

PROCLAMATION

ANDERSON COUNTY TENNESSEE

Fair Housing Month

WHEREAS, April 11, 2011 marks the 43rd anniversary of the passage of the U.S. Fair Housing Law, Title VIII of the Civil Rights Act of 1968, as amended, which enunciates a national policy of Fair Housing without regard to race, color, creed, national origin, sex, familial status, and handicap, and encourages fair housing opportunities for all citizens; and

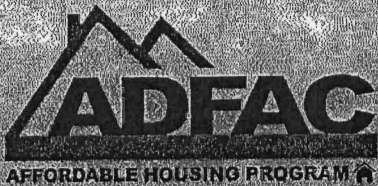
WHEREAS, Aid To Distressed Families Affordable Housing Program, along with Anderson County are committed to upholding the Fair Housing Law Title VIII of the Civil Rights Act of 1968, by continuing to address discrimination on our community, to support programs that will educate the public about their right to equal housing opportunities and to plan partnership efforts with other organizations to help assure every American of their right to fair housing

NOW, THEREFORE, WE, ADFAC and ANDERSON COUNTY do hereby resolve that April 2011, being Fair Housing Month, begins a month - long commemoration of the U.S. Fair Housing Law in Anderson County and urge all citizens to wholeheartedly recognize this celebration throughout the month.

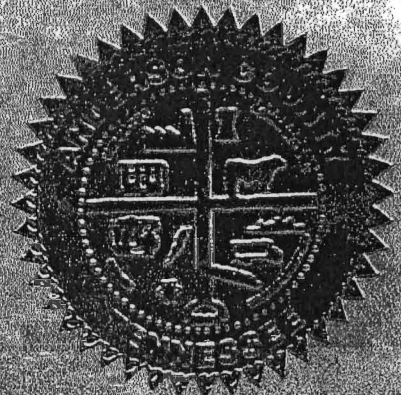
WITNESS MY HAND OF AID TO DISTRESSED FAMILIES OF APPALACHIAN COUNTIES AND ANDERSON COUNTY, TENNESSEE ON THIS THE ____ DAY OF APRIL 2011.

Mark Alderson

Wanda Swannell



Jeff Cole



BE IT REMEMBERED THAT THE ANDERSON COUNTY BOARD OF COUNTY COMMISSION MET IN QUARTERLY SESSION ON APRIL 18, 2011 WITH THE FOLLOWING COMMISSIONERS PRESENT: JOHNNY ALLEY, MARK ALDERSON, ZACK BATES, ROBIN BILOSKI, JERRY CREASEY, CHUCK FRITTS, WHITEY HITCHCOCK, DUSTY IRWIN, TIM ISBEL, ROBERT MCKAMEY, RICK MEREDITH, BUZZ PATRICK, JOHN SHUEY, TRACY WANDELL AND JERRY WHITE.

Prayer was given by Commissioner Bates.

Pledge of Allegiance was led by Commissioner Fritts.

1. Commissioner Fritts moved to approve the amended March 21, 2011 Regular Session, Notaries and Bonds, Quarterly Reports, ADA Oversight Committee minutes, Budget Minutes – Group II School Transfers (excluding #6 & #10), Conservation Board Minutes, Lake City Middle School requesting \$1,500.00 Waste Management Funds for 8th Grade Washington D.C. Trip and adding the Fair Housing Resolution. Seconded by Commissioner Biloski. Motion carried by voice vote.

Notaries

Odessa S Anderson
Linda C Anderson
Sarah Hugh Boring
Virginia A Cannon
Eddie V Coward Sr.
Leslie S Darnell
Katrina Duggins
Kathleen M Ehinger
Martia Flanagan
Stacey L Floyd
Kimberly D Fraker
Sue Fraker
Sondra Green
Laurie Clay Higginbotham

Leeann Hohn
Jessica Key
Robert J Klatt
April L Nelson
Michael G Reed
Regina D Ridenour
Sandy B Sexton
Tessa R Sherwood
Kathy O Shoopman
Patricia Sweitzer
Joseph H Van Hook
William M Walker

Notary Bonds

Western Surety
Wanda Marsh
Kristin Olsen
Linda M Taras
Keysa Lashae Wilhoit

Liberty Mutual
Regina Bailey
Erika R Stone
Robin Cook Watson

Old Republic Surety
Lynne P Brummett
Alice G Moore

Tennessee Farmers
Audra B Reedy

Merchants Bonding
Maryjeane K Hope

State Farm
Cathy D Bridges
Diana S Davis
Tonya Ertel
Benita A Ferrell
Gene R Hicks
Debra L Lyon
Diane Mullins
Carla Taylor

SBCA
Darren Osborne
Carolyn B Skyberg

RLI Surety
Stephany Z Burns
Michelle R Elkins

Nationwide Mutual
Tobias Fredrick Albrecht III

2. Commissioner Creasey moved to approve Regular Agenda. Seconded by Commissioner Bates.

Amended by Commissioner Fritts to add the Mercy Health Systems, Inc. 2011 to the Regular Agenda. Seconded by Commissioner Bates.
Motion carried for the Amended Regular by voice vote. NO: Hitchcock.

3. Commissioner Creasey moved to approve the resolution recognizing April as Autism Awareness Month. Seconded by Commissioner Meredith. Motion carried by voice vote.

RESOLUTION RECOGNIZING APRIL AS AUTISM AWARENESS MONTH

WHEREAS, Autism is a complex developmental disability that typically appears during the first three years of life and is the result of a neurological disorder that affects the normal functioning of the brain and impacts development in the areas of social interaction and communication skills; and

WHEREAS, both children and adults with Autism typically show difficulties in verbal and non-verbal communication, social interactions and leisure or play activities; and

WHEREAS, we should all keep in mind that Autism is a spectrum disorder and it affects each individual differently and at varying degrees, which is why early diagnosis is so crucial; and

WHEREAS, by learning the signs, we can benefit children by directing them to one of the many specialized intervention programs; and

WHEREAS, Autism is the most common of the five Pervasive Developmental Disorders and according to the Centers for Disease Control in 2007 affects an estimated 1 in 150 births, translating to as many as 1.5 million Americans today believed to have some form of Autism, with New Jersey having the highest prevalence rate of 1 in every 94 children; and

WHEREAS, based on statistics from the United States Department of Education and other governmental agencies, Autism is growing at a startling rate of 10 to 17 percent per year. At this rate, the Autism Society of America estimates that the prevalence of Autism could reach 4 million Americans in the next decade; and

WHEREAS, Autism knows no racial, ethnic, social boundaries, family income, lifestyle, educational levels and can affect any family and any child;

NOW, THEREFORE BE IT RESOLVED, Anderson County Board of Commissioners hereby proclaims the month of April as

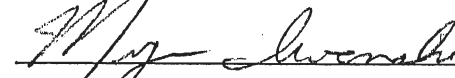
“Autism Awareness Month”

ADOPTED WHOLEHEARTEDLY AND UNANIMOUSLY BY THE ELECTED COMMISSIONERS OF ANDERSON COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS EIGHTEENTH DAY OF APRIL, TWO THOUSAND AND ELEVEN.

Mark Alderson Chairman



Myron Iwanski Anderson County Mayor



Jeff Cole Anderson County Clerk



4. Commissioner Biloski moved to approve a resolution Honoring the 100th Birthday and Life of Anderson Citizen Lola May Whitney Austin Shank. Seconded by Commissioner Alley. Motion carried by voice vote.

