

**ANDERSON COUNTY
REGULAR SESSION
COUNTY COMMISSION
OCTOBER 21, 2019**

BE IT RESOLVED THAT THE ANDERSON COUNTY COMMISSION MET IN REGULAR SESSION ON OCTOBER 21, 2019 WITH THE FOLLOWING COMMISSIONERS PRESENT: CHUCK FRITTS, TRACY WANDELL, ROBERT JAMESON, RICK MEREDITH, DENVER WADDELL, JOSH ANDERSON, SHAIN VOWELL, TIM ISBEL, ROBERT MCKAMEY, JERRY WHITE, CATHERINE DENENBERG, STEVE MEAD, JERRY CREASEY, THERESA SCOTT, PHIL YAGER AND BOB SMALLRIDGE. ABSENT: NONE.

Prayer was led by Commissioner Vowell.

Pledge of Allegiance led by Commissioner White.

1. Commissioner Mead made a motion to add the Legislature Committee Minutes to the Consent Agenda as Item 5h. Seconded by Commissioner Yager. Motion carried by voice vote.

Commissioner Scott made a motion to take off of the Consent Agenda the request by the Clinton High School Choir for a donation and move it to the Regular Agenda under the Director of Schools Report. Seconded by Commissioner Yager. Motion carried by voice vote.

Motion carried by voice vote to approve Consent Agenda as amended.

- Approval and Corrections of September 16, 2019 County Commission Minutes
- Notary and Notary Bonds
- Courtesy Resolutions and Proclamations(Exhibit A)
 - Proclamation-Bill Capshaw
 - Resolution-Red Ribbon Week
 - Resolution-Robin Biloski
 - Resolution-Tom Marshall
- Committee Reports
 - Anderson County Employee Insurance BOT Minutes(7/17/19)(8/29/19)(10/2/19)
 - Anderson County Fire Commission Minutes(9/10/19)
 - HR Advisory Board Minutes(10/4/19)
 - IT Advisory Board Minutes(9/17/19)
 - Anderson County Library Board Minutes(8/15/19)(9/19/19)
 - Rocky Top Library Monthly Report
 - Clinton Public Library Monthly Report
 - Briceville Public Library Monthly Report
 - Clinch River Regional Library Report
 - Veterans Service Advisory Committee Minutes(10/7/19)
 - Road Committee Minutes(10/14/19)
 - Legislature Committee Minutes

Notaries

Lisa Kay Armes

Donna Card

Bethany A Bisceglia

Brittney Lynn Carpenter

Sarah Hugh Boring

Alyssa Duncan

Samantha Bowman

Dawn Flatford

Frances M Fontenot
Joseph Paul Fuller
Angelia Smiddy Herrell
Jessica Johnson
Matthew Livingston
Robbie H Lowe

Paula S McQueen
James R Miller Jr.
Tabatha Sellers
Elizabeth Lynne Smith
Cheryl Stallings

Notary Bonds

Western Surety

Autumn Lawson
Zain Hashmi
Heather Collins
Linda Qualls
Monica Spurlock
Roger J Flynn
Angie Buck

CBIC

Emily Sawyer
Chelsey Avila
Melody B Conner
Crystal Borum

Colonial Surety Co

Holly K Nehls

Sentry

Elisa Evett Seiber
Machel G Shrader

Travelers

Katherine Endsley
Cheryl A Hill

Auto Owners Ins

Cynthia G Gordon
Susan Lloyd
Belinda Jill Waters

RLI

Lisa Garner
Xavier Taylor

State Farm

Brandy Neal
Kelsey Williams
Jared Graap

SBCA

Summer Stevie Jones
Hazel Day
Charles Timothy Melton
Chad H Isabell
Jennifer R Rutherford

2. Commissioner Anderson made a motion to add under Old Business to reaffirm the February 19, 2019 County Commission Minutes in particular the TIF for the Marriott Hotels. Seconded by Commissioner McKamey. Motion carried by voice vote.

Commissioner Anderson made a motion to move up from Operations Committee Report the discussion of the property transfer of remaining property from Convenience Center at David Jones Industrial Parkway to item 6b. Seconded by Commissioner McKamey. Motion carried by voice vote.

Commissioner McKamey made a motion to add beneath Budget Committee report the discussion of giving the Mayor the authorization to negotiate with the City of Clinton pertaining to the Senior Center. Seconded by Commissioner Denenberg. Motion carried by voice vote.

Regular Agenda approved by voice vote as amended.

Purchasing Committee

3. Commissioner White made a motion to approve the following contracts. Seconded by Commissioner Scott. Motion carried by voice vote.

- ASAP, Juvenile Court-Addendum to add budget plan to the Grant subcontract for case management.
- Canon, IT Department-Five year lease for copier.
- Pitney Bowes, County Clerk-Five year lease of postage meter for Oak Ridge office.
- Canon, Rocky Top Library-Five year lease of copier.

4. Commissioner Yager made a motion to approve to surplus capital asset 2004 Chevy Impala from the Property Assessor. Seconded by Commissioner Scott. Motion carried by voice vote.

5. Commissioner Scott made a motion to approve to surplus a capitl asset a 7 pan electric steamer from School Nutrition. Seconded by Commissioner Meredith. Motion carried by voice vote.

6. Commissioner Scott made a motion to refer to Purchasing Committee a contract with AVESTA for the EMS Department. Seconded by Commissioner Jameson. Motion carried by voice vote.

7. Commissioner Fritts made a motion to approve a contract for the Sheriff's Department with City Tele-Coin Company Inc. for video visitation services. Seconded by Commissioner Yager.

Commissioner Scott made a motion to refer the contract to the Purchasing Committee. Seconded by Commissioner Creasey. Motion carried by voice vote. Voting no: Fritts and Mead.

