

**ANDERSON COUNTY  
COMMISSION MEETING  
MAY 19, 2014**

BE IT REMEMBERED THAT THE ANDERSON COUNTY BOARD OF COUNTY COMMISSION MET IN REGULAR SESSION MAY 19, 2014 WITH THE FOLLOWING COMMISSIONERS PRESENT; MARK ALDERSON, ZACH BATES, ROBIN BILOSKI, JERRY CREASEY, STEVE EMERT, CHUCK FRITTS, WHITEY HITCHCOCK, DUSTY IRWIN, TIM ISBELL, MYRON IWANSKI, ROBERT MCKAMEY, STEVE MEAD, RICK MEREDITH, JOHN SHUEY, TRACY WANDELL AND JERRY WHITE.

Prayer was led by Commissioner Wandell.

Pledge of Allegiance was led by Commissioner Iwanski.

1. Commissioner Iwanski moved to approve the Consent Agenda. Seconded by Commissioner Creasey. Motion carried by voice vote.

- April 21, 2014 County Commission Minutes
- Notaries and Notary Bonds
- Courtesy Proclamation for National Correctional Officers and Employees Week (May 4-10, 2014)
- Courtesy Proclamation for National Police Week (May 11-17, 2014)
- Director of Schools Report
- County Mayor Report
- Law Director Report
- ADA Committee Minutes 5-5-2014
- Anderson County High School requests \$1,000.00 from Waste Mgt Funds for repair work for the boy's basketball showers, bathrooms and locker room.

Notaries

Lisa Candace Brock

Staci Lynn Fugate

Faye S. Brooks

Amber M. Price

Randi Nichole Brooks

Laura Lynn Riden

Kathleen E. Davis

Nordeana Vann Saunders

Angela Lynn Evans

Elaina Kay Williams

Notary Bonds

Western Surety Company

Merchants

Annette Parton

Joseph Fuller

Victoria A. Gallaher

Ruth A. Tillman

Kenneth Lance Montgomery

Merle Lee Keever

Monica K. Carroll

Kimberly Monhollen

SBCA

RLI

Ina Kay Roberts

James P Hanks

Angela Elizabeth Eason

Karen L. Childs

State Farm

Bridget Wynn Boling

Liberty Mutual

Alicia A Glandon

Travelers

Nancy L. White

2. Commissioner Biloski moved to amend Regular Agenda to add under Law Directors report Ouster Petition, Frank vs. Yeager suit and White Loop Road. Seconded by Commissioner McKamey. Motion carried by voice vote.

Commissioner Shuey moved to approve amended Regular Agenda. Seconded by Commissioner Bates. Motion carried by voice vote.

School Report

No action at this time.

Mayor Report

3. Commissioner Irwin moved to add to Regular Agenda to discuss independent counsel request for David Crowley, Director of Public Works. Seconded by Commissioner Irwin. Motion carried by voice vote.

4. Commissioner Irwin made a motion to authorize to hire a lawyer for independent counsel for David Crowley, Director of Public Works. Seconded by Commissioner Mead. Motion carried by voice vote.

Commissioner Mead moved to amend motion that hiring a lawyer would be contingent on giving 48 hours to see if Law Director Jay Yeager could get the case dismissed. Seconded by Commissioner Biloski.

Commissioner Mead made a motion to withdraw previous amendment. Seconded by Commissioner Creasey. Motion carried by voice vote.

Law Director

5. Commissioner Creasey moved to approve amendment to April County Commission Meeting to add Resolution for amendment to the charter of incorporation of the Industrial Development Board of Anderson County. Seconded by Commissioner Mead. Motion carried by voice vote. (Exhibit A)

6. Commissioner McKamey moved to approve that a draft be drawn up to sign the DARC building back over to the Emory Valley Center. Seconded by Commissioner Biloski. Motion carried by voice vote.

7. Commissioner Isbell moved to approve that Slatestone Road be transferred back to the county by Coal Creek. Seconded by Commissioner McKamey. Motion carried by voice vote.

8. Commissioner Mead moved to add to Regular Agenda to discuss Blossman Gas Contract. Seconded by Commissioner Emert. Motion carried by voice vote.

Commissioner Irwin moved to approve to rescind the contract with Blossman Gas and to rebid. Seconded by Commissioner Wandell. Voting aye: Alderson, Bates, Biloski, Creasey, Emert, Fritts, Hitchcock, Irwin, Iwanski, McKamey, Mead, Meredith, Shuey, Wandell and White. Voting no: none. Abstaining: Isbell. Motion carried.