Anderson County, Tennessee

Board of Commissioners

RESOLUTION NO. 11-394

A RESOLUTION HONORING THE 100th BIRTHDAY AND LIFE OF ANDERSON COUNTY CITIZEN LOLA MAY WHITNEY AUSTIN SHANK

WHEREAS, on April 8th, 2011, Anderson County resident, Lola May Whitney Austin Shank celebrated her 100th birthday, and

WHEREAS, Lola May Whitney Austin Shank married Harvey James Austin, Sr. in 1932 and gave birth to two lovely twin children, Harvey James Austin, Jr. and Harriett Jean Austin in 1934, and

WHEREAS, in 1947, Lola May Whitney Austin Shank married Robert Douglas Shank and together in 1952, they settled in Oak Ridge, Tennessee where Robert worked as a welder at the Y-12 Plant and Lola worked as a receptionist at the Elm Grove Beauty Shop and Pine Valley Beauty Shop, and

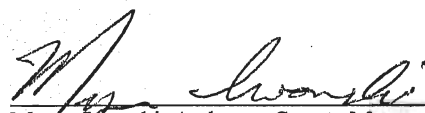
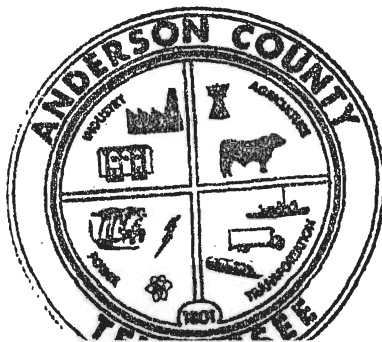
WHEREAS, Robert and Lola were founding members of the present Central Baptist Church which was originally a missionary Baptist church that met at Highland View. Lola worked in bible school and they were active in missionary outreach efforts to the Windrock and Solway communities, and

WHEREAS, over the years, Robert and Lola have welcomed the births of thirteen (13) grandchildren, great grandchildren and great great grandchildren, Ted Whitney Keil, Susan Leslie Keil Gann Harris, Lora Ann Keil Frye, Sandra Lynn Keil Orlando, Steven Douglas Gann, Rachel Victoria Frye, Vanessa Renee Frye, Nicholas Thomas Orlando, III, Elizabeth Lynn Orlando, Hayley Gann, Taylor Gann, Rylee Gann and Daniel Seals, and

WHEREAS, Lola May Whitney Austin Shank is a loving mother and grandmother and exemplary citizen. Anderson County shares in celebrating with her family one hundred (100) years of life and love.

NOW, THEREFORE, BE IT RESOLVED by the Anderson County Commission meeting in day session in Clinton, Tennessee on this the 18th day of April 2011 that the Anderson County Commission does hereby recognize the life of Lola May Whitney Austin Shank as a dedicated wife, mother, grandmother and exemplary citizen of our great county. We further declare that April 18th, 2011, will be "Lola May Whitney Austin Shank Day" in Anderson County, Tennessee.

RESOLVED, this 18th day of April 2011.


Mark Alderson, Chairman, County Commission
Myron Iwanski, Anderson County Mayor
Jeff Cole, Anderson County Clerk

School Department Report

5. Commissioner Mead moved to approve resolution Honoring Norris Elementary School. Seconded by Commissioner Wandell. Motion carried by voice vote.

**Anderson County, Tennessee
Board of Commissioners**

RESOLUTION NO: 11-398

A RESOLUTION HONORING NORRIS ELEMENTARY SCHOOL

WHEREAS, Tennessee's First to the Top initiative raises the bar for education, putting in place rigorous student academic goals that challenge the state and local school districts to commit to "transformational education reform," and

WHEREAS, the Department of Education's "Report Card" scores both academic achievement and academic growth, awarding letter grades A through F to individual schools and the school system, and

WHEREAS, academic achievement grades measure how well the students in individual schools know the material taught in our schools as required by the state of Tennessee, and

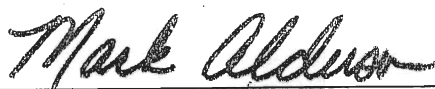
WHEREAS, academic growth (or "value added") grades measure how much progress groups of students make in a given year relative to the "state growth standard," helping the state identify its most effective teachers, schools and school systems, and

WHEREAS, in the area of academic achievement, Norris Elementary School received an A for fifth-grade writing assessment; A's in reading/language, social studies and science; and a B in math, and

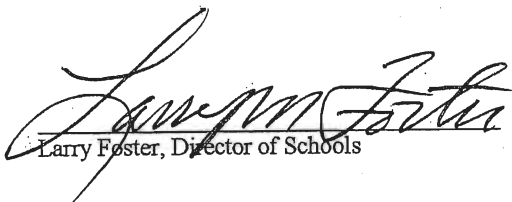
WHEREAS, the exceptional academic achievement scores received by Norris Elementary School exceed the state scores in every category and lead the district's report card scores for an individual school.

NOW, THEREFORE, BE IT RESOLVED by the Anderson County Commission meeting in day session in Clinton, Tennessee on this the 18th day of April 2011 that the Anderson County Commission does hereby recognize the hard work, dedication to academic achievement and relentless efforts of Principal Jess Anne Cole, the faculty, staff and the students of Norris Elementary School in achieving this academic honor. We further declare that April 19th, 2011 will be known as "Norris Elementary School Day" in Anderson County, Tennessee.

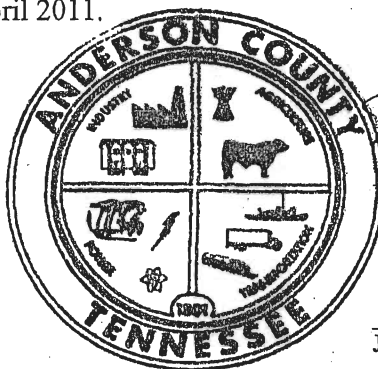
RESOLVED, this 18th day of April 2011.

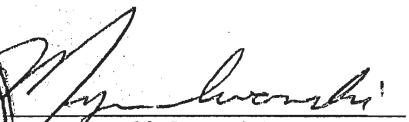


Mark Alderson, Chairman, County Commission



Larry Foster, Director of Schools




Myron Iwanski, County Mayor


Jeff Cole, County Clerk

6. Commissioner Mead moved to approve resolution Honoring Fairview Elementary School. Seconded by Commissioner Fritts. Motion carried by voice vote.

Anderson County, Tennessee Board of Commissioners

RESOLUTION NO: 11-399

A RESOLUTION HONORING FAIRVIEW ELEMENTARY SCHOOL

WHEREAS, Tennessee's First to the Top initiative raises the bar for education, putting in place rigorous student academic goals that challenge the state and local school districts to commit to "transformational education reform," and

WHEREAS, the Department of Education's "Report Card" scores both academic achievement and academic growth, awarding letter grades A through F to individual schools and the school system, and

WHEREAS, academic achievement grades measure how well the students in individual schools know the material taught in our schools as required by the state of Tennessee, and

WHEREAS, academic growth (or "value added") grades measure how much progress groups of students make in a given year relative to the "state growth standard," helping the state identify its most effective teachers, schools and school systems, and

WHEREAS, in the area of academic growth, Fairview Elementary School received straight A's in every category leading the district in this measure of effectiveness, and

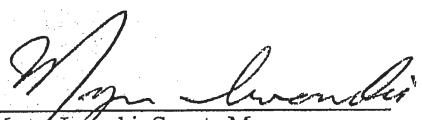
WHEREAS, because of receiving top marks in the area of academic growth, Fairview Elementary School is ranked in the Top Five of the 765 elementary schools in the state of Tennessee.

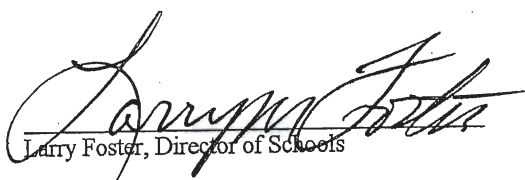
NOW, THEREFORE, BE IT RESOLVED by the Anderson County Commission meeting in day session in Clinton, Tennessee on this the 18th day of April 2011 that the Anderson County Commission does hereby recognize the hard work and diligent efforts of Principal Karen Cupples, the faculty, staff and the students of Fairview Elementary School in achieving this academic honor. We further declare that April 20th, 2011 will be known as "Fairview Elementary School Day" in Anderson County, Tennessee.


RESOLVED, this 18th day of April 2011.


Mark Alderson, Chairman, County Commission




Myron Ivanski, County Mayor


Larry Foster, Director of Schools


Jeff Cole, County Clerk

County Mayor Report

7. Commissioner Hitchcock moved to adopt resolution for the Strategic Economic Development. Seconded by Commissioner Meredith. Motion carried by voice vote.

**RESOLUTION TO ADOPT THE STRATEGIC
ECONOMIC DEVELOPMENT PLAN**

WHEREAS, the Three-Star Program was developed to meet the needs and challenges of the evolving economic environment in urban and rural communities and to partner with communities to create opportunities for sustained economic growth; and

WHEREAS, communities seeking certification as a Three-Star community must meet certain criteria, including the adoption of a five-year strategic economic development plan; and

WHEREAS, in achieving the mission of the Three-Star Program, the Department of Economic and Community Development commits to assist communities in developing and implementing a strategic economic plan;

NOW, THEREFORE, BE IT RESOLVED, by the county legislative body of Anderson County, Tennessee, meeting in regular session at Clinton, Tennessee, that:

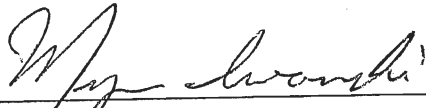
SECTION 1. The legislative body of Anderson County declares that the county has adopted a five-year strategic economic development plan to be updated annually.