Budget Committee

8. Commissioner Fritts made a motion to approve the following school appropriations. Seconded by Commissioner Meredith. Voting aye: Fritts, Wandell, Jameson, Meredith, Waddell, Anderson, Vowell, Isbel, McKamey, White, Denenberg, Mead, Creasey, Scott, Yager and Smallridge. Voting no: none. Absent: none. Motion passed.

Decrease Reserve Code:

| | | |
|-----------|-------------------------|-------------|
| 141-39000 | Unassigned Fund Balance | \$10,993.00 |
|-----------|-------------------------|-------------|

(amendment will be from 141-34555 Restricted for Education and a JE will replenish the reserve for 39000)

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|---|--|--------------|
| <u>Increase Expenditure Code:</u> | | |
| 141-72120-499-COSH | Other Supplies & Materials | \$10,993.00 |
| <u>Decrease Reserve Code:</u> | | |
| 141-39000 | Unassigned Fund Balance | \$10,188.00 |
| (amendment will be from 141-34555 Restricted for Education and a JE will replenish the reserve for 39000) | | |
| <u>Increase Expenditure Code:</u> | | |
| 141-72120-499-TOB | Other Supplies & Materials | \$10,188.00 |
| <u>Decrease Reserve Code:</u> | | |
| 141-39000 | Unassigned Fund Balance | \$2,851.00 |
| (amendment will be from 141-34555 Restricted for Education and a JE will replenish the reserve for 39000) | | |
| <u>Increase Expenditure Code:</u> | | |
| 141-73300-499 | Other Supplies & Materials | \$2,851.00 |
| <u>Increase Expenditure Code:</u> | | |
| 141-99100-590 | Transfers Out | \$100,000.00 |
| <u>Decrease Reserve Code:</u> | | |
| 141-39000 | Unassigned Fund Balance | \$100,000.00 |
| (amendment will be from 141-34615 Committed for Finance and a JE will replenish the reserve for 39000) | | |
| <u>Decrease Reserve Code:</u> | | |
| 141-39000 | Unassigned Fund Balance | \$200,000.00 |
| (amendment will be from 141-34660 Committed for Instruction-Reserve and a JE will replenish the reserve for 39000) | | |
| <u>Increase Expenditure Code:</u> | | |
| 141-71100-449 | Regular Instruction Program-Textbooks | \$200,000.00 |
| <u>Decrease Reserve Code:</u> | | |
| 141-39000 | Unassigned Fund Balance | \$41,500.00 |
| (amendment will be from 141-34675 Committed for Capital Outlay and a JE will replenish the reserve for 39000) | | |
| <u>Increase Expenditure Code:</u> | | |
| 141-72620-399 | Maintenance of Plant- Other Contracted Services | \$41,500.00 |

9. Commissioner Fritts made a motion to approve the following school transfers. Seconded by Commissioner Denenberg. Voting aye: Fritts, Wandell, Jameson, Meredith, Waddell, Anderson, Vowell, Isbel, McKamey, White, Denenberg, Mead, Creasey, Scott, Yager and Smallridge. Voting no: none. Absent: none. Motion passed.

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| <u>Increase Expenditure Code:</u> | | |
| 141-71100-185 | Regular Instruction-Educational Incentives | \$19,200.00 |
| <u>Decrease Expenditure Code:</u> | | |
| 141-71100-599 | Regular Instruction- Other Charges | \$19,200.00 |
| <u>Increase Expenditure Code:</u> | | |
| 141-72220-124 | Psychological Personnel | \$6,000.00 |

Decrease Expenditure Code:

141-71200-429 Instructional Supplies & Materials \$6,000.00

10. Commissioner Fritts made a motion to approve the following non-school appropriations. Seconded by Commissioner Jameson. Voting aye: Fritts, Wandell, Jameson, Meredith, Waddell, Anderson, Vowell, Isbel, McKamey, White, Denenberg, Mead, Creasey, Scott, Yager and Smallridge. Voting no: none. Absent: none. Motion passed.

Increase Revenue Code:

101-47590-5500 Other Federal Thru State \$4,827.80

Increase Expenditure Code:

101-54110-716 Law Enforcement Equipment \$4,827.80

Decrease Reserve Code:

115-34535-2001 Local Restricted Reserve \$57,980.83

Increase Expenditure Codes:

115-56500-335-2000 Building Maintenance \$47,030.39

115-56500-711-2001 Furniture 10,950.44

Total Increased Expenditures \$57,980.83

Decrease Reserve Code:

115-34535 Restricted Library Board Reserves \$2,250.00

Increase Reserve Code:

115-34535-4001 Restricted Norris Local \$2,250.00

Decrease Reserve Code:

115-34535-3001 Local Committed Funds \$17,042.72

Increase Expenditure Codes:

115-56500-432-3001 Books \$3,000.00

115-56500-709-3001 Data Processing Equipment 9,042.72

115-56500-719-3001 Office Equipment 5,000.00

Total Increased Expenditures \$17,042.72

Increase Expenditure Code:

101-62000-402 Asphalt \$500,000.00

Decrease Reserve Code:

131-34550 Restricted for Highway \$500,000.00

Decrease Reserve Code:

116-34530 Restricted for Public Health & Welfare \$2,590.00

Education & Outreach Grant

Increase Expenditure Codes:

116-55732-499-EDU Other Supplies & Materials EDU \$2,590.00

Decrease Reserve Code:

116-34530 Restricted for Public Health & Welfare \$6,000.00

Increase Expenditure Codes:

116-55732-399-GLALP Other Contracted Services GLALP \$6,000.00

Decrease Reserve Code:

118-39000 Unassigned Fund Balance \$12,178.28

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| <u>Increase Expenditure Code:</u> | | |
| 118-55130-70 | Communications | \$12,178.28 |
| <u>Increase Expenditure Code:</u> | | |
| 171-91130-790-MPOOL | Public Safety Projects-Other Equipment - Motor Pool | \$19,000.00 |
| <u>Decrease Reserve Code:</u> | | |
| 171-34575 | Restricted for Capital Outlay- Property Tax Revenue | \$19,000.00 |
| <u>Increase Revenue Code:</u> | | |
| 101-44120-0015 | Emory Valley Center | \$6,906.00 |
| <u>Increase Expenditure Codes:</u> | | |
| 101-51300-169 | County Mayor- Part-Time | \$6,415.00 |
| 101-51300-201 | County Mayor Social Security | 398.00 |
| 101-51300-212 | County Mayor Medicare | 93.00 |
| | Total Increased Expenditures | \$6,906.00 |
| <u>Increase Expenditure Code:</u> | | |
| 101-55120-399 | Other Contracted Services | \$15,000.00 |
| <u>Decrease Reserve Codes:</u> | | |
| 101-39000 | Unassigned Fund Balance | \$8,000.00 |
| | (amendment will be from 101-34530-ANML and a JE will replenish the reserve for 39000) | |
| 101-39000 | Unassigned Fund Balance | \$7,000.00 |
| | (amendment will be from 101-34630-2000 and a JE will replenish the reserve for 39000) | |
| | Total Decreased Reserves | \$15,000.00 |
| <u>Increase Expenditure Code:</u> | | |
| 101-51910-399 | Other Contracted Services | \$5,887.00 |
| <u>Decrease Reserve Code:</u> | | |
| 101-39000 | Unassigned Fund Balance | \$5,887.00 |
| | (amendment will be from 101-34510-ARCHV and a JE will replenish the reserve for 39000) | |
| <u>Increase Expenditure Code:</u> | | |
| 171-58500-316 | Contributions to Other Agencies- Contributions | \$3,000.00 |
| <u>Increase Revenue Code:</u> | | |
| 171-49800 | Transfers In | \$3,000.00 |
| <u>Increase Expenditure Code:</u> | | |
| 101-58900-399-ADATR | Miscellaneous-Other Contracted Services- ADA Transition Plan | \$9,387.00 |
| <u>Decrease Reserve Code:</u> | | |
| 131-39000 | Unassigned Fund Balance | \$9,387.00 |
| | (amendment will be from 101-34710-3000 and a JE will replenish the reserve for 39000) | |

11. Commissioner Fritts made a motion to approve the following non-school transfers. Seconded by Commissioner Scott. Voting aye: Fritts, Wandell, Jameson, Meredith, Anderson, Vowell, Isbel, McKamey, White, Denenberg, Mead, Creasey, Scott, Yager and Smallridge. Voting no: none. Absent: none.

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| <u>Increase Expenditure Code:</u> | | |
| 101-51240-167 | Maintenance Personnel | \$8,200.00 |
| <u>Decrease Expenditure Codes:</u> | | |
| 101-51240-169 | Part-Time Help | \$8,000.00 |
| 101-51240-499 | Other Supplies & Materials | <u>200.00</u> |
| | Total Increased Expenditures | \$8,200.00 |
| <u>Decrease Expenditure Code:</u> | | |
| 101-51400-307 | Law Director Communication | \$2,263.45 |
| <u>Increase Expenditure Codes:</u> | | |
| 101-51400-399 | Law Director Other Contracted Services | \$1,263.45 |
| 101-58900-307 | Misc. Communications- Main Phone Bill | <u>1,000.00</u> |
| | Total Increased Expenditures | \$2,263.45 |
| <u>Increase Expenditure Code:</u> | | |
| 101-53400-162 | Chancery Court- Clerical Personnel | \$3,038.00 |
| <u>Decrease Expenditure Code:</u> | | |
| 101-53400-169 | Chancery Court- Part- Time Help | \$3,038.00 |

12. Commissioner Fritts made a motion to approve the following general fund unassigned fund balance appropriations. Seconded by Commissioner Denenberg. Voting aye: Fritts, Wandell, Jameson, Meredith, Waddell, Anderson, Vowell, Isbel, McKamey, White, Denenberg, Mead, Creasey, Scott, Yager and Smallridge. Voting no: none. Absent: none. Motion passed.

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| <u>Increase Expenditure Code:</u> | | |
| 101-51720-399-LOST | Other Contracted Services | \$4,200.00 |
| <u>Decrease Reserve Code:</u> | | |
| 101-39000 | Unassigned Fund Balance | \$4,200.00 |
| <u>Increase Expenditure Code:</u> | | |
| 101-99100-590-MVCA | Transfers Out | \$3,000.00 |
| <u>Decrease Reserve Code:</u> | | |
| 101-39000 | Unassigned Fund Balance | \$3,000.00 |
| <u>Increase Expenditure Codes:</u> | | |
| 101-53400-162 | Chancery Court- Clerical Personnel | \$6,094.00 |
| 101-53400-201 | Social Security | 378.00 |
| 101-53400-212 | Medicare | <u>88.00</u> |
| | Total Increased Expenditures | \$6,560.00 |
| <u>Decrease Reserve Code:</u> | | |
| 101-39000 | Unassigned Fund Balance | \$6,560.00 |
| <u>Increase Expenditure Codes:</u> | | |
| 101-56300-359 | Senior Citizens Assistance- Disposal Fees | \$1,200.00 |
| 101-56300-425 | Senior Center Assistance- Gasoline | <u>400.00</u> |
| | Total Increased Expenditures | \$1,600.00 |
| <u>Decrease Reserve Code:</u> | | |
| 101-39000 | Unassigned Fund Balance | \$1,600.00 |
| <u>Increase Expenditure Codes:</u> | | |
| 101-54900-307-0100 | Communications- Cellular/Pager Services | \$500.00 |

