

BE IT REMEMBERED THAT THE ANDERSON COUNTY BOARD OF COUNTY COMMISSION MET IN QUARTERLY SESSION ON JANUARY 22, 2008 WITH THE FOLLOWING COMMISSIONERS: MURELL ALBRIGHT, MARK ALDERSON, JOHN ALLEY, ROBIN BILOSKI, DAVID BOLING, MIKE COX, JERRY CREASEY, CHUCK FRITTS, DOUG HAUN, WHITEY HITCHCOCK, MYRON IWANSKI, ROBERT MCKAMEY, JOHN SHUEY, TRACEY WANDELL AND JERRY WHITE. ABSENT: SCOTT GILLENWATERS.

Prayer given by Darrell Cook, EMS Chaplain.

Pledge of Allegiance was led by Commissioner Haun.

1. Commissioner Cox moved to approve the minutes from the December 17, 2007 regular meeting as amended. Seconded by Commissioner Fritts. Motion carried by voice vote.

2. Commissioner Cox moved to amend the agenda moving the Channel 95 proposal next. Seconded by Commissioner McKamey.

Amended by Commissioner White to hear from the County Attorney about a settlement on a lawsuit under New Business. Seconded by Commissioner Bolling. Amendment carried by voice vote.

Amended by Commissioner Cox to hear Representative Hackworth next on agenda. Seconded by Commissioner Bolling. Amendment carried by voice vote.

Amended motion carried by voice vote.

3. Commissioner Fritts moved to refer to Operations Committee the \$78,000.00 state penalty fines on the Blockhouse Valley Road property. Seconded by Commissioner Bolling. Motion carried by voice vote. Abstain: Creasey.

4. Commissioner Hitchcock moved to nominate Commissioner Mike Cox as chairman on the board for the Channel 95. Seconded by Commissioner White. Motion carried by voice vote.

5. Commissioner Fritts moved to approve the notaries. Seconded by Commissioner Creasey. Motion carried by voice vote.

#### Notaries

Kerri M Ashley	John Michael Fourniquet
Marquita Blanton	Michael Henley
Angela Denise Brock	Alyson T Hodgkin
Anna Marie Brooks	David C Kirkwood
Brandy Lynn Catron	Eddie Loving
Carol Collins	Adam Lowe
Suzanne M Dent	Sydney Lynn Lynch
Dawn Flatford	Larry D Perry
Cheryl Darlene Vincent	

6. Commissioner Fritts moved to approve notary bonds. Seconded by Commissioner Creasey. Motion carried by voice vote.

SBCA	Universal Surety
Jamie Broyles	Ashley M Schubert

Old Republic  
Kathleen F Townsend

Merchants Bonding  
Brook Odette Nichols

American Insurance  
Donna Lynn Graham

State Farm  
David Anderson  
Linda Claudell Beasley  
Melissa G Hammond  
Stacy Lynn Nelson

Western Surety  
Connie L Alvis  
Klaresha Dianna Duncan  
Patricia Halsey  
Tiffany Jones  
Randall C Kirby  
Donna M Light  
Maria C Lonas  
Kattrea Pinthanond  
Deanna J Robertson  
Cydie V Stocks  
Leslie B Tackett

#### Nominating Committee Report

7. Commissioner White moved to approve recommendation from the Nominating Committee to appoint Betty Rouse, Bob Walker and Rhonda Manley to serve as Jail Inspectors for a 1-year term ending on 01/2009. Seconded by Commissioner Alley. Motion carried by voice vote.

#### School Report

No action taken at this time.

#### County Mayor Report

8. Commissioner Wandell moved to recommendation from the County Mayor to appoint Chad T Carmichael and Bill R Elkins to the Planning Commission with four-year term ending 01/2012. Seconded by Commissioner Bolling. Motion carried by voice vote.

9. Commissioner Alderson moved to approve the special appropriations of EPA Funds from the Federal Government for water system improvements resolution. Seconded by Commissioner Bolling. Motion carried by voice vote.

#### REQUEST FOR SPECIAL APPROPRIATIONS OF EPA FUNDS FROM THE FEDERAL GOVERNMENT FOR WATER SYSTEM IMPROVEMENTS

WHEREAS, many Anderson County resident have an inadequate water supply and poor quality water, and

WHEREAS, Anderson County is a small mostly low to moderate income rural county and has limited financial resources; and

WHEREAS, Anderson County has actively and consistently applies for various grants such as CDBG, Rural Development and ARC; and

WHEREAS, while the success rate of some of these applications has been good, there still remains a tremendous need for more rapid and immediate help to supply water to the more remote areas of the county, now

THEREFORE, the Anderson County Legislative Body through its County Clerk request Congressman Zach Wamp to ask for a special EPA budget appropriation of \$275,000, out of a total project of \$500,000 for the sole purpose of extending water lines to approximately 150 households in the Park Road to Anderson County Park area. This appropriation will help solve the water quality problems experienced in the past at the Park. Any funds spent will benefit the entire customer base of the water system.