SECTION 2. The strategic economic development plan includes the county's economic goals in promoting economic growth, a plan to accomplish those goals and a projected timeline in achieving those goals.

SECTION 3. The strategic economic development plan addresses the county's goals pertaining to existing industry, manufacturing recruitment, workforce development, retail/service, tourism, agriculture, infrastructure assessment and educational assessment.

Adopted this 18th day of April, 2011.

APPROVED:


County Mayor



ATTEST:



8. Commissioner Creasey moved to approve the appointment from the County Mayor's Office to the Planning Commission of Meryl Pierce with term ending January 2012. Seconded by Commissioner Mead. Motion carried by voice vote.

9. Commissioner Hitchcock moved to approve the Plan through Solid Waste for recycling goods with Waste Connections. Seconded by Commissioner Wandell. Motion carried by voice vote.

County Law Director Report

10. Commissioner McKamey moved to approve the Anderson County Government Employee Handbook. Seconded by Commissioner Wandell.
(See Folder for Original Copy also Human Resource Office)

Voting Aye: Alderson, Alley, Bates, Biloski, Creasey, Fritts, Hitchcock, Irwin, Isbel, McKamey, Mead, Patrick, Shuey, Wandell and White. Motion carried.

11. Commissioner Meredith moved to approve resolution supporting and endorsing the New River Railway and History Center and requesting R.J. Corman Railroad Company to allow tourist train operations. Seconded by Commissioner McKamey. Motion carried by voice vote.

**Anderson County, Tennessee
Board of Commissioners**

RESOLUTION 11-395

**RESOLUTION SUPPORTING AND ENDORSING THE NEW RIVER
RAILWAY AND HISTORY CENTER AND REQUESTING R.J. CORMAN
RAILROAD COMPANY TO ALLOW TOURIST TRAIN OPERATIONS.**

WHEREAS, in 2005 the Anderson County Board of Commissioners requested the Tennessee General Assembly form the Northeast Tennessee Railroad Authority with the stated goals of promoting the economic well-being of Anderson, Campbell and Scott Counties through preserving and maintaining a forty-two (42) mile section of abandoned rail line formerly operated by the Tennessee Railroad stretching from Devonia to Oneida by way of allowing commercial transit of coal and logging products and tourism excursions designed to reveal the heritage, wildlife and pristine landscapes of the New River basin and Cumberland Mountain region; and

WHEREAS, the Railroad Authority devoted limitless amounts of time to secure funding and devoted and directed its financial assets towards improving and re-opening the rail line for the National Coal Company and the New River Scenic Railway; and

WHEREAS, the National Coal Company has now transferred the rail line to R.J. Corman Coal and Railroad Company for the commercial transit of fossil fuel from area mines and coal wash plants; and

WHEREAS, R.J. Corman is reluctant to allow tourist train excursions due to a fear of increased liability burdens and impairments to the safe and efficient transportation of commercial products; and

WHEREAS, the New River Railway and History Center is prepared to offer assurances to R. J. Corman by way of accepting all liability for its operations by contract and allowing first

preference to R. J. Corman for utilization of the rail line so that the flow of commerce will not be impeded by agreeing and allowing the operations of the coal company to receive first priority.

NOW THEREFORE, BE IT RESOLVED by the Anderson County Legislative Body meeting in day session this 18th day of April, 2011 that:

SECTION 1: We fully endorse and deeply appreciate the efforts of the R.J. Corman Coal Company to provide improvements and stabilization to this economically depressed area by providing needed jobs to area residents and insuring the safe mining and transportation of fossil fuel products.

SECTION 2: We support the efforts of the New River Railway and History Center and their desire to promote tourism in this area by agreeing to operate the former New River Scenic Railway for the benefit of area residents and tourists and further accepting full liability for their operations, and agreeing to allow R.J. Corman Coal and Railroad Company first priority in the utilization of the rail line.

SECTION 3: We respectfully request R.J. Corman Coal and Railroad Company to again allow tourist train excursions on the rail line from mile post 35 to 41 in an effort to promote valuable tourism activities to this area so that visitors can experience the heritage, wildlife and pristine landscapes of the New River basin and Cumberland Mountain region.

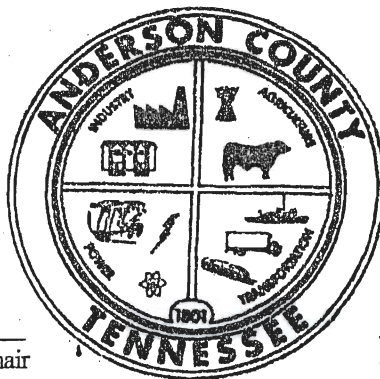
SECTION 4: Furthermore we authorize the County Clerk to transmit a fully executed copy of this Resolution to R. J. Corman Coal and Railroad Company and authorize the County Mayor to attempt to negotiate a successful resolution to all obstacles interfering with the future operations of the New River Scenic Railway and History Center.

RESOLVED, DULY AUTHORIZED AND APPROVED this 11th day of April, 2011.

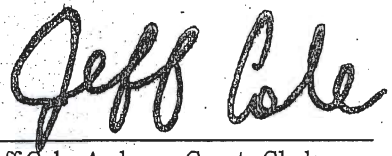
APPROVED:



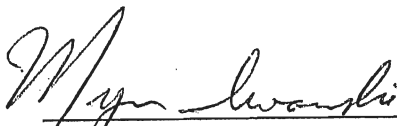
Mark Alderson, Anderson County Commission, Chair



ATTEST:



Jeff Cole, Anderson County Clerk



Myron Iwanski, County Mayor

12. Commissioner Fritts moved to approve resolution in support of the actions of the Tennessee Department of Transportation to improve State Highway 170 also known as Edgemoor Road and Raccoon Valley Road. Seconded by Commissioner Biloski. Motion carried by voice vote.

Anderson County, Tennessee
Board of Commissioners

RESOLUTION NO: 11-397

**RESOLUTION IN SUPPORT OF THE ACTIONS OF THE TENNESSEE DEPARTMENT OF
TRANSPORTATION TO IMPROVE STATE HIGHWAY 170 ALSO KNOWN AS EDMOOR AND
RACCOON VALLEY ROAD**

WHEREAS, Tennessee State Highway 170, also known as Edgemoor and Raccoon Valley Road, is a major commuter thoroughfare that runs east and west through Anderson County, from the Oak Ridge city limits to the Knox County border, and

WHEREAS, Anderson County, together with the City of Oak Ridge, have requested and encouraged assistance from the state and federal governments in improving the traffic congestion created by thousands of daily motorists and commuters who utilize this state highway for safe travel to jobs, shopping and schools, and

WHEREAS, the City of Oak Ridge has made Edgemoor Road (State Highway 170) improvements their number one priority on their 2011 State and Federal Legislative Agenda, and

WHEREAS, the Anderson County Legislative Body has previously passed resolutions on March 17, 2003, March 15, 2004 and April 19, 2010 requesting and encouraging state and federal assistance for improvements to this state highway, and

WHEREAS, the Tennessee Department of Transportation has created an action plan to widen and improve State Highway 170, stating that with the cancellation of the Knoxville beltway project, congestion along this major regional thoroughfare will continue to worsen with additional traffic load, and

WHEREAS, the Tennessee Department of Transportation lists the benefits of widening State Highway 170 to include improved safety, significant congestion mitigation, improved access to major employment sectors and enhanced commercial development, and

WHEREAS, the Anderson County Legislative Body wishes to express our sincere gratitude to the Tennessee Department of Transportation for its recognition of the problems associated with the current size of State Highway 170 and for proposing these needed improvements in hopes that they will be combined the widening of the Shoopman Bridge over the Clinch River.

NOW THEREFORE, BE IT RESOLVED, by the Anderson County Legislative Body meeting in day session in Clinton, Tennessee this 18th day of April 2011 that:

SECTION 1: The Anderson County Legislative Body strongly supports and encourages the Tennessee Department of Transportation's assistance in improving the safety and traffic problems associated with Tennessee State Highway 170 for the betterment of all citizens utilizing this roadway as well as the potential for the addition and promotion of retail growth space bringing much needed jobs to the Anderson County community.

SECTION 2: The Anderson County Legislative Body pledges its support and assistance in this important process that affects all citizens who travel and reside along Tennessee State Highway 170, Edgemoor Road.

RESOLVED, duly passed and approved this 18th day of April, 2011.