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|------------------------------------|---|-------------------|
| 101-54900-338 | Repairs and Maintenance Vehicles | \$560.00 |
| 101-54900-351 | Rent | 9,000.00 |
| 101-54900-399 | Other Contracted Services | 2,000.00 |
| 101-54900-425 | Gasoline | 500.00 |
| 101-54900-446 | Small Tools | 1,200.00 |
| 101-54900-450 | Tires and Tubes | <u>2,000.00</u> |
| | Total Increased Expenditures | \$15,760.00 |
| <u>Decrease Reserve Code:</u> | | |
| 101-39000 | Unassigned Fund Balance | \$15,760.00 |
| <u>Increase Expenditure Code:</u> | | |
| 101-51900-399 | Other General Administration- Other Contracted Services | \$35,000.00 |
| <u>Decrease Reserve Code:</u> | | |
| 101-39000 | Unassigned Fund Balance | \$35,000.00 |
| <u>Increase Expenditure Code:</u> | | |
| 101-51900-399-3311 | Other General Administration- Other Contracted Services-Legal Services | \$38,761.00 |
| <u>Decrease Reserve Code:</u> | | |
| 101-39000 | Unassigned Fund Balance | \$38,761.00 |
| <u>Increase Expenditure Codes:</u> | | |
| 101-58900-101 | Communication Director | \$10,000.00 |
| 101-58900-201 | Communication Social Security | 620.00 |
| 101-58900-204 | Retirement | 733.00 |
| 101-58900-209 | Short Term | 68.00 |
| 101-58900-212 | Medicare | <u>145.00</u> |
| | Total Increased Expenditures | \$11,566.00 |
| <u>Decrease Expenditure Code:</u> | | |
| 101-52600-169IT | Part-Time | \$7,455.00 |
| <u>Decrease Reserve Code:</u> | | |
| 101-39000 | Unassigned Fund Balance | <u>\$4,111.00</u> |
| | Total Decreased Codes | \$11,566.00 |

13. Commissioner Fritts made a motion to approve a Capital Outlay requests for Budget Year 19/20 of \$1,422,770.00. Seconded by Commissioner Jameson.

Commissioner Meredith made a motion to amend to add \$500,000.00 appropriation for the Highway Department for dump trucks. Seconded by Commissioner Mead. Motion carried by voice vote.

Commissioner Scott made a motion to take out the request for EMS for \$515,000.00 for ambulances. Seconded by Commissioner Creasey. Motion failed.

Voting aye for \$1,922,770.00 Capital Outlay requests for 19/20: Fritts, Wandell, Jameson, Meredith, Waddell, Anderson, Vowell, Isbel, McKamey, White, Denenberg, Mead, Creasey, Scott, Yager and Smallridge. Voting no: none. Absent: none.

14. Commissioner Meredith made a motion to approve as presented the Anderson County Compensation Plan. Seconded by Commissioner Scott. Motion carried by voice vote.

15. Commissioner McKamey made a motion to authorize the County Mayor to enter into negotiations with City Manager Roger Houck to obtain firm costs on maintenance and improvement needs, any ADA needs, and a firm offer on what costs would be shared between the city and county if the county uses the Armory as a senior center. In addition, I request that we authorize transfer of funds donated to the senior program for their building fund in the amount of \$3,000.00 for the Mayor to obtain an inspection and appraisal of the Faith Promise Mariner Point facility. I also request the Mayor obtain for us utility data for both the armory and the church and any other cost associated with use of each facility and set up dates for tours for both facilities. Seconded by Commissioner Jameson. Voting aye: Fritts, Wandell, Jameson, Meredith, Anderson, Vowell, Isbel, McKamey, Danenberg, Mead and Smallridge. Voting no: Waddell, White, Creasey, Scott and Yager. Absent: none. Motion passed.

16. Commissioner Mead made a motion to approve the the following appropriation for inspection for Senior Center. Seconded by Commissioner McKamey. Voting aye: Fritts, Wandell, Jameson, Meredith, Waddell, Anderson, Vowell, Isbel, McKamey, White, Denenberg, Mead, Scott and Smallridge. Voting no: Creasey and Yager. Absent: none. Motion passed.

Increase Expenditure Code

| | | |
|--------------------|---|------------|
| 101-56300-399SRBLD | Senior Citizens Assistance- Other Contracted Services/Sr Bldg | \$3,000.00 |
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Decrease Expenditure Code

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|----------------|--|------------|
| 101-48610SRBLD | Donations-Senior Center Bldg Donations | \$3,000.00 |
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17. Commissioner Mead made a motion to approve the following appropriation. Seconded by Commissioner Meredith. Voting aye: Fritts, Wandell, Jameson, Meredith, Waddell, Anderson, Vowell, Isbel, McKamey, White, Denenberg, Mead, Scott, Yager and Smallridge. Voting no: Creasey. Absent: none. Motion passed.