County Attorney Report

11. Commissioner Cox moved to adopt the amended Anderson County Beer Board rules. Seconded by Commissioner Fritts. Motion carried by voice vote. (See County Clerks Office)

12. Commissioner Alderson moved to instruct County Attorney to draft a letter to the Legislative Delegation to increase Severance Tax. Seconded by Commissioner Albright. Motion carried by voice vote.

Purchasing Committee Report

13. Commissioner Fritts moved to approve recommendation from the Purchasing Committee a five-year copier rental agreement for the Building and Grants Department for the Courthouse. Seconded by Commissioner Alley. Motion carried by voice vote.

14. Commissioner Creasey moved to approve recommendation from the Purchasing Committee a revised five-year rental agreement has received which replaces the agreement that was approved by County Commission in November for the Anderson County Schools Office of Technology. Seconded by Commissioner Fritts. Motion carried by voice vote.

15. Commissioner Fritts moved to approve recommendation from the Purchasing Committee a multi-year license agreement for Time and Attendance Software for the Accounts and Budgets Office. Seconded by Commissioner Haun. Motion carried by voice vote.

16. Commissioner Fritts moved to accept the revised Personnel Policy for Clerk and Master. Seconded by Commissioner Creasey. Motion carried by voice vote. (See County Clerks Office)

Budget Committee Report

17. Commissioner Fritts moved to approve the following appropriations in the General Purpose School Fund. Seconded by Commissioner McKamey.

Voting Aye: Albright, Alderson, Alley, Biloski, Bolling, Cox, Creasey, Fritts, Haun, Hitchcock, Iwanski, McKamey, Shuey, Wandell and White. Absent: Gillenwaters. Motion carried

Increase Expenditure Code:

141-71100-722	Data Processing Equipment	31,201.32
141-72810-399	Contracted Services	3,613.00

Decrease Code:

141-34290	E-Rate Reserve	34,814.32
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Increase Expenditure Code:

141-72810-399	Contracted Services	11,500.00
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Increase Revenue Code:

141-46511	BEP	11,500.00
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<u>Increase Expenditure Code:</u>		
141-71200-399	Other Contracted Services	140,000.00
141-71200-355	Travel	5,938.00
	Total	145,938.00

<u>Decrease Code:</u>		
141-34386	Reserve BEP	145,938.00

18. Commissioner Fritts moved to approve the following transfers in the General Purpose Fund. Seconded by Commissioner Haun. Motion carried by voice vote.

<u>Increase Expenditure Code:</u>		
141-72620-499	Maintenance of Plant	40,000.00

<u>Decrease Expenditure Code:</u>		
141-76100-707	Building Improvements	40,000.00

<u>Increase Expenditure Code:</u>		
145.13-82130-610	Principal on Capital Leases	8,154.20
145.13-82230-611	Interest on Capital Leases	35,027.32

<u>Decrease Expenditure Code:</u>		
145.13-73300-330	Operation Lease Payments	43,181.52

<u>Increase Expenditure Code:</u>		
145.14-82130-610	Principal on Capital Leases	7,750.60
145.14-82230-611	Interest on Capital Leases	33,293.60

<u>Decrease Expenditure Code:</u>		
145.14-73300-330	Operating Lease Payments	41,044.20

<u>Increase Expenditure Code:</u>		
145.12-82130-510	Principal on Capital Lease	2,062.30
145.12-92230-611	Interest on Capital Lease	8,858.70
	Total	10,921.00

<u>Decrease Expenditure Code:</u>		
145.12-73300-330	Operation Lease Payments	10,921.00

19. Commissioner Fritts moved to approve the following non-school appropriations in the County General Fund. Seconded by Commissioner Biloski.

Voting Aye: Albright, Alderson, Alley, Biloski, Bolling, Cox, Creasey, Fritts, Haun, Hitchcock, Iwanski, McKamey, Shuey, Wandell and White. Absent: Gillenwaters. Motion carried.