APPROVED:

Mark Alderson

Mark Alderson, Anderson County Commission, Chair



ATTEST:

Jeff Cole

Jeff Cole, Anderson County Clerk

Myron Iwanicki

Myron Iwanicki, County Mayor

13. Commissioner Wandell moved to approve resolution endorsing and supporting the Tennessee Department of Transportation's Safe Routes to School Program. Seconded by Commissioner Alley. Motion carried by voice vote.

Anderson County, Tennessee
Board of Commissioners
RESOLUTION NO. 11-396

**RESOLUTION ENDORSING AND SUPPORTING THE TENNESSEE DEPARTMENT
OF TRANSPORTATION'S SAFE ROUTES TO SCHOOL PROGRAM**

WHEREAS, Safe Routes to School (SRTS) is a federally funded program focusing on the benefits of children walking and biking to school. These programs aim to improve safety for children and the community and provide opportunities to increase physical activity. SRTS funds activities and safe infrastructure in addition to efforts that encourage healthy options for children, and

WHEREAS, Congress provided SRTS funding to states through the federal surface transportation bill, the Safe, Accountable, Flexible, and Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU) for Federal fiscal years 2005 – 2009. The Tennessee Department of Transportation (TDOT) received approximately \$10.8 million for the SRTS program from the Federal Highway Administration. Projects or activities are 100% federally funded; no match is permitted, and

WHEREAS, SRTS projects have been growing in popularity all over the country in recent years due to increased obesity trends. A model program integrates health, fitness, traffic relief, environmental awareness, and safety under one program. SRTS provides an opportunity to work closely with schools, the community, and local government to create a healthy lifestyle for children and a safer, cleaner environment for everyone, and

WHEREAS, the Anderson County Schools have applied to the SRTS Program to receive a grant for Lake City, specifically for Lake City Elementary and Lake City Middle School because the current conditions of Lake City's sidewalks impede safe routes to and from both schools, and

WHEREAS, this grant will provide much needed infrastructure to Lake City, a community that struggles with very limited resources for local improvements. Two schools, Lake City Elementary and Lake City Middle, located within a mile of one another, will benefit from the project when more students can safely walk and bicycle to and from the schools. The addition of sidewalks in the vicinity will also encourage much needed physical activity, known to reduce obesity and improve overall health, and

WHEREAS, the encouragement programs funded by this grant will be the key to getting more students to school under their own power, as they will foster the formation of walking and bicycling in groups among students and parents. The grant's education programs will reinforce important bicycle and pedestrian safety messages to students and to drivers in and around the Lake City community. The development and visibility of a Safety Patrol and walking school bus from the low-income housing district will help ease safety concerns of parents who currently disallow their child to walk or bike to and from school.

NOW THEREFORE, BE IT RESOLVED, by the Anderson County Legislative Body meeting in day session in Clinton, Tennessee this 18th day of April 2011 that:

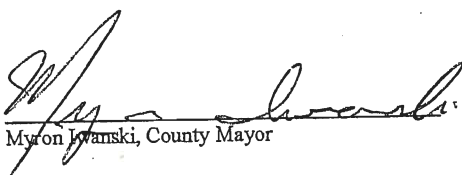
SECTION 1: The Anderson County Legislative Body strongly supports and encourages the Tennessee Department of Transportation's Safe Routes to School Program for the City of Lake City as a means to provide a safe, healthy ways for students of Lake City Elementary and Lake City Middle Schools to traverse to and from school.

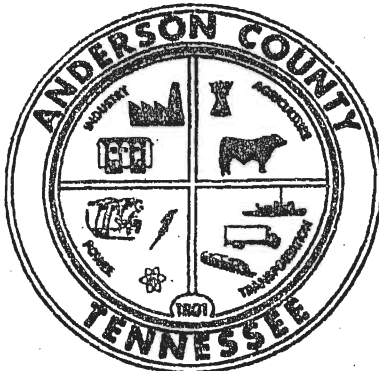
SECTION 2: The Anderson County Legislative Body pledges its support and assistance in this important project that affects all the families with school age children in Lake City, Tennessee.

RESOLVED, duly passed and approved this 18th day of April, 2011.

APPROVED:


Mark Alderson, Anderson County Commission, Chair


Myron Iwanski, County Mayor



ATTEST:


Jeff Cole, Anderson County Clerk

“5 minute recess”

14. Commissioner Fritts moved for no salary increases in all fee offices (Trustee, Circuit Court Clerk, Register of Deeds, County Clerk and Clerk and Master). Seconded by Commissioner White. Motion carried by voice vote. NO: Hitchcock.

Purchasing Committee Report

15. Commissioner McKamey moved to approve recommendation from the Purchasing Committee a one year contract with Mercy Health Systems, Inc. 2011. Seconded by Commissioner Mead.

Voting Aye: Alderson, Bates, Biloski, Creasey, Fritts, Isbel, McKamey, Mead, Meredith, Patrick, Shuey and White. NO: Alley, Hitchcock, Irwin and Wandell. Motion carried.

16. Commissioner Fritts moved to approve recommendation from the Purchasing Committee a one year contract with Advanced Correctional Healthcare, Inc. Seconded by Commissioner White. Motion carried by voice vote.

17. Commissioner Wandell moved to approve recommendation from the Purchasing Committee all four separate contracts for the Anderson County Public Libraries (Clinton, Briceville, Lake City and Norris) for a Technology Grant. Seconded by Commissioner Patrick. Motion carried by voice vote.

Budget Committee

18. Commissioner Fritts moved to approve recommendation from the Budget Committee the following appropriation in the School Department. Seconded by Commissioner White.

Voting Aye: Alderson, Alley, Bates, Biloski, Creasey, Fritts, Hitchcock, Irwin, Irwin, Isbel, McKamey, Mead, Meredith, Patrick, Shuey, Wandell and White. Motion carried.

Increase Revenue Code:

145.13-44570	Gifts & Contributions	\$550.00
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Decrease Expenditure Codes:

145.13-73300-429-1000	Instructional Supplies	\$500.00
145.13-73300-499-1000	Other Supplies	<u>50.00</u>
	Total Expenditures Decrease	\$550.00

19. Commissioner Fritts moved to approve recommendation from the Budget Committee the following transfers for School Department. Seconded by Commissioner White.

Voting Aye: Alderson, Alley, Bates, Biloski, Creasey, Fritts, Hitchcock, Irwin, Isbel, McKamey, Mead, Meredith, Patrick, Shuey, Wandell and White. Motion carried.

Increase Expenditure Codes:

142.90S-71200-429	Instructional Supplies & Materials	\$18,414.85
142.90S-72710-599	Other Charges-Vehicle Tags	52.50
142.90S-72710-729	Transportation Equipment	<u>51,043.82</u>
	Total Expenditures Increase	\$69,511.17

Decrease Expenditure Codes:

142.90S-71200-116	Teachers	\$31,675.00
142.90S-71200-163	Educational Assistance	13,725.00
142.90S-71220-195	Certified Substitute Teachers	1,200.00
142.90S-71200-201	Social Security	2,959.00
142.90S-71200-204	State Retirement	4,970.57
142.90S-71200-206	Life Insurance	59.40
142.90S-71200-207	Medical Insurance	6,335.96
142.90S-71200-210	Unemployment Compensation	158.00
142.90S-71200-212	Employer Medicare	718.00
142.90S-71200-299	Other Fringe Benefits-Worker's Comp	308.00
142.90S-72220-524	In-Service/ Staff Development	6,240.00
142.90S-99100-504	Indirect Cost	<u>1,162.24</u>
	Total Expenditures Decrease	\$69,511.17

Increase Expenditure Codes:

142.201-71100-198	Certified Substitutes	\$3,500.00
142.201-72210-524	Staff Development	<u>2,426.33</u>
	Total Expenditures Increase	\$5,926.33

Decrease Expenditure Codes:

142.201-71100-195	Non-Certified Substitutes	\$ 3,500.00
145.201-72210-355	Travel	<u>2,426.33</u>
	Total Expenditures Decrease	\$5,926.33

20. Commissioner Fritts moved to approve recommendation from the Budget Committee the following appropriations Channel 95, Drug Fund, Highway, Parks, Chancery Court, Library and Safety Net Grant. Seconded by Commissioner Irwin.

Voting Aye: Alderson, Alley, Bates, Biloski, Creasey, Fritts, Hitchcock, Isbel, McKamey, Mead Meredith, Shuey and White. NO: Irwin, Patrick and Wandell. Motion carried.