Increase Expenditure Code

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|---------------|---------------------------------------|----------------|
| 101-99100-590 | Transfer Out-Transfers to Other Funds | \$1,992,770.00 |
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Decrease Expenditure Code

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|-----------|------------|----------------|
| 101-39000 | Unassigned | \$1,992,770.00 |
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Increase Expenditure Code

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|-----------|--------------|----------------|
| 171-49800 | Transfers In | \$1,992,770.00 |
| | Total | \$1,992,770.00 |

Increase Expenditure Code

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|--------------------|--|-------------|
| 171-91130-790MPOOL | Public Safety Projects-Motor Pool-Other Equipment | \$9,000.00 |
| 171-91130-718ANML | Public Safety Projects-Animal Control-Motor Vehicle | \$40,170.00 |
| 171-91130-708SHERF | Public Safety Projects-Sheriff-Communication Equipment | \$65,000.00 |

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|--------------------|---|----------------|
| 171-91130-718EMA | Public Safety Projects-EMA- Motor Vehicle | \$120,000.00 |
| 171-91130-718SHERF | Public Safety Projects-Sheriff Motor Vehicle | \$450,000.00 |
| 171-91130-EMS | Public Safety Projects-EMS Other Equipment | \$223,600.00 |
| 171-91130-718EMS | Public Safety Projects-EMS Motor Vehicle | \$515,000.00 |
| 171-91130-714HWY | Public Safety Projects-HWY Motor Vehicle | \$500,000.00 |
| | Total | \$1,922,770.00 |

Departments

Delinquent Tax Attorney

No action at this time.

Operations

18. Commissioner Mead made a motion to transfer the remaining 9.24 acres located in the 17.08 acres not being used for the new Convenience Center in Anderson County Development Corporation for the purpose of negotiating the sale of Anderson County owned property to potential users. ACDC would only retain \$500.00 instead of the usual \$2,500.00 for each acre sold with the remaining going to Anderson County Government. Seconded by Commissioner Meredith. Voting aye: Fritts, Wandell, Jameson, Meredith, Waddell, Anderson, Vowell, Isbel, McKamey, White, Denenberg, Mead, Scott, Yager and Smallridge. Voting no: Creasey. Absent: none. Motion passed.

Director of Schools

19. Commissioner Scott made a motion that each commissioner donate \$100.00 from their Waste Management Funds to Clinton High School Choir which is a total of \$1,600.00 to perform at the state conference of the TN School Board Association in Nashville on November 17th. Seconded by Commissioner McKamey. Motion carried by voice vote.

Mayor

No action at this time.

Law Director

20. Commissioner Mead made a motion to approve resolution 19-10-772 to re-establish and levy a litigation tax and contribute beer board fines to create a continuous funding stream for the use and benefit of ASAP of Anderson. (Exhibit B) Seconded by Commissioner Scott. Motion carried by voice vote.

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Operations

21. Commissioner Isbel made a motion to defer to the November meeting the Ethics Committee Guidelines. Seconded by Commissioner Mead. Motion carried by voice vote.

22. Commissioner Mead made a motion for the Law Director to prepare a lease for the Senior Center the same as last year's lease with a month to month provision for one year with a 30 day cancellation notice. Seconded by Commissioner Scott. Motion carried by voice vote.

23. Commissioner Mead made a motion to approve the lease with the City of Clinton for 4.56 acres in Carden Farms Industrial Park for the new animal shelter. Seconded by Commissioner Scott. Motion carried by voice vote.

24. Commissioner Scott made a motion to install lights on Raccoon Valley road towards Claxton School to help with Claxton School Zone safety. Seconded by Commissioner Denenberg. Motion carried by voice vote.

Old Business

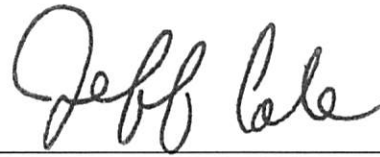
No action at this time.

New Business

No action at this time.



Tracy Wandell, Chairman
County Commission



Jeff Cole
County Clerk



EXHIBIT PAGE

OCTOBER 21, 2019

EXHIBIT A: RESOLUTION HONORING ROBIN BILOSKI, RESOLUTION HONORING TOM MARSHALL, RESOLUTION HONORING RED RIBBON WEEK AND PROCLAMTION FOR BILL CAPSHAW.

EXHIBIT B: RESOLUTION TO RE-ESTABLISH AND LEVY A LITAGATION TAX AND CONTRIBUTE BEER BOARD FINES TO CREATE A CONTINOUS FUNDING STREAM FOR THE USE AND BENENFIT OF ASAP OF ANDERSON.

***ALL ORIGINALS OF DOCUMENTS KEPT IN THE ANDERSON COUNTY CLERK'S CLINTON LOCATION LOCATED AT 100 N MAIN ST ROOM 111.**

Proclamation Anderson County Board of Commissioners Anderson County, Tennessee

WHEREAS, Bill Capshaw, a native of Oak Ridge, Tennessee, was born October 1, 1949, and attended elementary, junior high, and high school in Oak Ridge Schools. When he wasn't in the classroom, Bill could usually be found playing baseball or basketball, and he made the All Star Team during his junior year in high school; and

WHEREAS, Bill earned both Bachelor's and Master's degrees in fine arts from East Tennessee State University, and following college, he worked as an educator for a couple of years in Richmond, Virginia, before returning to Oak Ridge, where he was employed by Union Carbide Corporation, which was replaced by Lockheed Martin Energy Systems and later Bechtel Jacobs. Bill had a combined 30 years of government work experience when he retired; and

WHEREAS, in his spare time, Bill began teaching art classes at the Oak Ridge Art Center in 1977; he has served on the Art Center's Board of Directors and as Board president. Bill also played and sang with the re-grouped Soul Sanction Band that originally formed in high school. Currently, Bill is the lead vocalist for local favorite Boys Night Out; and

WHEREAS, in addition to his membership with the Oak Ridge Art Center, Bill is also a member of the Foothills Craft Guild, the Southern Highlands Craft Guild, the Tennessee Association of Craft Artists, and the Norris Area Craft Center. Bill has conducted art workshops at the Arrowmont School, Vanderbilt University, the Children's Museum of Oak Ridge, Virginia Intermont College, and a number of area middle and high schools; and

WHEREAS, he has participated in solo and group art shows throughout Tennessee and other areas, and his works have been included in the Governors' Inaugural Ball, countless fundraisers, and permanent collections, as well as private collections. Bill was named the 1998 Artist of the Year by the Arts Council of Greater Knoxville, and he established the Tennessee Governor's Arts Award in 2017; and

WHEREAS, Bill Capshaw has an extensive history of creating and sharing his love for art with the Oak Ridge and surrounding communities, and doing so has created a positive impact in countless lives through East Tennessee and the region.