<u>Increase Revenue Code:</u>		
101-44130	Sale of Gasoline	1,041.62

<u>Increase Expenditure Code:</u>		
101-54110-425	Gasoline	1,041.62

<u>Increase Revenue Code:</u>		
101-44570	Contributions & Gifts	188.40

<u>Increase Expenditure Code:</u>		
101-54210-422	Food Supplies	188.40

<u>Increase Expenditure Code:</u>		
101-49700	Insurance Recovery	15,344.38

22. Commissioner Fritts moved to approve appropriation for Stewart/Lee Case legal fees. Seconded by Commissioner Cox.

Voting Aye: Albright, Alderson, Alley, Biloski, Bolling, Cox, Fritts, Haun, Hitchcock, Iwanski, McKamey and Wandell. Abstain: Creasey and Shuey. Absent: Gillenwaters. Motion carried.

Increase Expenditure Code:

101-51900-331	Legal Fees	22,923.20
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Decrease Code:

101-39000	Undesignated Fund Balance	22,923.20
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23. Commissioner Fritts moved to approve appropriation for clerical personnel for Tax Freeze. Seconded by Commissioner McKamey.

Voting Aye: Albright, Alderson, Alley, Biloski, Bolling, Cox, Creasey, Fritts, Haun, Hitchcock, Iwanski, McKamey, Shuey, Wandell and White. Absent: Gillenwaters. Motion carried.

Decrease Code:

101-39000	Undesignated Fund Balance	15,000.00
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Increase Expenditure Code:

101-52400-162	Clerical Personnel	15,000.00
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24. Commissioner Fritts moved to approve appropriation for vehicle replacement for Planning & Zoning. Seconded by Commissioner Haun.

Voting Aye: Albright, Alderson, Alley, Biloski, Bolling, Cox, Creasey, Fritts, Haun, Hitchcock, Iwanski, McKamey, Shuey, Wandell and White. Absent: Gillenwaters. Motion carried.

Increase Expenditure Code:

101-51720-718	Vehicle	17,411.00
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Decrease Expenditure Code:

101-39000	Undesignated Fund Balance	17,411.00
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25. Commissioner Fritts moved to approve appropriation for building improvements in the Jolley Building. Seconded by Commissioner Haun.

Voting Aye: Albright, Alderson, Alley, Biloski, Bolling, Cox, Creasey, Fritts, Haun, Iwanski, McKamey, Shuey and Wandell. NO: White. Absent: Gillenwaters. Motion carried.

Increase Expenditure Code:

101-91110-707	Building Improvements	92,600.00
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Decrease Code:

101-39000	Undesignated Fund Balance	92,600.00
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26. Commissioner Fritts moved to approve appropriation for Governor's Highway Safety Grant. Seconded by Commissioner Haun.

Voting Aye: Albright, Alderson, Alley, Biloski, Bolling, Cox, Creasey, Fritts, Haun, Hitchcock, Iwanski, McKamey, Shuey, Wandell and White. Absent: Gillenwaters. Motion carried.

Decrease Code:

101-39000	Undesignated Fund Balance	10,000.80
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Increase Revenue Code:

101-46290-2000	Governor's Hwy Safety Grant	15,001.19
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Increase Expenditure Code:

101-55130-189-2000	Other Salaries-Trainers	3,331.19
101-55130-499-2000	Other Supplies	6,595.00
101-55130-709-2000	Data Processing Equipment	2,170.00
101-55130-790-2000	Other Equipment	12,905.00
	Total	25,001.19

"5 minute recess"

Facilities & Property Committee Report

27. Commissioner Biloski moved to approve recommendation from the Facilities & Property Committee to assign the Juvenile Holding Center space to the Sheriff's Department. Seconded by Commissioner White. Motion carried by voice vote.

28. Commissioner Biloski moved to approve recommendation from the Facilities & Property Committee to assign Room #51 in the DARC Building to the Veterans Service Officer for his satellite office. Seconded by Commissioner White. Motion carried by voice vote.

Road Committee Report

29. Commissioner Alderson moved to approve recommendation from Road Committee the following speed limits as recommendation from the Sheriff's Department. Seconded by Commissioner Fritts. Motion carried by voice vote.

Cheyenne Lane	20 MPH
Moose Trail Lane	20 MPH

30. Commissioner Alderson moved to approve recommendation from the Road Committee to accept Coleman Lane, as described below, into the county road system in accordance with The Chancellor's Final Agreed Order dated October 1, 2007, and recorded in Minute Book 231, pages 507n-507q. Seconded by Commissioner Fritts. Motion carried by voice vote.