Commissioner Meredith made a motion to defer Blossman Gas back to Purchasing Committee. Seconded by Commissioner Irwin. Voting aye: Alderson, Emert, Hitchcock, Irwin, Iwanski and Meredith. Voting no: Bates, Biloski, Creasey, Fritts, Isbel, McKamey, Mead, Shuey, Wandell and White. Motion failed.

9. Commissioner Irwin moved to approve utilizing \$25,000.00 from reserve of Rogers Group Master Settlement Agreement to finish Arcadian Spring Subdivision Roads. Seconded by Commissioner Mead. Motion carried by voice vote.

10. Commissioner McKamey made a motion to defer back to Operations Committee for further discussion Oak Ridge General Sessions Court Division II, Oak Ridge Partnership and to notify Oak Ridge of this. Seconded by Commissioner Biloski. Motion carried by voice vote.

11. Commissioner Bates made a motion to get outside legal counsel for Jay Yeager, Law Director for Ouster Suit and Declaratory Judgment lawsuit which includes Blossman Gas Contract, inmate phone system contract and a public records request. Seconded by Commissioner Mead. Motion carried by voice vote.

#### Purchasing Committee Report

12. Commissioner White moved to approve recommendation from Purchasing Committee the following contracts:

- Airgas Puritan Medical-Five year contract for Medical Gases as per bid #4525, for Ems Dept. for the period of July 1, 2014 through June 30, 2019.
- O'Reilly Automotive-Three year contract for Automotive/Vehicle Parts Discount-Aftermarket, as per bid #4544 for the Motor Pool Dept for the period of July 1, 2014 through June 30, 2017, with a two year renewal option.
- Ken Smith Auto Parts-Three year contract for Automotive/Vehicle Parts Discount-Aftermarket, as per bid #4544 for the Motor Pool Dept. for the period of July 1, 2014 through June 30, 2017, with a two year renewal option.
- Fisher Auto Parts-Three year contract to Automotive/Vehicle Parts Discount-Aftermarket, as per bid #4544 for the Motor Pool Dept. for the period of July 1, 2014 through June 30, 2017, with a two year renewal option.
- NAPA Auto Parts-Three year contract for Automotive/Vehicle Parts Discount-Aftermarket, as per bid #4544 for the Motor Pool Dept. for the period of July 1, 2014 through June 30, 2017, with a two year renewal contract.
- Oak Ridge Automotive-Three year contract for Automotive/Vehicle Parts Discount-Aftermarket, as per bid #4544 for the Motor Pool Dept. for the period of July 1, 2014 through June 30, 2017, with a two year renewal option.
- Rogers Group, Inc.-Three year contract for Stone Crusher Run, Oil Chips & Rock as per bid #4518 for the Highway Dept. for the period of July 1, 2014 through June 30, 2017.
- Aggregate USA-Three year contract for Stone Crusher Run, Oil Chips & Rock as per bid #4518 for the Highway Dept. for the period of July 1, 2014 through June 30, 2017.
- Prairie Farms Dairy-Three year contract for milk as per bid #4535 for the Detention Center for the period of July 1, 2014 through June 30, 2017.

- Norvex Supply-Three year contract for laundry products as per bid #4536 for the Detention Center for the period of July 1, 2014 through June 30, 2017.
- Norvex Supply-Three year contract for dish machine products a per bid #4537 for the Dentention Center for the period of July 1, 2014 through June 30, 2017.
- Norvex Supply-Three year contract for janitorial supplies as per bid #4538 for the Detention Center for the period of July 1, 2014 through June 30, 2017.
- Institutional Wholesale Co., Inc.-Three year contract for bread as per bid #4534 for the Detention Center for the period of July 1, 2014 through June 30, 2017.
- Institutional Wholesale Co., Inc.-Three year contract for food, non-food and smallwares as per bid #4474 for the School Nutrition for the period of July 1, 2013 through June 30, 2014, with and option for renewal for two additional years.

Seconded by Commissioner Biloski. Motion carried by voice vote.

13. Commissioner Iwanski made a motion to defer for 30 days the Contract Policy & Procedures and give the Purchasing Dept. time to work with Jay Yeager, Law Director. Seconded by Commissioner Biloski. Motion carried by voice vote.

Commissioner Irwin made a motion to have a workshop to work with a group from Purchasing Committee to make some written guidelines to help answer some questions for everyone. Seconded by Commissioner Mead.

Commissioner Bates made a motion to defer to Operations Committee. Seconded by Commissioner Isbell. Motion carried by voice vote.