NOW, THEREFORE, we, Anderson County Mayor Terry Frank and members of the Board of Anderson County Commissioners, in conjunction with the Aid to Distressed Families of Appalachian Counties (ADFAC), do hereby proclaim Saturday, November 9, 2019, as Bill Capshaw Day in Anderson County and join ADFAC in honoring Bill as the 2019 recipient of the prestigious Bill Wilcox Bow Tie Award for his selfless service to the community.

IN WITNESS WHEREOF, we have hereunto set our hands and caused the official seal of Anderson County to be affixed on this, the 21st day of October, 2019.







Mrs. Terry Frank, County Mayor *Tracy Mandell, Commission Chairman* *Jeff Cole, County Clerk*

Anderson County, Tennessee
Board of Commissioners

RESOLUTION NO. 19-10-778

A RESOLUTION HONORING ROBIN BILOSKI FOR HER NINE YEARS OF SERVICE AS AN
ANDERSON COUNTY COMMISSIONER AND HER CONTINUED DEDICATION TO ANIMAL
WELFARE PROGRAMS IN ANDERSON COUNTY

WHEREAS, Robin Biloski was first elected in 2006 as an Anderson County Commissioner, representing the citizens of District 8, which includes the Emory Valley, Hendrix Creek, and Woodland neighborhoods in Oak Ridge. She was re-elected to County Commission twice, and served until August 3, 2015, after she and her husband, Bill – both 19-year residents of Oak Ridge – made the decision to move to Madeira Beach, Florida; and

WHEREAS, Robin was the only female on the Anderson County Commission for eight years, and served for three years as the Commission's vice chairwoman; she also served as chairwoman of the Operations Committee; and

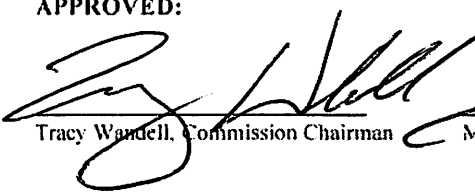
WHEREAS, her sense of community extended beyond her service as a County Commissioner. Robin served six years as a member of the Oak Ridge Municipal Planning Commission and was elected, in 2003, as a member of the Oak Ridge Charter Commission. Robin also was the first-time Oak Ridge chairwoman of the Anderson County Fire Commission; is a past president of the Oak Ridge League of Women Voters; has served on the boards of the Community Reuse Organization of East Tennessee, Keep Anderson County Beautiful, and the Emory Valley Center Foundation; and has been a member of the East Tennessee Economic Council, Clinton Civitan Club, and Elks Lodge of Oak Ridge; and

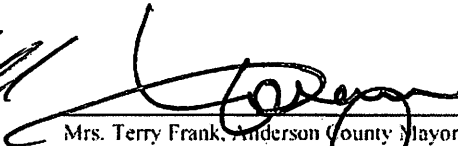
WHEREAS, Robin's community pursuits have not been limited to human causes and concerns. She has dedicated countless hours to animal welfare and improving the quality of life for cats and dogs who deserve loving, forever homes. Robin was active in the Shelter Animals Rescue Group, the Humane Society of Oak Ridge, and the Anderson County Animal Welfare Task Force. Robin was a driving force behind fundraising efforts to build Anderson County's own small animal shelter that opened officially in 2016, and she has remained interested in the ongoing efforts to design and build a larger, more permanent animal shelter in Anderson County.

NOW, THEREFORE, BE IT RESOLVED that the Anderson County Board of Commissioners and the Anderson County Mayor do hereby recognize the service of our dear friend and fellow elected official, and thank Robin Biloski for her dedication to community, and both the human and animal welfare needs of those who call Anderson County home. And, further, let it be known that the exuberance, enthusiasm, and larger-than-life passion that Robin Biloski displayed for the projects and missions that she adopted is above comparison.

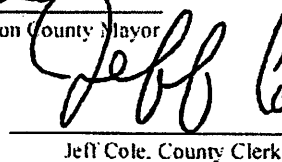
ADOPTED this the 21st day of October, 2019.

APPROVED:


Tracy Wandell, Commission Chairman


Mrs. Terry Frank, Anderson County Mayor

ATTEST:


Jeff Cole, County Clerk



Anderson County, Tennessee

Board of Commissioners

RESOLUTION NO. 19-10-779

RESOLUTION HONORING PUBLIC DEFENDER TOM MARSHALL

A True Champion for Equal Access to Justice Rights

WHEREAS, District Public Defender, Tom Marshall is retiring after serving Anderson County citizens since 1989. His remarkable career spanning over three decades earned him many awards and honors but most importantly it saw him develop one of the most credible and highly respected public defender offices in the state; and

WHEREAS, Tom's early career started with a Juris Doctor Degree from the prestigious University of North Carolina Law School and active duty service in the United States Army JAG Corps from 1977 to 1985. He later retired from the U.S. Army Reserves as a Lieutenant Colonel serving along the way as the Judge Advocate General - Chief of Criminal Law at Fort Jackson, South Carolina; and

WHEREAS, he practiced criminal law in Morgan County for a year before following his passion for equal access to justice rights for indigent citizens and assuming a professional career at the Morgan County Public Defender's Office in 1986. He was appointed to lead the Anderson County Public Defender's Office in 1989 by Governor Ned McWhorter. His highly successful career in Anderson County saw him elected to three, eight (8) year terms; and

