

BE IT REMEMBERED THAT THE ANDERSON COUNTY BOARD OF COUNTY COMMISSION MET IN REGULAR SESSION FEBRUARY 18, 2014 WITH THE FOLLOWING COMMISSIONERS PRESENT: MARK ALDERSON, ZACH BATES, ROBIN BILOSKI, JERRY CREASEY, STEVE EMERT, CHUCK FRITTS, WHITEY HITCHCOCK, DUSTY IRWIN, TIM ISBEL, MYRON IWANSKIK, ROBERT MCKAMEY, STEVE MEAD, RICK MEREDITH, JOHN SHUEY, TRACY WANDELL AND JERRY WHITE.

Prayer was led by Pastor William Caldwell.

Pledge of Allegiance was led by Commissioner Meredith.

1. Commissioner White moved to approve the Consent Agenda. Seconded by Commissioner Shuey. Motion carried by voice vote.

- **January 21, 2014 County Commission Minutes**
- **Notaries and Notary Bonds**
- **Director of Schools Report**
- **County Mayor Report**
- **Law Director Report**
- **ADA Committee Minutes (1-31-2014)**
- **Fire Commission Minutes (1-14-2014)**
- **Dutch Valley Elementary School requests \$500.00 from Waste Mgt. Funds for instructional training materials for the weekly Professional Learning Community and classrooms.**
- **Grand Oaks Elementary School requests \$500.00 from Waste Mgt. Funds for the purchase of a rock climbing wall for the gym.**

Notaries

**Laura M. Collins
Christine M. Conner
Donna E. Duncan
Louise H. Evans
Catherine C. Freels
Victoria A. Gallaher
Robert J. Hamby**

**James P. Hanks
Larry Matthew Holland
Tim Ladd
Kristi Lee Lynons
Karen Jean McGinty
Steve G Smith
Tammy S Thatcher**

Philip Tipton

Notary Bonds

**Western Surety Company
Kristen Leonard
Cynthia Miller**

**Cynthia Miller
Kaira Myers**

**Kendra E. Phillips
Cleona P. Smith
Jarrett Walker**

**State Farm
Laura Eaton Ayers
Stan R. Hatmaker
Leslie D. Mead**

**RLI
Lonas Phillips**

**Liberty Mutual Ins. Co.
Penny S. Guyton**

**Travelers Casualty and Surety Co. of America
Morgan V. Carr**

**Old Republic Surety Co.
Paula R Murphy Trujillo**

**SBCA
Benjamin Thomas Taylor**

2. Commissioner Wandell moved to amend Regular Agenda to move Item 102 White Loop Rd. to County Mayor report. Seconded by Commissioner Emert. Motion carried by voice vote.

Commissioner Hitchcock moved to amend Regular Agenda to discuss purchase of three AED devices under Operation Committee. Seconded by Commissioner Meredith. Motion carried by voice vote.

Commissioner Wandell moved to approve amended Regular Agenda. Seconded by Commissioner Mead. Motion carried by voice vote.

School Report

No action at this time.

Mayor Report

3. Commissioner Wandell moved to approve recommendation from County Mayor to appoint Chris Phillips to the Anderson County Budget Committee with an effective date of February 22, 2014. Seconded by Commissioner Mead. Motion carried by voice vote.

4. Commissioner Mead moved to approve recommendation from County Mayor to reappoint Dr. Darinka Mileusnic-Polchan as the Anderson County Medical Examiner with a five year term. Seconded by Commissioner Mead. Motion carried by voice vote.

5. Commissioner Wandell moved to issue a stop work order immediately threw Building Commission on permit for White Loop Rd. Seconded by Commissioner Shuey. Motion carried by voice vote.

Commissioner Iwanski moved to amend motion to word as recommend to stop work immediately on White Loop Rd to Building Commission. Seconded by Commissioner Irwin. Motion carried by voice vote.