Budget Committee

14. Commissioner White moved to approve recommendation from Budget Committee the following school appropriations. Seconded by Commissioner Meredith. Voting aye: Alderson, Bates, Biloski, Creasey, Emert, Fritts, Hitchcock, Irwin, Isbel, Iwanski, McKamey, Mead, Meredith, Shuey, Wandell and White. Voting no: none.

Increase Revenue Code:

141-46590	Other State Education Funds	\$5,000.00
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Increase Expenditure Codes:

141-72130-131-9000	CHS Salary	\$4,290.74
141-72130-201-9000	CHS Social Security	266.03
141-72130-204-9000	CHS State Retirement	381.02
141-72130-212-9000	CHS Medicare	<u>62.21</u>
	Total Expenditures Increased	\$5,000.00

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

Increase Expenditure Code:

141-71100-163 Educational Assistants \$19,944.00

Decrease Expenditure Code:

141-71100-116 Teachers \$19,944.00

Increase Expenditure Codes:

141-71200-124 Homebound Teachers \$3,328.00

141-71200-163 Educational Assistants 35,655.00

141-71200-171 Speech Language Pathologists 141,968.00

141-71200-189 Other Salaries 23,354.00

Total Expenditures Increased \$204,305.00

Decrease Expenditure Codes:

141-71200-116 Teachers \$175,000.00

141-72220-124 Psychological Personnel 29,305.00

Total Expenditures Decrease \$204,305.00

Increase Expenditure Codes:

141-71200-207 Special Education-Medical Insurance \$3,667.13

141-72130-207 Other Student Support-Medical Ins. 2,261.59

141-72410-207 Office of Principal-Medical Insurance 13,021.61

141-72520-207 Human Resources 3,107.93

141-72610-207 Operation of Plant 22,655.94

141-72710-207 Student Transportation 96.26

141-73300-207 Community Serv.-Access Breakaway 5,566.40

141-73400-207 Governors' Pre-K 7,267.40

Total Expenditures Increased \$57,644.26

Decrease Expenditure Code:

141-71100-207 Regular Instruction \$57,644.26

Increase Expenditure Code:

141-71300-116 Teachers \$48,981.00

Decrease Expenditure Codes:

141-71300-162 Clerical Personnel \$24,491.00

141-71300-189 Other Salaries and Wages 24,490.00

Total Expenditures Increase \$49,981.00

Increase Expenditure Codes:

141-72410-104	Principals	\$67,891.00
141-72410-139	Assistant Principals	<u>25,450.00</u>
	Total Expenditures Increase	\$93,341.00

Decrease Expenditure Code:

141-71100-116	Teachers	\$93,341.00
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Increase Expenditure Code:

141-72310-509	Refunds	\$18,290.60
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Decrease Expenditure Code:

141-82330-620	Education Debt Service Primary Government	\$18,290.60
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Increase Expenditure Codes:

141-72510-119	Accountants/Bookkeepers	\$5,150.00
141-72510-201	Social Security	338.00
141-72510-204	State Retirement	399.00
141-72510-212	Employer Medicare	<u>78.00</u>
	Total Expenditures Increased	\$5,965.00

Decrease Expenditure Codes:

141-72610-166	Custodial Personnel	\$5,150.00
141-72610-201	Social Security	338.00
141-72610-204	State Retirement	399.00
141-72610-212	Employer Medicare	<u>78.00</u>
	Total Expenditures Decreased	\$5,965.00

Increase Expenditure Codes:

143-73100-162	Clerical Personnel	\$25,000.00
143-73100-165	Cafeteria Personnel	20,000.00
143-73100-201	Social Security	3,000.00
143-73100-204	Retirement	3,000.00
143-73100-207	Medical Insurance	3,000.00
143-73100-348	Postage	1,000.00
143-73100-710	Food Service Equipment	<u>17,000.00</u>
	Total Expenditures Increased	\$72,000.00

Decrease Expenditure Code:

143-73100-422	Food Supplies	\$72,000.00
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16. Commissioner Emert 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.