Increase Expenditure Code:

101-56900-709-9500	Data Processing Equipment	\$15,813.07
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Decrease Expenditure Codes:

101-56900-399-9500	Other Contracted Services	\$1,000.00
101-56900-499-9500	Other Supplies & Materials	2,000.00

Decrease Reserve Code:

101-35188	Designated Reserve Fund	<u>12,813.07</u>
	Total Expenditures Reserve/Decrease	\$15,813.07

Decrease Reserve Code:

122-39000	Drug fund reserve	\$39,000.00
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Increase Revenue Codes:

122-42910	Proceeds from confiscated property	\$15,000.00
122-42910-1000	Proceeds from confiscated property	<u>22,000.00</u>
	Total Revenues/Reserves Increase	\$76,000.00

Increase Expenditure Codes:

122-54150-336	Maintenance & Repair-Equipment	\$2,400.00
122-54150-708	Communications Equipment	1,500.00
122-54150-709	Data processing Equipment	3,000.00
122-54150-716	Law Enforcement Equipment	15,100.00
122-54150-718	Motor Vehicle	<u>54,000.00</u>
	Total Expenditures Increase	\$76,000.00

Increase Expenditure Code:

131-63100-399	Other Contracted Services	\$48,000.00
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Decrease Reserve Code:

131-39000	Undesignated Fund Balance	\$48,000.00
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Increase Revenue Codes:

101-43340	Camping revenue	\$2,158.00
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Increase Expenditure Codes:

101-51240-499	Other Supplies & Materials	\$2,158.00
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Decrease Reserve Code:

101-34166	Reserve data entry fee	\$2,000.00
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Increase Expenditure Code:

101-53400-334	Maintenance Agreement	\$2,000.00
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Decrease Reserve Code:

115-39000	Undesignated Reserve Fund	\$2,050.00
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Increase Reserve Code:

115-35130	Reserve Fund	\$2,050.00
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Decrease Reserve Code:

115-39000	Undesignated Reserve Fund	\$6,000.00
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Increase Expenditure Code:

115-56500-707-2000	Building Improvements	\$6,000.00
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Decrease Revenue Code:

101-46980-1500	Other State Grants	\$48,500.00
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Decrease Expenditure Codes:

101-55110-131-1500	Medical Personnel	\$27,000.00
101-55110-201-1500	Social Security	1,674.00
101-55110-204-1500	State Retirement	2,122.00
101-55110-207-1500	Medical Insurance	4,493.00
101-55110-208-1500	Dental Insurance	595.00
101-55110-209-1500	S/T Disability Insurance	208.00
101-55110-210-1500	Unemployment Compensation	216.00
101-55110-212-1500	Employer Medicare	392.00
101-55110-348-1500	Postal Charges	400.00
101-55110-349-1500	Printing, Stationary & Forms	2,000.00
101-55110-355-1500	Travel	500.00
101-55110-399-1500	Other Contracted Services	2,000.00
101-55110-499-1500	Other Supplies & Materials	6,500.00
101-55110-511-1500	Vehicle & Equipment Insurance	<u>400.00</u>
	Total Expenditures Decrease	\$48,500.00

21. Commissioner Fritts moved to approve recommendation from the Budget Committee the following appropriation from General Fund Balance. Seconded by Commissioner Irwin.

Voting Aye: Alderson, Alley, Bates, Biloski, Creasey, Fritts, Hitchcock, Irwin, McKamey, Mead, Meredith, Patrick, Shuey, Wandell and White. NO: Isbel.
Motion carried by voice vote.

Decrease Reserve Code:

101-39000	Undesignated Fund Balance	\$6,363.00
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Increase Expenditure Code:

101-54410-316-9998	Contribution	\$6,363.00
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22. Commissioner White moved to approve recommendation from the Budget Committee the following appropriation in the General Fund Balance for Water Tank maintenance agreement. Seconded by Commissioner Biloski.

Amended by Commissioner Meredith not to pay until July 1, 2011. Seconded by Commissioner Biloski.

Voting Aye for Amendment: Alderson, Alley, Biloski, Fritts, McKamey, Mead, Meredith and Patrick. NO: Bates, Creasey, Hitchcock, Irwin, Isbel, Shuey, Wandell and White. Amendment failed.

Voting Aye for Original motion: Alderson, Alley, Bates, Biloski, Creasey, Fritts, Hitchcock, Irwin, Isbel, Mead, Meredith, Patrick, Shuey, Wandell and White. NO: McKamey. Motion carried.

23. Commissioner Meredith moved to approve recommendation from Budget Committee for Tim Thompson, President of Anderson County Economic Development Asso., proposing that Anderson County provide funding for site preparation for the Corp. "SL" as their new property taxes are collected in the next three years totaling \$100,000.00 per year. Seconded by Commissioner Patrick.

Voting Aye: Alderson, Alley, Fritts, Hitchcock, Irwin, Isbel, McKamey, Mead, Patrick, Shuey, Wandell and White. NO: Bates and Creasey. Motion carried.

24. Commissioner Meredith moved for a hiring freeze effective April 18, 2011: a \$500.00 cap on purchasing until new budget cycle effective upon adjournment of Quarterly Session with County Mayor handling all emergency requests also the County Mayor is to appoint a Budget Director. Seconded by Commissioner Patrick.

Amended by Commissioner Creasey to refer back to Budget Committee. Seconded by Commissioner Bates.

Voting Aye for Amendment: Bates, Creasey, Hitchcock, Irwin, Shuey and Wandell. NO: Alderson, Alley, Biloski, Fritts, Isbel, McKamey, Mead, Meredith, Patrick and White. Amendment failed.

Voting Aye for Original Motion: Alderson, Alley, Bates, Biloski, Creasey, Fritts, Irwin, Isbel, McKamey, Mead, Meredith, Patrick, Wandell and White. NO: Hitchcock and Shuey. Motion carried.

Road Committee Report

25. Commissioner Alderson moved to approve recommendation from the Road Committee that the following speed limit be approve. Seconded by Commissioner Wandell. Motion carried by voice vote.

Brookstone Ridge S/D	20 MPH
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26. Commissioner Alderson moved to approve recommendation from the Road Committee that Commission accept the following road into the County Road System. Seconded by Commissioner Meredith. Motion carried by voice vote.

Wolf Peak Ln (Wolf Valley Estates) off East Wolf Valley Rd.
1826' in length – 50' wide – 135' cul-de-dac – 50' ROW

Jail Committee Report

27. Commissioner Alderson moved to approve proceeding with the conceptual approach in Option 4 described below with the understanding that:

- Detailed budgets must be approved by County Commission before any funds can be appropriated for this project
- Where necessary, funding will be provided by a wheel tax or property tax
- The exact amount and type of any tax increase will be decided by County Commission as part of the 2011/2012 budget approval process.

Seconded by Commissioner White.

Voting Aye: Alderson, Bates, Biloski, Creasey, Fritts, Hitchcock, Isbel, Mead, Meredith, Patrick, Shuey and White. NO: Alley, Irwin, McKamey and Wandell. Motion carried by voice vote.

28. Commissioner White moved to approve in contract with ETHRA to place an additional corrections officer in the Community Corrections Program. Seconded by Commissioner Irwin.

Voting Aye: Alderson, Bates, Biloski, Creasey, Hitchcock, Irwin, McKamey, Mead, Meredith, Shuey, Wandell and White. NO: Alley, Fritts, Isbel and Patrick. Motion carried.

Increase Expenditure Code:

101-51900-366	Other Contracted Services	\$10,000.00
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Decrease Reserve Code:

101-39000	Undesignated Fund Balance	\$10,000.00
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Legislative Committee Report

29. Commissioner Creasey moved to approve recommendation from Legislative Committee to request the general assembly amend by adding Anderson County's 2010 population bracket to T.C.A. §8-26-113, a general law of local application. Seconded by Commissioner McKamey. Motion carried by voice vote. NO: Wandell.

30. Commissioner Creasey moved to approve recommendation from Legislative Committee to request the Law Director, with the assistance of the Planning Staff, draft a resolution to forward to our legislators in support of the Tennessee Department of Transportation on the Edgemoor Road expansion project. Motion carried by voice vote.

Operations Committee Report

31. Commissioner McKamey moved to approve recommendation from Operations Committee to request Kevin Waters of Johnson Controls, identify and present a proposal for energy efficient projects, conditional on meeting with Mayor and staff prior to the Commission Meeting. Seconded by Commissioner Mead. Motion carried by voice vote. NO: Wandell.

32. Commissioner McKamey moved to approve recommendation from Operations Committee the resolution increasing the minimum benefit to \$20.00 per year of service for participating commissioners, councils, and school board members that participate pursuant to T.C.A §8-35-226. Seconded by Commissioner Biloski.