Law Director Report

6. Commissioner Mead moved to approve property deed for water tank tower located on Daniel Arthur property. Seconded by Commissioner Iwanski. Motion carried by voice vote. Voting no: White.

Purchasing Committee Report

7. Commissioner White moved to approve recommendation from Purchasing Committee of the following contracts. Seconded by Commissioner Hitchcock. Motion carried by voice vote.

- Three year contract with Comcast for three circuit court locations (Courthouse, Juvenile Court and Oak Ridge General Sessions locations) for internet service through February 1, 2017.
- Adventa Hospice d.b.a. Amedisys-Non-emergency ambulance service agreement for the EMS Department for the period of February 19, 2014 thru February 19, 2015.
- SSC Andersonville Operating CO., LLC d.b.a. Norris Health & Rehabilitation Center-Transportation services for the period of November 25, 2013 thru June 30, 2016.
- Summit View Healthcare-Transportation services for the EMS for the period of November 25, 2013 thru June 30, 2016.

Audit Committee Report

8. Commissioner Iwanski moved to approve recommendation from Audit Committee to close findings 2013-001 based on the response and recommendations with a notation that the administration understands that the part-time code will not exceed its budgeted amount again. Seconded by Commissioner Irwin. Motion carried by voice vote.

9. Commissioner Iwanski moved to approve recommendation from Audit Committee to close findings 2013-002, 2013-003, and 2013-004 based on response and recommendations. Seconded by Commissioner Irwin. Motion carried by voice vote.

Budget Committee

10. Commissioner Irwin moved to approve recommendation from Budget Committee the following school transfers. Seconded by Commissioner Mead. Motion carried by voice vote.

Increase Expenditure Code:

141-72710-315 Contracts with vehicle owners \$75,000.00

Decrease Expenditure Codes:

141-71100-429 Instructional Materials \$60,000.00

141-72710-499 Other Supplies & Materials 15,000.00

 Total Expenditures Decrease \$75,000.00

11. Commissioner Isbel moved to approve recommendation from Budget Committee the following non school appropriations. Seconded by Commissioner Mead.

Voting aye: Alderson, Bates, Biloski, Creasey, Emert, Fritts, Hitchcock, Irwin, Isbel, Iwanski, Mckamey, Mead, Meredith, Shuey, Wandell and White. Voting no: none. Motion carried.

Decrease Reserve Code:

171-34585 Capital Project Reserve \$29,308.00

Increase Expenditure Code:

171-91130-706-2000 Public Safety Projects \$29,308.00

 Building Construction

Increase Expenditure Code:

101-53100-709 Data Processing \$7,000.00

Decrease Reserve Code:

101-34520-600 GS Data Processing Reserve \$7,000.00

Increase Expenditure Code:

101-55110-707 Building Improvements \$10,000.00

Decrease Reserve Code:

101-34530-2000 Health Department Savings \$10,000.00

Increase Expenditure Codes:

115-56500-335-2000 Building Maintenance & Repair \$1,700.00

115-56500-334-2000 Maintenance Agreements 217.00

 Total Expenditures Increase \$1,917.00

Regular Session

(36)

February 18, 2014

Decrease Reserve Code:

115-34635-2000 Local Committed Funds \$1,700.00

Decrease Expenditure Code:

115-56500-499-2001 Administrative Cost \$217.00

Decrease Reserve Code:

115-34635-4000 Committed \$2,052.10

Increase Expenditure Codes:

115-56500-206-4000 Life insurance \$16.25
115-56500-207-4000 Medical Insurance 1,850.00
115-56500-208-4000 Dental Insurance 126.00
115-56500-209-4000 S/T Disability 34.75
115-56500-209-4000 L/T Disability 25.10
Total Expenditures Increase \$2,052.10

Increase Expenditure Codes:

101-91170-791-SEBER Other Construction OSM Grant \$234,515.00
101-91170-321-SEBER Engineering Services 28,500.00
101-91170-322-SEBER Evaluation & Testing 3,500.00
101-91170-309-SEBER Contracts with Gov. Agencies 1,250.00
101-91170-723-SEBER Right of Way (Easements) 18,348.00
101-91170-599-SEBER Other Charges 12,537.00
101-91170-310-SEBER Contracts with Other Agencies 21,000.00
101-91170-302-SEBER Advertising 350.00
Total Expenditures Increase \$320,000.00

Increase Revenue Code:

101-47180-SEBER Community Development \$320,000.00

Increase Expenditure Code:

131-62000-443 Road Signs \$20,000.00

Increase Revenue Code:

131-49800 Transfer \$20,000.00

Regular Session

(37)

February 18, 2014

Increase Expenditure Code:

171-99100-590	Transfers out	\$20,000.00
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Decrease Reserve Code:

171-34585	Restricted for Capital Projects	\$20,000.00
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12. Commissioner Isbell moved to approve recommendation from Budget Committee the following non school transfers. Seconded by Commissioner Wandell. Motion carried by voice vote.

Decrease Expenditure Code:

101-53400-169	Part-Time help	\$2,000.00
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Increase Expenditure Code:

101-53400-187	Overtime Pay	\$2,000.00
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13. Commissioner Iwanski moved to approve recommendation from Budget Committee the following general fund appropriation. Seconded by Commissioner White.

Voting aye: Alderson, Bates, Biloski, Creasey, Emert, Fritts, Hitchcock, Irwin, Isbel, Iwanski, McKamey, Mead, Meredith, Shuey, Wandell and White. Voting no: none. Motion carried.

Increase Expenditure Codes:

101-52100-333	User Licenses	\$5,250.00
101-52100-399	Other Contracted Services	<u>3,500.00</u>
	Total Expenditures Increase	\$8,750.00

Decrease Reserve Code:

101-39000	General Funds Unassigned Fund Balance	\$8,750.00
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14. Commissioner Iwanski moved to approve recommendation from Budget Committee application for Home Grant regarding ADFAC that includes \$8,000.00 contribution from the county. Seconded by Commissioner Isbel. (See exhibit A)

Voting aye: Alderson, Bates, Biloski, Creasey, Emert, Fritts, Hitchcock, Irwin, Isbel, Iwanski, McKamey, Mead, Meredith, Shuey, Wandell and White. Voting no: none. Motion carried.

Highway Committee Report

15. Commissioner McKamey moved to approve that section of Slate Stone Rd. that the county does not own be added to our county roads subject to approval from Coal Creek Board of Directors. Seconded by Commissioner Isbell. Motion carried by voice vote.

16. Commissioner McKamey moved to approve reserving \$200,000.00 from the Bond Funds for the improvements to Slatestone Road. Seconded by Commissioner Isbel. Voting aye: Alderson, Bates, Biloski, Creasey, Emert, Fritts, Hitchcock, Irwin, Isbel, Iwanski, McKamey, Mead, Meredith, Shuey Wandell and White. Voting no: none. Motion carried.

17. Commissioner Alderson moved to approve reserving \$400,000.00 from bond money for widening the road and extending turn lane on Mountain Rd. at the David Jones Industrial Park. Seconded by Commissioner Creasey.

Voting aye: Alderson, Bates, Biloski, Creasey, Emert, Fritts, Hitchcock, Irwin, Isbel, Iwanski, McKamey, Mead, Meredith, Shuey, Wandell and White. Voting no: none. Motion carried.

Commissioner Iwanski amended to use \$400,000.00 from the Industrial Park Development Infrastructure Fund. Seconded by Commissioner Creasey.

Voting aye: Creasey and Iwanski. Voting no: Alderson, Bates, Biloski, Emert, Fritts, Hitchcock, Irwin, Isbel, McKamey, Mead, Meredith, Shuey, Wandell and White. Motion failed.