Increase Revenue Code:

101-46980-4000	Other State Grants	\$43,125.00
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Increase Expenditure Code:

101-51500-351-4000	Rentals	\$43,125.00
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<u>Increase Expenditure Code:</u>		
171-99100-590	Transfers to Other Funds	\$1,200.00
<u>Decrease Reserve Code:</u>		
171-34585	Restricted for Capital Projects	\$1,200.00
<u>Increase Revenue Code:</u>		
101-49800	Transfers from Other Funds	\$1,200.00
<u>Increase Expenditure Code:</u>		
101-51240-799	Other Capital Outlay	\$1,200.00
<u>Increase Revenue Code:</u>		
101-43340	Camping Fees	\$7,000.00
<u>Increase Expenditure Code:</u>		
101-51240-452	Electric	\$7,000.00

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

Decrease Expenditure Codes:

101-54210-160	Jailers Wages	\$147,600.00
101-54210-162	Clerical Personnel	17,000.00
101-54210-309	Contracts with Gov. Agencies	7,300.00
101-54210-340	Medical Services	8,000.00
101-54210-524	Staff Development	<u>1,500.00</u>
	Total Expenditures Decreased	\$181,400.00

Increase Expenditure Codes:

101-54210-189	Other Supplies	\$500.00
101-54210-307	Communication	5,000.00
101-54210-307-0200	Internet Services	400.00
101-54210-335	Maintenance & Repair-Building	6,000.00
101-54210-399	Other Contracted Services	18,500.00
101-54210-410	Custodial Supplies	13,000.00
101-54210-415	Electricity	23,000.00
101-54210-434	Natural Gas	35,000.00
101-54210-454	Water & Sewer	<u>80,000.00</u>
	Total Expenditures Increased	\$181,400.00



Increase Expenditure Codes:

101-51310-332	Legal Notice	\$800.00
101-51310-435	Office Supplies	<u>3.00</u>
	Total Expenditures Increased	\$803.00

Decrease Expenditure Code:

101-52100-435	Office Supplies	\$803.00
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Increase Expenditure Codes:

101-51800-415	Electricity	\$6,000.00
101-51800-415-1000	Electricity (70% Jolly Bldg.)	2,000.00
101-51800-434	Natural Gas	15,000.00
101-51800-446	Small Hardware	57.00
101-51800-454	Water & Sewer	4,030.00
101-51800-454-1000	Water & Sewer (Jolly Bldg.)	625.00
101-51800-524	Staff Development	<u>95.00</u>
	Total Expenditures Increased	\$27,807.00

Decrease Expenditure Codes:

101-51800-302	Advertising	\$500.00
101-51800-307	Communications	400.00
101-51800-335	Building Repairs & Maintenance	4,457.00
101-51800-348	Postal	50.00
101-51800-349	Printing, Stationary & Forms	300.00
101-51800-355	Travel	500.00
101-51800-359	Disposal Fees	900.00
101-51800-425	Gasoline	500.00
101-51800-435	Office Supplies	1,000.00
101-51800-450	Tires & Tubes	2,000.00
101-51800-454-2000	Water & Sewer-DARC Bldg.	700.00
101-51800-599	Other Charges	2,500.00
101-51800-707	Building Improvements	5,000.00
101-51730-499	Bldg.-Other Supplies & Improvements	4,000.00
101-51730-711	Furniture & Fixtures	<u>5,000.00</u>
	Total Expenditures Decreased	27,807.00

Increase Expenditure Codes:

101-53400-334	Maintenance Agreements	\$700.00
101-53400-435	Office Supplies	2,318.00
101-53800-307	Communications	<u>82.00</u>
	Total Expenditures Increased	\$3,100.00

Decrease Expenditure Codes:

101-53400-355	Travel	\$2,000.00
101-53400-414	Duplicating Supplies	<u>1,100.00</u>
	Total Expenditures Decreased	\$3,100.00

Increase Expenditure Codes:

131-68000-604	Bridge Construction	\$18,388.81
131-62000-440	Culverts	<u>20,000.00</u>
	Total Expenditures Increased	\$38,388.81

Decrease Expenditure Code:

131-68000-714	Highway Equipment	\$38,388.81
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Increase Expenditure Code:

205-55130-169	Part-Time Personnel	\$26,000.00
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Decrease Expenditure Codes:

205-55130-187	Overtime	\$16,000.00
205-55130-131	Medical Personnel	<u>10,000.00</u>
	Total Expenditures Decreased	\$26,000.00

Increase Expenditure Code:

101-52100-169-1000	Temp. Part-Time	\$3,325.24
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Decrease Expenditure Code:

101-52100-119	Accountants	\$3,325.24
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18. Commissioner Irwin moved to approve voting on the general fund appropriations as a group. Seconded by Commissioner Meredith. Motion carried by voice vote.

Commissioner Irwin moved to approve recommendation from the Budget Committee the following general fund appropriations. Seconded by Commissioner Biloski. Voting aye: Alderson, Bates, Biloski, Creasey, Emert, Fritts, Hitchcock, Irwin, Isbel, Iwanski, McKamey, Mead, Meredith, Shuey, Wandell and White. Voting no: none.