WHEREAS, Tom was elected by his statewide peers to lead the Public Defender's Conference as president in 2004 and again in 2014. During his tenure he redeveloped the statewide training program for public defenders. He has also taught at Roane State Community College as an adjunct professor in the Criminal Law program; and

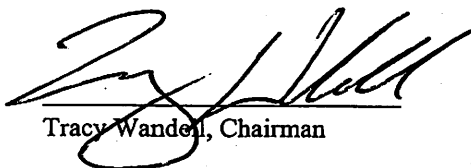
WHEREAS, Tom is best known for his contributions to the Anderson County Justice System and his devotion to this community. He is a charter member of the Community Corrections Board and the Anderson County Drug Court Team. He was instrumental in his service to the Jail Planning Committee helping design the new Anderson County Detention Facility. He is a deacon at Clinton First Baptist Church and an active member of the Claxton Optimist Club, Habitat for Humanity, Junior Achievement, Aid to Distressed Families of Appalachian Counties and a mentor in the Tennessee Promise Program.

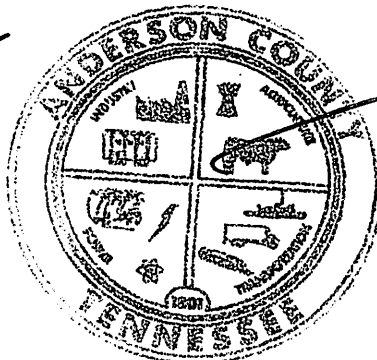
NOW THEREFORE, BE IT RESOLVED by the Anderson County Board of Commissioners meeting this 21st day of October 2019 that we congratulate our dear friend Tom Marshall on his remarkable career serving the legal needs of Anderson County citizens for over three decades. His devotion and passion to this community is unsurpassed and he will be deeply missed by this Commission, our Justice System and all citizens of Anderson County.

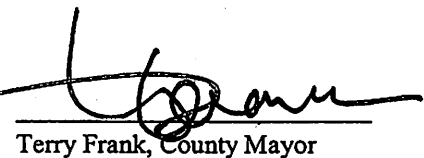
WE FURTHER PROCLAIM, October 25th 2019 as "Tom Marshall Day" in Anderson County in honor of his service and dedication to the citizens of our great county. His name will forever be etched in the history of Anderson County as a true Champion for Equal Access to Justice for all Anderson County citizens.

RESOLVED, DULY APPROVED AND EFFECTIVE this 21st day of October 2019.

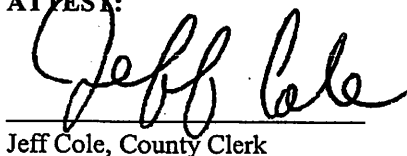
APPROVED:


Tracy Wandell, Chairman




Terry Frank, County Mayor

ATTEST:


Jeff Cole, County Clerk

Anderson County, Tennessee
Board of Commissioners

RESOLUTION NO. 19-10-781

RESOLUTION HONORING "RED RIBBON WEEK" 2019

WHEREAS, Anderson County, like hundreds of other counties across the country, has felt the devastation of the consequences of substance misuse as it has risen to crisis levels; and

WHEREAS, the ASAP Coalition and the ASAP Youth Ambassadors have been working throughout Anderson County to increase knowledge, reduce access and encourage a drug-free lifestyle; and

WHEREAS, the red ribbon was chosen as a symbol commemorating the work of Enrique "Kiki" Camarena, a Drug Enforcement Administration agent, who was murdered in the line of duty and has come to represent the belief that one person CAN make a difference; and

WHEREAS, the "I AM ONE" campaign promoted by ASAP of Anderson symbolizes the role each of us can play to have the greatest impact on this crisis and to be proactive against substance misuse in our community; and;

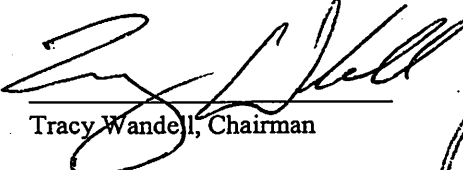
WHEREAS, success will not occur overnight, our patience and continued commitment to substance misuse prevention are imperative; and

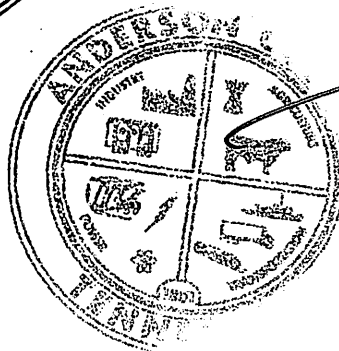
WHEREAS, the *Red Ribbon Campaign* was established by Congress in 1988 to promote this belief and encourage a drug-free lifestyle and involvement in drug prevention efforts.

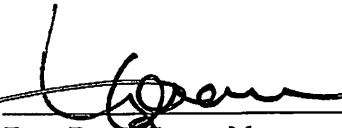
NOW THEREFORE, BE IT RESOLVED that We, Anderson County Mayor Terry Frank, and the Board of Commissioners, do hereby proclaim October 23rd through October 31st, 2019 as *Red Ribbon Week* in Anderson County, Tennessee and encourage all citizens, businesses, public and private agencies, media, service organizations, religious and educational institutions to participate in the *Red Ribbon Week* activities, and we ask that throughout that time, wear and display red ribbons making a visible statement that we are strongly committed to a drug-free community, and proclaim "I AM ONE" who can play a vital role in preventing substance misuse in my community.

RESOLVED, DULY APPROVED AND EFFECTIVE this 21st day of October 2019.