Commissioner Irwin amended to refer \$400,000.00 back to Budget Committee to re-evaluate where the funds would come from. Seconded by Commissioner Mead. Motion failed voice vote.

Operations Committee

18. Commissioner McKamey moved to approve to allow Election Commission to occupy rooms on the first floor numbered 120, 128 and 3 rooms within the designated room number 105. Seconded by Commissioner Mead. Motion carried by voice vote.

19. Commissioner Hitchcock moved to approve resolution opposing "Forced Municipal Annexation". Seconded by Commissioner Wandell. Motion carried by voice vote. (See exhibit B).

20. Commissioner Hitchcock moved to approve purchase of three AED devices for Anderson County Courthouse for \$5,100 from County General Fund balance. Seconded by Commissioner Shuey.

Voting aye: Alderson, Bates, Biloski, Creasey, Emert, Fritts, Hitchcock, Irwin, Isbel, Iwanski, McKamey, Mead, Meredith, Shuey, Wandell and White. Voting no: none. Motion carried.



**Chuck Fritts, Chairman
County Commission**



**Jeff Cole
County Clerk**

February 18, 2014

EXHIBITS

Exhibit A: RESOLUTION ACKNOWLEDGING ANDERSON COUNTY'S PARTICIPATION IN AID TO DISTRESSED FAMILIES OF APPALACHIAN COUNTIES HOME PROGRAM

Exhibit B: RESOLUTION OPPOSING "FORCED MUNICIPAL ANNEXATION" IN THE STATE OF TENNESSEE AND SUPPORTING LEGISLATIVE INITIATIVES BY THE GENERAL ASEMBLY TO END FORCED ANNEXATION BY TENNESSEE MUNICIPALITIES

ANDERSON COUNTY BOARD OF COMMISSIONERS

RESOLUTION NO. 14-02-488

ACKNOWLEDGING ANDERSON COUNTY'S PARTICIPATION IN AID TO
DISTRESSED FAMILIES OF APPALACHIAN COUNTIES HOME PROGRAM
FY 2012-2013
Urban-Rural Round

Whereas, Anderson County is proposing to apply for funds from Tennessee Housing Development Agency (THDA) Community Housing Development Organization Program to provide affordable housing services to low income residents within our county.

Whereas, the Tennessee Housing Development Agency (THDA) administers the federally funded HOME program to promote the production, preservation and rehabilitation of housing for low-income households. HOME funds are awarded through a competitive process to cities, counties and non-profit agencies.

Whereas, there are specific eligible activities under the HOME Program that must address the housing needs of low-income households. Eligible activities include Homeowner-occupied rehabilitation programs, Homeownership programs and Rental Housing Programs.

Whereas, Anderson County is proposing an eligible housing activity known as a **Homeowner Occupied Rehabilitation**. The use of HOME funds will be limited to the rehabilitation of existing housing units. A maximum of \$40,000 per house for rehabilitation costs (excluding building inspections, LBP inspections, energy related inspections, administration) will be allowed. Dilapidated structures which require reconstruction are not eligible and should not be scored. Priority should be given to repair or replacement of roofs, HVAC systems, electrical systems, plumbing systems, foundation problems, water supply issues, exterior painting to maintain the structure, limited interior painting. The structure must exhibit at least one code violation as revealed by a code inspection. HOME regulations require that after the work is complete, the entire structure must meet the building code in force for that location or the applicable edition of the International Code. Units assisted with HOME funds must require at least \$1,000 of rehabilitation work to bring the unit into compliance with the applicable codes. Structures that cannot be brought up to code within the maximum grant funds would be ineligible.