Voting Aye: Alderson, Alley, Biloski, Creasey, Fritts, Mead, Meredith and McKamey. NO: Bates, Hitchcock, Irwin, Isbel, Patrick, Shuey, Wandell and White. Motion failed.

33. Commissioner McKamey moved to approve recommendation from Operations Committee the ACEMS BLA rate adjustment from \$330.00 to \$400.00 and the ALS1 rate adjustment from \$550.00 to \$600.00. Seconded by Commissioner Patrick.

Voting Aye: Alderson, Bates, Biloski, Creasey, Fritts, Isbel, Mead, Patrick and White. NO: Alley, Hitchcock, Irwin, McKamey, Meredith, Shuey and Wandell. Motion carried.

34. Commissioner McKamey moved to approve recommendation from Operations Committee the amended ACEMS Operating resolution. Seconded by Commissioner Creasey.

Voting Aye: Alderson, Alley, Bates, Biloski, Creasey, Fritts, Hitchcock, Isbel, McKamey, Mead, Meredith, Patrick, Shuey and Wandell. NO: Irwin and White. Motion carried.

RESOLUTION NO. _____

TO ESTABLISH, SUPPLEMENT AND AMEND REGULATIONS, RESTRICTIONS AND LICENSING REQUIREMENTS FOR THE OPERATION OF PATIENT TRANSPORT SERVICES; TO GRANT EXCLUSIVE SERVICE RIGHTS TO ANDERSON COUNTY EMERGENCY MEDICAL SERVICE TO OPERATE AND MAINTAIN AN AMBULANCE SERVICE AS THE PRIMARY SERVICE PROVIDER OF PATIENT TRANSPORT AND EMERGENCY MEDICAL CARE SERVICES WITHIN THE BORDERS OF ANDERSON COUNTY; AND TO SO DECLARE THAT THE OPERATION OF AMBULANCE SERVICES WITHIN ANDERSON COUNTY IS A PUBLIC SERVICE NECESSARY FOR THE CONVENIENCE AND PROTECTION OF THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS AND INHABITANTS OF THIS COUNTY.

WHEREAS, pursuant to the legal authority vested in cities and counties under the laws of the State of Tennessee, the Anderson County Legislative Body has previously, in the years of 1969 and 1996, promulgated reasonable and legitimate governmental restrictions on private and nonprofit ambulance services operating in the county and formerly declared that the Anderson County Emergency Medical Service is the primary provider of patient transport services within the County, and

WHEREAS, presently the Anderson County Legislative Body wishes to establish additional reasonable and legitimate governmental regulations and amend and supplement existing regulations to guarantee the integrity and level of competence for emergency medical and patient transport services operating within Anderson County, and

WHEREAS, T.C.A. § 7-61-102 provides that the governing body of any county or city of the State of Tennessee may provide, maintain and do all things necessary to provide ambulance service as a public service, and

WHEREAS, T.C.A. § 7-61-103 states in pertinent part that in order to protect the public health and welfare, any county or city may adopt reasonable regulations to control the provision of private or nonprofit ambulance service, and

WHEREAS, the Anderson County Legislative Body so declares that the operation of an ambulance service within the borders of Anderson County is a public service and not a business of common right, and the protection of the public health, safety and welfare outweighs the burden of these restrictions on the private and nonprofit entities they are designed to regulate, and

WHEREAS, the operation of a public ambulance service within Anderson County is a reasonable and legitimate governmental interest and so subject to the adoption and enforcement of local regulations and controls designed to protect the health, safety and welfare of the citizens of Anderson County, and

WHEREAS, it is within the legislative discretion of the Anderson County Legislative Body to so designate an ambulance service as the subject of exclusive primary service provider rights, and to further operate and maintain an ambulance service for the benefit of the citizens of Anderson County, and

WHEREAS, T.C.A. § 7-61-104 dictates that no county may provide and maintain, license, franchise, or contract for ambulance service within the boundaries of a city or another county, and no city may provide and maintain, license, franchise, or contract for ambulance service outside its corporate boundaries, without the approval of the governing body of the area to be served.

NOW, THEREFORE, BE IT RESOLVED by the Anderson County Legislative Body meeting in regular session this 17th day of November, 2003, in Clinton, Tennessee, that:

SECTION I: Scope of Coverage

The provisions of this Resolution shall apply to all ambulance and patient transport services operating in Anderson County, including the Anderson County Emergency Medical Service and other governmental, private or nonprofit ambulance services.

SECTION II: Grant of Exclusive Primary Service Provider Rights

The Anderson County Emergency Medical Services is hereby granted the exclusive primary service right to handle all calls for patient transport services and to operate and maintain an ambulance service for the public convenience and necessity in Anderson County, but outside of the municipalities of Oak Ridge, Clinton, Lake City, Oliver Springs and Norris.

SECTION III: Approval of Municipalities

Local municipalities of Oak Ridge, Clinton, Lake City, Oliver Springs and Norris may also be served by the Anderson County Emergency Medical Service, but only with the approval of the governing body of the area to be served, the Anderson County Legislative Body, and subject to all inter-local agreements and contracts currently in effect. All private contracts entered into by Anderson County Emergency Medical Service to be performed within the corporate boundaries of a municipality shall be approved by the governing body of the area to be served and the Anderson County Legislative Body.

SECTION IV: Agreement with other Counties

The Anderson County Emergency Medical Service may also enter into agreements with other surrounding counties to provide and operate an ambulance service within another county or portions of other counties, but only with the express consent and approval of the Anderson County Legislative Body and the governing body of the county to be served.

SECTION V: Agreement with Private Entities

The Anderson County Emergency Medical Service may contract with private entities, and health care facilities for patient transport services subject to the approval of the Anderson County Legislative Body and governing body of the area to be served.

SECTION VI: Private, Nonprofit Service Must Obtain Local License

No other private, nonprofit or governmental ambulance service may operate within the unincorporated areas of Anderson County, except with the proper local licensing, compliance with all requirements contained herein, and the express permission of the Anderson County Legislative Body or its designee, the Anderson County Emergency Medical Service.

SECTION VII: Authority to Defer Calls to Other Licensed Services

The Anderson County Emergency Medical Service is hereby declared to be the primary ambulance service provider in Anderson County and all calls for patient transport services must first be referred to this agency and will be handled by this agency, provided that the Anderson County Emergency Medical Service may at any time necessary, depending on call volume, staff, ambulance and equipment availability, defer a call for patient transport services to another private, nonprofit or governmental ambulance service authorized and licensed by Anderson County Government. If Anderson County Emergency Service is not capable of fulfilling a request for transport due to staff, certification and/or equipment the Director of supervisor may defer that call to a service that is capable of fulfilling the requirements of the call. This is a temporary allowance solely for the transport of that one specific call.

SECTION VIII: Deferred Calls, Local License Required

Only those private or nonprofit ambulance services properly licensed and meeting all county requirements and regulations outlined below will be allowed to handle deferred calls for service arising within Anderson County.

SECTION IX: Patient's Private Right to Select

Nothing contained within this Resolution shall be interpreted as restricting or interfering with the right of the individual patient to select a private person for their personal patient transport needs, so long as, in the case of a private request for a particular ambulance service, the ambulance service requested must meet the requirements of this Resolution and is licensed by Anderson County.

SECTION X: No Interference with Emergency Medical Care

At no time shall the provisions of this Resolution operate to impede the practical and proper medical care and emergency patient transport needs of any patient, provided that a valid medical necessity was in existence at the time, if and when the decision was made to use an alternative patient transport service provider.

SECTION XI: No Denial of Service

No ambulance service or patient transport service licensed and operating in Anderson County shall deny emergency medical treatment or patient transportation services to any individual based on that individual's race, creed, sex, national origin, religious belief, insurance coverage, ability to pay, or any other discriminatory practice. Ambulance services shall be available to all requestors inside the boundaries of Anderson County commensurate with the terms and provisions of this Resolution.

SECTION XII: A.C.E.M.S. Procedure to Defer Calls for Service

At all times any emergency medical or patient transport calls received by the Anderson County E-911 communications center shall be first referred to the Anderson County Emergency Medical Service. The director or supervisor on duty for the A.C.E.M.S. shall have the discretion to accept or defer any call received by the agency dependent upon existing call volume, prioritization of calls, staff, ambulance and equipment availability. Deferred calls shall be transmitted immediately and without delay to a locally licensed private or nonprofit ambulance service authorized to operate in the county. Anderson County Emergency Medical Service shall at all times utilize a system that is fair and impartial in the selection of a private or nonprofit ambulance service to handle deferred calls for service.