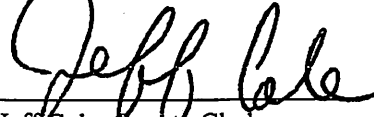
APPROVED:


Tracy Wandell, Chairman




Terry Frank, County Mayor

ATTEST:


Jeff Cole, County Clerk

Anderson County, Tennessee
Board of Commissioners

EXHIBIT

B

RESOLUTION NO. 19-10-772

RESOLUTION TO RE-ESTABLISH AND LEVY A LITIGATION TAX AND CONTRIBUTE BEER BOARD FINES TO CREATE A CONTINUOUS FUNDING STREAM FOR THE USE AND BENEFIT OF ASAP OF ANDERSON.

WHEREAS, on February 22, 2016 the Anderson County Board of Commissioners passed *Resolution 16-03-576* requesting the Tennessee General Assembly to amend *Tenn. Code Ann. § 67-4-601* to allow Anderson County to establish and levy a litigation tax up to twenty-five dollars (\$25.00) per case in the General Sessions Court to fund drug awareness, treatment and prevention programs;

WHEREAS, on March 29, 2016 the Governor signed *Public Chapter No. 661* amending *Tenn. Code Ann. § 67-4-601* to allow Anderson County to establish and levy a litigation tax for the foregoing purposes;

WHEREAS, the enabling authority has now been codified at *Tenn. Code Ann. § 67-4-601(h)* and allows the litigation tax to be created upon a two-thirds (2/3) vote of the Anderson County Board of Commissioners;

WHEREAS, from time to time the Anderson County Beer Board assesses fines against beer permit holders for the sale of alcohol to underage persons and other violations of local alcohol related regulations. ASAP of Anderson has been an important partner in reducing underage sales in our community and the Board of Commissioners desires to contribute revenue received from the Beer Board fines and penalties to ASAP of Anderson to fund compliance checks and continued efforts to curb underage alcohol sales in our community.


NOW THEREFORE, BE IT RESOLVED by the Anderson County Board of Commissioners meeting in regular session this 21st day of October 2019 that we hereby re-establish and levy a litigation tax pursuant to *Tenn. Code Ann. § 67-4-601(h)* of ten dollars (\$10.00) on criminal cases and five dollars (\$5.00) on civil cases filed in the General Sessions, Circuit, Criminal and Chancery Courts (including each defendant in suits to recover delinquent property taxes) with the exception of Violation of Probation cases, for the use and benefit of ASAP of Anderson in an effort to fund drug awareness, education, treatment and prevention programs.

BE IT FURTHER RESOLVED that all fines assessed by the County Beer Board shall also be directed to ASAP to continue its community mission. These funds shall be collected by the County Clerk and dispersed by the Finance Department as received.

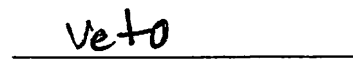
BE IT FURTHER RESOLVED that the Circuit Court Clerk and the Clerk and Master are directed to collect, account and disperse the proceeds of the litigation tax to ASAP of Anderson on a monthly basis.

RESOLVED, AND APPROVED by two-thirds (2/3) vote this 21st day of October 2019. This Resolution shall take effect immediately the public welfare requiring same.

APPROVED:



Tracy Wandell, Chairman



Terry Frank, County Mayor

ATTEST:

Jeff Cole, County Clerk



ANDERSON COUNTY GOVERNMENT

TERRY FRANK
COUNTY MAYOR

October 31, 2019

Mr. Tracy Wandell, Chairman
Anderson County Board of Commissioners

Mr. Jeff Cole
Anderson County Clerk

RE: Resolution Action

Dear Chairman Wandell and Mr. Cole,

This letter serves as notice of Veto of Resolution No. 19-10-772.

I'm extremely hesitant to veto the resolution as I am a strong supporter of the work in substance abuse prevention and have personally supported ASAP Anderson. I don't wish the veto to be construed as a lack of support, as it is not.

In addition, I don't wish to veto as I regret any perception that I am challenging the legal opinion of our Law Director's office. However, I do believe I need to raise some concerns with the legislative body regarding one of the applications listed in the resolution, specifically that the litigation tax will be added to the delinquent tax process.

The filing of a tax lien is covered in T.C.A. under Title 67, Chapter 5, Part 24 regarding duties of the clerk where it reads, "(2) No litigation tax shall be imposed." See attached.

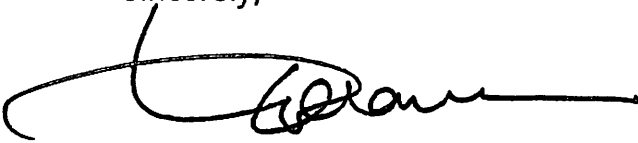
Under the same Title and Chapter, Part 25, generally the language of the statutes there allows costs assigned by order the court to be "incident to the collection,...". I reached out to Mr. Yeager after the distribution of the copy and he did quickly respond and let me know that there is language where we can add this new litigation tax to the tax lien process. My concern is that the language he referenced may be in conflict with another

citation in statute. I would prefer making sure we have no conflicting statutes to address on the front end before we proceed with collections.

I see no harm in utilizing the veto for an opportunity to allow me to work with the Law Director to obtain a full legal opinion. There may be more on point than I have access to on my computer via an internet search. He regularly attends meetings where he is updated on changes in state law, and I recognize I am not able to keep up with those many changes. A veto gives us an opportunity for further review.

Additionally, if this tax goes into effect, the process would require the court to receive a motion and order prepared by Anderson County requesting the court to assess the tax. Extra time allows us to discuss with the court to make sure we're all on the same page.

Sincerely,

A handwritten signature in black ink, appearing to read 'Terry Frank', with a long horizontal flourish extending to the right.

Terry Frank

Attachment: Copy of Resolution
T.C.A. Title 67