Whereas, the Aid to Distressed Families of Appalachian Counties (ADFAC) Affordable Housing Program will serve as the administrator of the proposed activity. Anderson County and ADFAC meet all eligibility and threshold requirements set forth by THDA in the Program Description and Application Process for FY 2012 **HOUSING GRANT APPLICATION HOME PROGRAM FOR FISCAL YEARS 2012-2013 Urban-Rural Round and Supportive Housing Round Only**. If funds are awarded, Anderson County and ADFAC will comply with all specific Program Specific Requirements as listed in Title 24 Code of Federal Regulations, Part 92 as amended.

Whereas, Applications for the HOME program must be received by THDA on or before 4:30 PM CDT on Friday, March 7, 2014. THDA anticipates notifying successful applicants by the end of May 2014. HOME contracts will begin July 2014 and will end June 30, 2017.

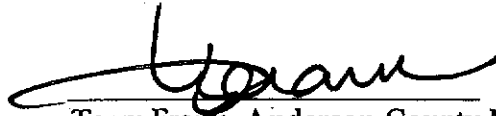
Whereas, ADFAC will prepare the application, with County Staff providing relevant information. The application will propose \$500,000 to assist 12 families within Anderson County.

NOW, THEREFORE, BE IT RESOLVED by the Anderson County Board of Commissioners meeting in regular session this 18th day of February 2014, that we do hereby elect to partner with Aid to Distressed Families of Appalachian Counties to participate in the Tennessee Housing Development Agency's HOME Program and further agree to contribute up to \$8,000 for the 2014 HOME Program.

RESOLVED DULY PASSED AND APPROVED this 18th day of February 2014.



Chuck Fritts, Chair, AC Commission



Terry Frank, Anderson County Mayor



ATTEST:



Jeff Cole, Anderson County Clerk

Anderson County, Tennessee

EXHIBIT

B

Board of Commissioners

RESOLUTION 14-02-489

RESOLUTION OPPOSING "FORCED MUNICIPAL ANNEXATION" IN THE STATE OF TENNESSEE AND SUPPORTING LEGISLATIVE INITIATIVES BY THE GENERAL ASSEMBLY TO END FORCED ANNEXATION BY TENNESSEE MUNICIPALITIES.

WHEREAS, Tennesseans have the right to live free from the fears of forced municipal annexation, and to be protected by constitutionally based *Due Process* rights of notice and the right to be heard; and

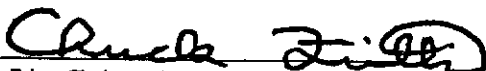
WHEREAS, currently under Tennessee law four forms of municipal annexation are permissible: (1) Consensual Annexation (property owner(s) consent to annexation); (2) Annexation by Referendum (property owner(s) vote for or against annexation); (3) Annexation by Petition (property owner(s) request annexation; and (4) Forced Annexation (municipality annexes without consent, request or vote by property owner(s); and

WHEREAS, forced annexation is significantly contrary to established constitutional law in that it violates traditional *Due Process* mandates, requires no notice to the property owner, requires no public vote, petition, consent, or request, and above all, the property owner(s) are not afforded the opportunity to be heard at a public hearing on the matter. Many annexed property owners never find out they have been annexed until they received their first tax bill from the annexing municipality; and

WHEREAS, Tennessee is one of three states that allow forced municipal annexation by law.

NOW THEREFORE, BE IT RESOLVED by the Anderson County Board of Commissioners meeting in regular session this 18th day of February 2014 that the Anderson County Board of Commissioners desires to go on record against forced municipal annexation without constitutional *Due Process* protections, and we further support any legislative initiatives to abolish forced municipal annexation in Tennessee.

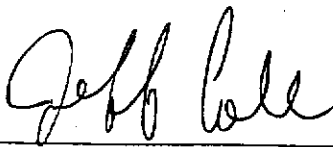
RESOLVED, DULY PASSED AND EFFECTIVE this 18th day of February 2014, the public welfare requiring it.


Chuck Fritts, Chair, Anderson Co. Commission




Terry Frank, Anderson County Mayor

ATTEST:


Jeff Cole, Anderson County Clerk