Increase Expenditure Codes:

101-58300-435	Office Supplies	\$50.00
101-58300-355	Travel	<u>200.00</u>
	Total Expenditures Increased	\$250.00

Decrease Reserve Code:

101-39000	Undesignated Fund Balance	\$250.00
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Decrease Reserve Code:

101-39000	Unassigned Fund Balance	\$3,610.98
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Increase Expenditure Code:

101-54900-424	Garage Supplies	\$3,610.98
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Increase Expenditure Code:

101-99100-590	Transfer to Other Funds	\$17,084.94
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Decrease Reserve Code:

101-39000	Unassigned Fund Balance	\$17,084.94
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Increase Expenditure Code:

101-51900-599	Other Charges	\$90,321.00
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Decrease Reserve Code:

101-39000

Unassigned Fund Balance

\$90,321.00

19. Commissioner Irwin moved to approve recommendation from Budget Committee the following Resolution. Seconded by Commissioner Mead. Motion carried by voice vote.

RESOLUTION FOR COMMITMENT OF FUND EQUITY FOR LIFE DEVELOPMENT CENTER

Be it resolved by the Anderson County Board of Education that the Director of Schools shall have the authority to establish the amounts of funds that will be Committed for the Life Development Center at the end of the fiscal year ending June 30, 2014, for Anderson County Schools.

This resolution is to be approved annually to correctly establish the commitment for the balance of funds received for operations of the Life Development Center. The Division of Local Government Audit (formerly known as Division of County Audit), Tennessee Comptroller of the Treasury, recommends this procedure.

20. Commissioner Irwin moved to approve recommendation from the Budget Committee the grant for the State of Tn. Dept. Military, and TN. Emergency Management Agency for the periods December 31, 2013 thru November 30, 2014. 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.

21. Commissioner Irwin moved to approve recommendation from Budget Committee to set aside from the bond proceeds a total not to exceed \$150,000.00 for the county's contribution to the Claxton Elementary intersection reconfiguration that TDOT will be doing as part of an extended construction project that will take place over several years. Seconded by Commissioner Mead. Voting aye: Alderson, Bates, Creasey, Fritts, Irwin, Iwanski, McKamey, Mead, Meredith, Shuey and Wandell. Voting no: Biloski, Emert, Hitchcock, Isbel and White. Motion carried.

Commissioner Emert made a motion to defer back to Highway Committee for 30 days. Seconded by Commissioner Isbel. Voting aye: Biloski, Creasey, Emert, Fritts, Hitchcock, Isbel, Shuey and White. Voting no: Alderson, Bates, Iwanski, Irwin, McKamey, Mead, Meredith and Wandell. Motion failed.

22. Commissioner Mead made a motion to move forward with new phone systems. Seconded by Commissioner Irwin. Voting aye: Alderson, Bates, Biloski, Creasey, Emert, Fritts, Hitchcock, Irwin, Isbel, Iwanski, McKamey, Mead, Meredith, Shuey, Wandell and White. Voting no: none. Motion carried.

23. Commissioner Mead moved to approve Resolution Prohibiting All Weapons Beyond The Security Checkpoint On The Third Floor Of The Anderson County Courthouse and the First Floor Of The Jolley Building At All Times While Judicial Proceeding Are In Progress. Seconded by Commissioner Bates. Motion carried by voice vote. (Exhibit B)

24. Commissioner Hitchcock moved to approve recommendation to grant authorization to sell the current Anderson County Welcome Center using a commercial real estate broker and the Anderson County Purchasing Agent, through a sealed bid process, with a minimum bid and that the proceeds from the sale be reserved for the purchase, renovation and maintenance of the Barna Log Home model

located at 2215 N Charles G Seivers Blvd, for the purpose of becoming the Anderson County Tourism Council's office and Welcome Center. Seconded by Commissioner Mead. Voting aye: Alderson, Bates, Biloski, Isbel, McKamey, Mead, Shuey and Iwanski. Voting no: Creasey, Emert, Fritts, Hitchcock, Irwin, Meredith, Wandell and White. Motion failed.

New Business

25. Commissioner Alderson moved to record in the minutes the notification from Powell Clinch Utility District the notification that they are required to share with public officials. Seconded by Commissioner McKamey. Motion carried by voice vote.