SECTION XIII: Fees Shall Be Reasonable

Fees and total charges for all ambulance services licensed and operating in Anderson

County shall at all times be reasonable and competitive within the metropolitan Knoxville area, and shall be subject to annual discretionary review by the Anderson County Legislative Body.

SECTION XIV: Health Care Facilities

All health care facilities, including, but not limited to, hospitals, clinics, nursing homes, assisted care or homes for the aged shall consider the Anderson County Emergency Medical Service as the primary service provider of patient transport needs in Anderson County and shall at all times respect and adhere to the terms of this Resolution. Subject to the individual patient's request for a particular person, private, nonprofit, or government operated ambulance service to meet that individual's private patient transport needs, all calls for ambulance service or patient transport needs shall be transmitted to the Anderson County Emergency Medical Service as the primary ambulance provider. The Anderson County Emergency Medical Service shall handle the call for service within a reasonable period of time depending on the priority status of the call, provided that the Anderson County Emergency Medical Service currently has the available resources, dependent upon, but not limited to, call volume, staff, ambulance and equipment availability in operation to properly and safely handle the call. If resources are currently not available from the Anderson County Emergency Medical Service to properly and safely handle the call, the A.C.E.M.S. may then defer to another state and locally licensed ambulance service approved to conduct Anderson County patient transport services. Only those locally approved ambulance services will be allowed to operate, conduct patient transport services, and handle deferred calls from the A.C.E.M.S. within Anderson County.

SECTION XV: State License Required

All locally licensed ambulance services operating in Anderson County must be certified and properly licensed by the Tennessee Department of Health - Emergency Medical Service guidelines and regulations.

SECTION XVI: Vehicles Must Comply with State and Local Laws

All vehicles providing ambulance service within the boundaries of Anderson County shall adhere to the laws of the State of Tennessee regarding emergency medical and patient transport requirements, licensing, traffic laws regarding responses to emergencies, provisions of this Resolution and the following rules and regulations adopted by the Anderson County Legislative Body.

SECTION XVII: Local Vehicle Regulations

All vehicles providing ambulance, and/or patient transport services, except those operated by private citizens pursuant to an individual private patient's request, must conform and comply with all requirements of current and contemporaneous Tennessee law, and the following locally adopted mandates:

- A) All vehicles must conform to the Tennessee Department of Health Regulations concerning specifications, licensing and equipment.
- B) Each primary ambulance shall be inspected for maintenance, repair purposes and compliance with the mandated ambulance inventory of equipment and supplies as regulated by the State EMS Board. The inspection shall be done by the crew assigned to this unit prior to being placed into service and/or immediately after crew changes. All back up units must be inspected every 72 hours at a minimum; once a back up unit is placed into service it must meet the standards assigned to a primary unit until it is designated to the status of back up.
- C) All ambulances must be properly staffed, capable of responding to, and equipped to handle emergency calls and natural disasters when needed and requested by Anderson County Government, Emergency Management Director or the Anderson County Emergency Medical Service.

- D) Each ambulance must be equipped with a two-way radio system for both communications with their base dispatcher, hospitals, Anderson County Emergency Medical Service, 911 Call Center, and Emergency Management Director from both inside and outside the ambulance on VHF, UHF, and/or 800 MHz frequencies or such other additional frequencies as may be designated from time to time by the FCC Coordinator.
- E) Provisions of this Resolution shall not preclude Invalid Transport as defined by Tennessee Department of Health, Emergency Medical (TDH-EMS) guidelines, so long as such Invalid Transport conforms to all state or locally adopted regulations.
- F) Ambulances must have available all necessary equipment needed to allow the ambulance to travel safely in adverse or inclement weather conditions. Each service licensed in Anderson County shall comply with the Anderson County Inclement Weather Policy and associated provisions of the Anderson County Emergency Management Agency guidelines and directives.
- G) Each ambulance must be housed inside, and kept in an environment as to maintain the interior temperature of the ambulance between forty degrees (40°) and ninety degrees (90°) at all times.
- H) Each ambulance shall display the company name and ambulance identification number on both exterior sides of the vehicle's body with a minimum size four (4) inch block letters. Letters should contrast with the primary body color of the vehicle and should be easily readable from a distance of one hundred (100) feet.
- I) All ambulances and equipment shall be kept clean and sanitary at all times. Staff shall be continuously supplied with cleaning equipment, supplies and an area suitable for cleaning and disinfecting the ambulance.
- J) Ambulances shall be no more than seven (7) years old from the date of new sale or have no more than two-hundred and fifty thousand (250,000) miles on the odometer, except for established and dedicated back-up units.
- K) All vehicles must comply at all times with state guidelines for maintenance adopted by the Tennessee Department of Health and Tennessee Department of Transportation.
- L) An ASE certified Master Automotive Technician and/or Emergency Vehicle Technician must maintain all vehicles.
- M) Ambulances shall undergo regularly scheduled preventative maintenance and repaired immediately when operational deficiencies are identified and reported by staff. A copy of the preventative maintenance program must be submitted to Anderson County Emergency Medical Service prior to being licensed to operate in Anderson County

SECTION XVIII: Drivers and Attendants

All drivers and attendants must meet the following requirements:

- A) Any ambulance used by a licensed service provider for patient transport services in Anderson County shall conform to all Class A ambulance standards as defined by the Tennessee Department of Health, Division of Emergency Medical Services (TDH-EMS), and must be staffed with a minimum of a Paramedic and an Emergency Medical Technician who is IV certified and licensed, during a response to all emergency patient transport calls. Basic Life Support units shall consist of no less than two (2) Emergency Medical Technicians with IV certification. Critical care hospital transfers must be made by Paramedics approved in twelve (12) lead EKG interpretation and/or currently licensed as a Critical Care Paramedic, and additionally certified by ACLS (Advanced Cardiac Life Support), PHTLS (Pre-Hospital Trauma Life Support) or BTLS (Basic Trauma Life Support), PALS (Pre-Hospital Advanced Life Support) or ALS PEPP (Pediatric Education for Pre-Hospital Professionals) when applicable to the transport involved. Paramedics conducting Advanced Life Support transports must be certified in ACLS, PHTLS or BTLS and PALS or ALS PEPP.
- B) Any service requesting certification by Anderson County shall have no person designated as shift supervisor/operations supervisor with a certification level lower than Paramedic. Assistant supervisors must also be a certified Paramedic, unless that assistant supervisor is not overseeing any Paramedics; then that assistant supervisor must be of equal or greater certification to the crews they supervise.
- C) Each Emergency Medical Technician and Paramedic shall be physically able to perform the tasks associated with patient rescue, medical treatment and patient transport.
- D) Each Emergency Medical Technician and Paramedic shall be clean in appearance and dress, and shall at all times display his/her name, certification and company/agency name in an appropriate manner on their uniform. Uniform dress for all personnel is required with an insignia or patch displaying the name of the company or agency on the shirt.
- E) Any service requesting certification shall have only licensed Emergency Medical Technicians with IV and/or Paramedics providing patient care and transport services.
- F) Any service requesting certification by Anderson County shall provide a description of their training program, including training requirements for new employees, continuing education requirements and employee evaluation programs.
- G) Any service requesting certification by Anderson County Emergency Medical Service shall provide a copy of their annual State EMS audit to verify compliance of personnel certification, licensing and training no later than June 30th each year.

SECTION IXX: Certification Documents

Each ambulance service requesting certification and licensing in Anderson County shall provide the following documents prior to being considered or receiving certification for local licensing.

- A) The full name and address of the applicant and the owner or owners of the business.
- B) The trade or other business name(s) in which the applicant does business or proposes to do business under and verification of name registration from the Tennessee Secretary of State.
- C) The training or experience of the applicant in the transportation and care of patients, with a minimum requirement of two (2) years experience operating an ambulance service.
- D) A list of employees including current copies of certifications as Emergency Medical Technicians, Paramedics, Cardio Pulmonary Resuscitation, and other specific advanced certification documents, state license number, motor vehicle record, criminal record and a copy of the employee's Tennessee drivers license.
- E) A description of each ambulance to be utilized in Anderson County including the make, model, year of manufacture, current odometer reading, State EMS permit number, vehicle identification number, primary body color, and the length of time the vehicle has been owned by the applicant or company and the amount of years the vehicle has been in service. The applicant shall provide each of the items to the Director of the Anderson County Emergency Medical Service prior to county license being granted.
- F) The location and address of the company office in Anderson County and the primary office address of the company.
- G) Phone numbers to access patient transport services, management and supervisors twenty-four (24) hours per day.
- H) Accurate financial records to describe the company's current and historic financial condition.
- I) Copies of all insurance policies in effect and required under Section XXV.
- J) Copies of registration documents with the Tennessee Secretary of State.
- K) Copies of the corporate charter and bylaws or the like for the business organization.
- L) Name, address and phone number of the individual selected for service of legal process.
- M) Name and address of all shareholders/owners holding five percent (5%) or more of the company's shares or ownership assets.
- N) A copy of the State of Tennessee Department of Health license and rating.
- O) A completed inventory checklist for all vehicles currently in service.
- P) A copy of the Drug Enforcement Administration license.

