February 14, 2011 meeting stood adjourned at 10:17 P.M.

APPROVED:

Chairman James Brummett

Attest:

County Clerk Barbara J. Anthony