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Chuck Fritts, Chairman  
County Commission



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Jeff Cole  
County Clerk



MAY 19, 2014

EXHIBITS

EXHIBIT A: AMENDMENT TO THE CHARTER OF INCORPORATION OF THE INDUSTRIAL DEVELOPMENT BOARD OF ANDERSON COUNTY AS PROVIDED IN SECTION 7-53-204 TENNESSEE CODE ANNOTATED

EXHIBIT B: RESOLUTION PROHIBITING ALL WEAPONS BEYOND THE SECURITY CHECKPOINTS ON THE THIRD FLOOR OF THE ANDERSON COUNTY COURTHOUSE AND THE JUVENILE COURT LEVEL OF THE JOLLEY BUILDING AT ALL TIMES WHILE JUDICIAL PROCEEDINGS ARE IN PROGRESS

\*ALL ORIGINAL CERTIFIED COPIES OF RESOLUTIONS AND MINUTES ARE FILED IN THE COUNTY CLERK'S CLINTON LOCATION LOCATED IN COURTHOUSE ROOM 111

RESOLUTION  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF ANDERSON COUNTY, TENNESSEE

RESOLUTION NO: 14-05-501

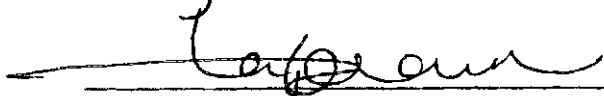
WHEREAS, the Board of County Commissioners of Anderson County, Tennessee has been presented with an application by William E. Stephenson, James R. Cooper, Edward E. Coker, Timothy L. Sharp, Robert M. Baird, David L. Hopper, Steve W. Pyatt, Ernest M. Bowles, and Gene A. Pack, being all of the directors of The Industrial Development Board of Anderson County, for permission to amend the Charter of Incorporation of The Industrial Development Board of Anderson County (the "Charter"), as provided in Section 7-53-204, Tennessee Code Annotated, as amended, with a copy of the proposed Amendment to the Charter attached thereto; said application and proposed Amendment to the Charter being attached hereto and identified as Exhibit A; and

WHEREAS, the Board of County Commissioners of Anderson County, Tennessee has considered such application and finds and determines that it is wise, expedient, necessary and advisable that the proposed Amendment to the Charter be made.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Anderson County, Tennessee that William E. Stephenson, James R. Cooper, Edward E. Coker, Timothy L. Sharp, Robert M. Baird, David L. Hopper, Steve W. Pyatt, Ernest M. Bowles, and Gene A. Pack, being all of the directors of The Industrial Development Board of Anderson County, are hereby authorized to amend the Charter in accordance with the Amendment to the Charter attached to the aforesaid application.

BE IT FURTHER RESOLVED that the form of the Amendment to the Charter attached to the aforesaid application is hereby approved.

Adopted and approved this 19 day of May, 2014.

  
Terry Frank, County Mayor

Attest:

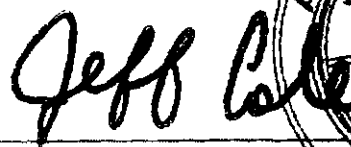
  
Jeff Cole, County Clerk




STATE OF TENNESSEE )  
COUNTY OF ANDERSON )

I, Jeff Cole, do hereby certify that I am the duly qualified and acting County Clerk of Anderson County, Tennessee and that the above is an exact and complete copy of the resolution authorizing the Amendment to the Charter of Incorporation of The Industrial Development Board of Anderson County, Tennessee passed by the Board of County Commissioners of Anderson County, Tennessee on May 19, 2014.

This 19 day of May, 2014.

  
Jeff Cole, County Clerk



**AMENDMENT TO THE CHARTER OF INCORPORATION  
OF  
THE INDUSTRIAL DEVELOPMENT BOARD  
OF ANDERSON COUNTY**

Pursuant to the provisions of Section 7-53-204 of Tennessee Code Annotated, the undersigned, being all of the directors of The Industrial Development Board of Anderson County, adopt the following amendment to its Charter of Incorporation:

1. The name of the corporation is: The Industrial Development Board of Anderson County.
2. The text of each amendment adopted is:

- Article I is deleted in its entirety and replaced with the following:

The purposes for which the Corporation is organized are, among others, the constructing, acquiring, improving, repairing, renovating, extending, equipping, furnishing, operating, maintaining and managing one or more "projects," as such term is defined in Title 7, Chapter 53, Tennessee Code Annotated (the "Act"), within or without the County of Anderson, Tennessee, the borrowing of funds to carry out any of its purposes and powers with respect to any such project or projects and the lending of funds for any such purpose; and the exercise of any and all powers conferred by the laws and statutes of the State of Tennessee, including the Act.