- Q) The name and address of the medical director employed by the service.
- R) Each service must provide any documentation requested to verify compliance with any section or term included in this Resolution.
- S) Each service operating in Anderson County shall certify annually that it meets all regulations contained in this Resolution and shall update records on file with the Anderson County Emergency Medical Service as needed.

SECTION XX: Vehicle Inspections

All ambulances licensed in Anderson County, and equipment and supplies contained therein are subject to annual inspection during regular business hours by the Anderson County Emergency Medical Services Director or his or her designee. Inspections may be random and unannounced, without prior notice. The annual inspection fee for each vehicle is one hundred dollars (\$100.00) payable to Anderson County Government on or before December 31st of each calendar year. If a vehicle fails the inspection it will be taken out of service immediately and shall remain out of service until the deficiencies have been corrected and the vehicle re-inspected for compliance and approved for service by the Anderson County Emergency Medical Service Director or his or her designee. The re-inspection fee for each vehicle found to be in violation of this Resolution shall be one hundred dollars (\$100.00) for each re-inspection.

SECTION XXI: Records Compliance Inspection

All specified business records of ambulance services licensed in Anderson shall be subject to annual compliance inspections conducted by the Anderson County Emergency Medical Service Director, or his or her designee. Inspected documents shall include, but not limited to, the following business records of the company: call logs, response time verification forms, daily inventory forms, dispatch records, personnel training and certification forms, vehicle maintenance records, radio maintenance records and current licensing documents, public complaints regarding the ambulance service while operating in Anderson County, insurance documents, Drug Enforcement Administration license, a copy of all fees and rates charged to citizens of Anderson County and all state required licenses.

SECTION XXII: Other Inspections - All vehicles, equipment and required reports shall be available at all times during regular business hours for inspection by the Anderson County Emergency Medical Service Director, or his or her designee, and/or the Regional Emergency Medical Service Coordinator.

SECTION XXIII: Must Respond to Emergencies and Disasters

All providers of service in Anderson County are required, in all cases of disaster or emergency drill preparedness, to respond to all requests for service from the Anderson County Government, Anderson County Emergency Medical Service, Anderson County Emergency Management Agency and report for coordination and training when requested to do so by the Director of the Anderson County Emergency Medical Service or the Incident Commander on scene.

SECTION XXIV: Insurance Coverage

All ambulance services operating in Anderson County shall maintain the minimum insurance coverage as required by the State of Tennessee per incident for malpractice, per incident for automobile insurance, and for professional liability and must maintain the statutory minimum limits on worker's compensation insurance. The insurance company must be authorized and licensed to operate in the State of Tennessee. Proof of insurance shall be made available to the Anderson County Emergency Medical Service Director prior to local license being granted.

SECTION XXV: Restrictions on Trade Name

No ambulance service operating in Anderson County shall use or advertise the words "Anderson County" as a part of its trade or business name.

SECTION XXVI: Restrictions on Telephone Numbers; Display of 911

No private or nonprofit ambulance service or patient transport provider shall display or advertise a seven (7) or ten (10) digit telephone number for emergency calls for service. All services shall include the "911" number for emergency calls in any advertising and shall not represent that another telephone number other than "911" should be used to request an emergency ambulance. Any advertising or document, letter head, business card, brochures distributed or generated by the private or nonprofit ambulance service that includes the company's seven (7) or ten (10) digit telephone number should also include a statement or reference that "911" should be used to call for emergency medical care and transportation purposes.

SECTION XXVII: Monitoring Radio Frequency to Obtain Calls

No private or nonprofit ambulance service, or agent thereof, shall cause or permit any ambulance to be dispatched on the basis of information received and obtained by monitoring a radio frequency assigned to law enforcement, ambulance service, rescue squad or other governmental or public agency, except pursuant to specific request and prior arrangement with the coordinating agency responsible for dispatching emergency ambulances.

SECTION XXVIII: Physician Medical Director

All services licensed and operating in Anderson County must designate and identify the name, address and phone number of the medical director on staff. All medical directors must be Tennessee licensed physicians and board certified in emergency medicine. The appointed medical director shall at all times work in conjunction with the Anderson County Emergency Medical Service to ensure that the medical treatment and transport protocol standards approved by A.C.E.M.S. are being properly followed by the licensed service and its staff personnel.

SECTION XXIX: Dispatcher and Dispatch Center Required

Each service licensed and operating in Anderson County shall provide at all times for a twenty-four (24) hour per day dispatch center and on-duty dispatcher for communication purposes. Dispatchers shall work no more than twelve (12) hour daily shift assignments. All dispatchers are required to be trained in the operation of, and continually monitor while on duty, a telephone device for the deaf (TDD); have posted a security bond for no less than fifty thousand dollars (\$50,000.00); and must pass a background check provided for and paid by the employing agency. Dispatch center must have standard operating procedures in place for handling all calls and providing for multiple means of communication with Anderson County Government and the Anderson County Emergency Medical Service. A back-up or emergency radio and electrical generation system must be in place at the dispatch center and available for use at all times.

SECTION XXX: Local Business Office

Each service licensed or currently operating in Anderson County must provide for a local business office in Anderson County open to the public between the hours of 9:00 A.M. and 5:00 P.M. for the purpose of paying bills, acceptance of complaints and conducting business with the company. The address and phone number of the local Anderson County office shall appear in any advertising, billing information or company brochure distributed or addressed for delivery in Anderson County.

SECTION XXXI: Medicare Approved

Each locally licensed ambulance service, or service operating in Anderson County must be Medicare enrolled and currently approved to provide Medicare reimbursable services. The current Medicare provider number shall be on prominent display in the public portion of the business office of the service at all times the office is open to the public. All services shall be setup to complete electronic billing for Medicare approved patients and shall be able to provide copies of Medicare and other insurance billings to the patient upon request.

SECTION XXXII: Penalties

Violations of this Resolution are enforceable in General Sessions, Chancery or Circuit Courts of Anderson County. All violations of this Resolution shall be reported immediately to the Anderson County Emergency Medical Service Director for review and enforcement action. Convictions for violations of this Resolution may carry possible license suspension, revocation or monetary civil fines, remedial and restitutional in nature, not to exceed five-hundred dollars (\$500.00) or punitive fines not to exceed fifty dollars (\$50.00), without trial by jury, for each offense the violator is convicted thereof. Each particular definable offense or each day a continuing offense is allowed to continue constitutes a separate and enforceable act.

SECTION XXXII: Conflict with Other Laws

If a particular provision of this Resolution conflicts with a provision of federal or state law, the federal or state law shall be controlling with regard to that particular provision in conflict only. Prior provisions of past county resolutions in conflict with any particular provision contained herein are hereby repealed, and this Resolution should be considered the controlling document with regard to the subject matter covered.

SECTION XXXIV: Severability

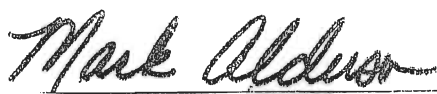
If any section, subsection, sentence, clause, phrase or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such language or portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity or the remaining portions thereof, unless so noted by the court.

SECTION XXXV: Effective Date - This Resolution shall take effect immediately, the public welfare requiring it.

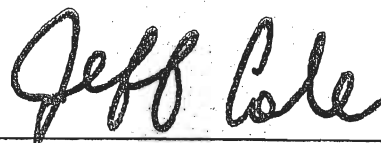
RESOLVED this 18th day of April, 2011

APPROVED:

ATTEST:



Mark Alderson, Chairman
County Commission



Jeff Cole, County Clerk




Myron Iwanski, County Mayor

35. Commissioner McKamey moved to refer to Budget Committee to address the Equalization of Commissioners wages and benefits. Seconded by Commissioner Wandell. Motion carried by voice vote.



Mark Alderson, Chairman
County Commission



Jeff Cole
County Clerk