- Article IV is deleted in its entirety and replaced with the following:

The Corporation shall have all powers necessary to carry out the purposes set forth in Article I herein as are authorized under the laws of the State of Tennessee, including without limitation the Act, as heretofore and hereafter amended, and including all powers incidental thereto or necessary for the performance thereof, excepting only such lawful limitations on, and additions to, such powers and authorities as expressly provided herein. To that end, it is hereby declared that should any provision or provisions of this Charter of Incorporation, which limit(s) or add(s) to, such powers and authorities, be declared invalid, unlawful, or unenforceable for any reason, the invalidity, unlawfulness, or unenforceability of such provision or provisions shall not affect the remaining provisions of such Charter of Incorporation, and that this Charter of Incorporation shall have full force and effect according to its provisions excepting those provision(s) so declared invalid, unlawful, or unenforceable.

- Article V is deleted in its entirety and replaced with the following:

The Corporation is organized under the provisions of the Act.

- The following new Article VI is added:

Upon the dissolution of the Corporation, after paying or making provision for the payment of all liabilities of the Corporation then outstanding and unpaid, all assets of the Corporation shall be distributed to Anderson County, Tennessee.

3. This amendment was duly adopted by the directors of The Industrial Development Board of Anderson County on March 7, 2014 and duly approved by the Board of County Commissioners of Anderson County, Tennessee on \_\_\_\_\_, 2014.

4. The Corporation does not have members and thus approval of members is not required.

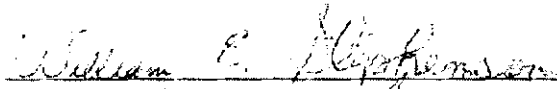
5. Approval of this amendment by some person or persons other than the directors of The Industrial Development Board of Anderson County or the Board of County Commissioners of Anderson County, Tennessee is not required pursuant to Tenn. Code Ann. § 48-60-301.

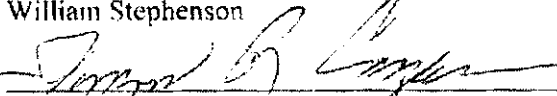
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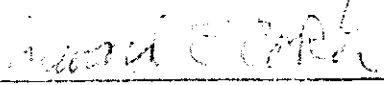


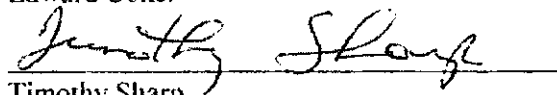
APPLICATION TO THE BOARD OF COUNTY COMMISSIONERS  
OF ANDERSON COUNTY, TENNESSEE  
FOR PERMISSION TO AMEND  
THE CHARTER OF INCORPORATION  
OF THE INDUSTRIAL DEVELOPMENT BOARD OF ANDERSON COUNTY

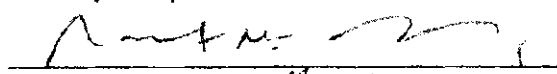
We, William Stephenson, James R. Cooper, Edward Coker, Timothy Sharp, Robert Baird, David Hopper, Steve Pyatt, Ernie Bowles, and Gene Pack, being all of the directors of The Industrial Development Board of Anderson County, do hereby make application to the Board of County Commissioners of Anderson County, Tennessee for permission to amend the Charter of Incorporation of The Industrial Development Board of Anderson County, as provided in Section 7-53-204, Tennessee Code Annotated, as amended. A copy of the proposed amendment to the Charter of Incorporation of The Industrial Development Board of Anderson County is attached hereto for approval by the Board of County Commissioners of Anderson County, Tennessee.

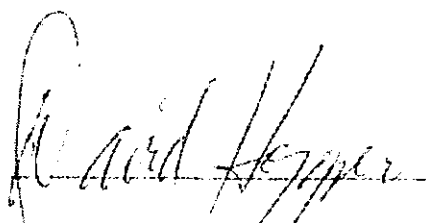
  
\_\_\_\_\_  
William Stephenson

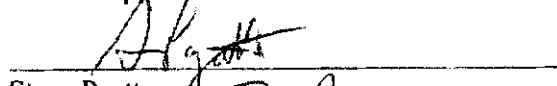
  
\_\_\_\_\_  
James R. Cooper


  
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Edward Coker

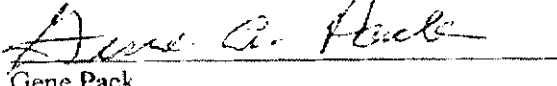
  
\_\_\_\_\_  
Timothy Sharp

  
\_\_\_\_\_  
Robert Baird

  
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David Hopper

  
\_\_\_\_\_  
Steve Pyatt

  
\_\_\_\_\_  
Ernie Bowles

  
\_\_\_\_\_  
Gene Pack

**Anderson County, Tennessee**  
**Board of Commissioners**  
**RESOLUTION No: 14-05-500**

Exhibit

B

**RESOLUTION PROHIBITING ALL WEAPONS BEYOND THE SECURITY CHECKPOINTS ON THE THIRD FLOOR OF THE ANDERSON COUNTY COURTHOUSE AND THE JUVENILE COURT LEVEL OF THE JOLLEY BUILDING AT ALL TIMES WHILE JUDICIAL PROCEEDINGS ARE IN PROGRESS.**

**WHEREAS**, in an effort to ensure the safety of judges, lawyers, court personnel, litigants, witnesses, employees and observers and to assure the proper decorum and deportment during judicial proceedings, the Anderson County Board of Commissioners desires to prohibit weapons of all types beyond the security checkpoints on the third floor of the courthouse and the Juvenile Court level of the Jolley Building; and

**WHEREAS**, the Anderson County Board of Commissioners wishes to exercise its lawful power to prohibit weapons in governmental buildings provided by *Tennessee Code Annotated, Section 39-17-1359*; and

**WHEREAS**, *Tenn. Code Ann. §39-17-1359* reads in pertinent as follows:

(a)(1) Except as provided in §39-17-1313, an individual, corporation, business entity or local, state or federal government entity or agent thereof is authorized to prohibit the possession of weapons by any person who is at a meeting conducted by, or on property owned, operated, or managed or under the control of the individual, corporation, business entity or government entity.

(a)(2) The prohibition in subsection (a)(1) shall apply to any person who is authorized to carry a firearm by authority of §39-17-1351.

**NOW THEREFORE, BE IT RESOLVED** by the Anderson County Board of Commissioners meeting in regular session this 19<sup>th</sup> day of May 2014 that henceforth the following sections are approved and shall be enforced:

**SECTION 1:** All weapons of any type are prohibited beyond the security checkpoints on the third floor of the courthouse and the Juvenile Court level of the Jolley Building while judicial proceedings are in progress. This shall only include the periods from the establishment of the security checkpoints, using metal detectors and assigned court security officers, until judicial proceedings are ended in that area each day. The end of judicial proceedings is defined as 30 minutes after the last scheduled judicial proceeding has adjourned or has otherwise been completed or cancelled. This would include judicial proceedings conducted in chambers,

offices, and courtrooms. Judicial proceedings are defined as official documented proceedings or hearings with a judge present.

**SECTION 2:** Appropriate signage meeting the requirements of *Tenn. Code Ann. §39-17-1359(b)* shall be prominently displayed at the security checkpoint near the entry to the metal detectors and all public entrances to these areas while this prohibition is in place in order to provide due and proper notice to visitors of this prohibition. These signs shall be mounted in a manner such that they can be easily removed when judicial proceedings in the associated area have ended for the day.

**SECTION 3:** These provisions shall not apply to certified law enforcement officers, federal and state law enforcement officers, correctional officers, court security personnel, or judges during the course of their official duties; or to other persons authorized by the court to possess weapons in judicial proceedings in accordance with *Tenn. Code Ann. §39-17-1306(c)*.

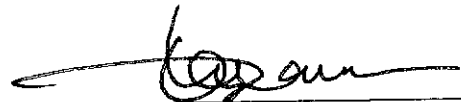
**SECTION 4:** At any time it should be determined necessary to conduct judicial proceedings in any room on the third floor of the courthouse, or on the Juvenile Court level of the Jolley Building, this prohibition may be placed in effect. If the area is occupied, verbal notification of the prohibition shall be communicated, the signs shall be posted, and a search should be conducted throughout the affected area. Rescreening of individuals present may be conducted.

**SECTION 5:** A violation of *Tenn. Code Ann. §39-17-1306* is a Class E Felony. A violation of *Tenn. Code Ann. §39-17-1359* is a Class B Misdemeanor.

**RESOLVED, DULY PASSED AND EFFECTIVE IMMEDIATELY** this 19<sup>th</sup> day of May 2014, the public welfare requiring same.



Chuck Fritts, Chair, A.C. Comm.



Terry Frank, County Mayor

ATTEST:



Jeff Cole, County Clerk