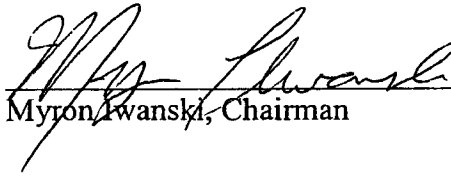
Road Length	1,089 feet
Road Width	19 feet
Cul-de-sac	52 feet radius
Right-of-Way	50 feet

Legislative Committee Report

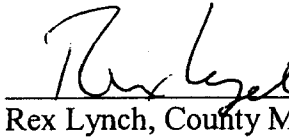
31. Commissioner Fritts moved to approve recommendation from the Legislative Committee for an act to amend the Tennessee Code Annotated to allow for payment to ACUB members of not more than \$100.00 as compensation for attendance at monthly meetings. Seconded by Commissioner Alderson.

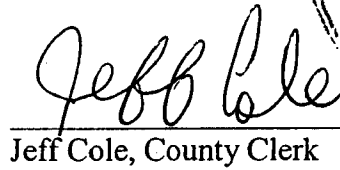
Amended by Commissioner Creasey to refer back to the Legislative Committee. Seconded by Commissioner Alley.

Duly passed this 22<sup>nd</sup> day of January, 2008.

  
Myron Swanski, Chairman



  
Rex Lynch, County Mayor

  
Jeff Cole, County Clerk

10. Commissioner Fritts moved to approve resolution for DOE payment-in-lieu. Seconded by Commissioner Bolling. Motion carried.

### Resolution

*Whereas*, Anderson county has requested that the Department of Energy (DOE) render financial assistance to the County in the form of a payment-in-lieu of taxes on real property acquired for nuclear and other energy purposes; and

*Whereas*, DOE has agreed to aid Anderson County by making a payment-in-lieu-of-taxes in the amount of the ad valorem tax revenue loss for tax year 2007 which Anderson County has suffered by virtue of removal of said real property from taxable ownership provided Anderson County will accept such payment in release of tax claims, if any, it may have against DOE or its contractors engaged in the performance of functions of DOE in Anderson County; and

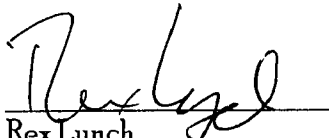
*Whereas*, Anderson county is authorized by state law to accept financial assistance from Federal agencies and to make agreements and execute instruments containing such terms and conditions as may be necessary for the purpose of obtaining such financial assistance;


*Now, therefore, be it resolved* by Anderson County in session at Clinton, Tennessee, on January 22<sup>nd</sup>, 2008, that Anderson County is hereby authorized to accept form DOE payment-in-lieu of taxes for tax year 2007, in the sum of \$498,701.10 in full satisfaction and release of any claims for taxes for tax year 2007 against DOE and its contractors based on or measured by the value of Federal property utilized by such contractors in the performance of activates of DOE in Anderson County, provided that the acceptance of this payment shall not operate in any manner in prejudice of Anderson County's eligibility for payment-in-lieu-of-taxes based on the benefits and burdens test prescribed in Section 168 of the Atomic Energy Act.

*Be it further resolved* that Rex Lynch, Anderson County Executive is authorized to execute for and on behalf of Anderson County the attached DOE Amendment No. 4 to Agreement PILT-Anderson County- 001, which is incorporated in and made a part of this Resolution.

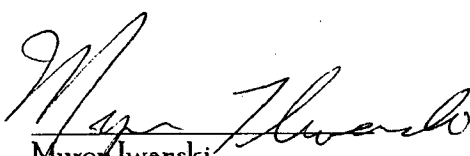
State of Tennessee)  
Anderson County)

I, Jeff Cole, certify that I am the County Clerk of Anderson County, and that the above is a true and correct copy of a Resolution adopted by Anderson County in session on January 22<sup>nd</sup>, 2008, as such Resolution appears of record at page number 989 in Minute Book 51 of the records of Anderson County, Tennessee.

  
Rex Lynch  
Anderson County Mayor

  
Jeff Cole  
Anderson County Clerk

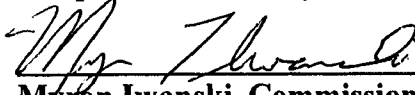


  
Myron Swanski  
Anderson County Commission Chairman

**SECTION 2.** This Legislative Body requests all state legislators to support and adopt legislation repealing said provision.

**SECTION 3.** The County Clerk's Office shall maintain a copy of this resolution for public inspection in the official minutes of the County Legislative Body and shall forward a certified copy to the state elected representative(s) and senator(s) representing Anderson County urging the repeal of said provision.

Adopted this 22<sup>nd</sup> day of January 2008.

  
Myron Iwanski, Commission Chair

  
Rex Lynch, County Mayor

  
Tim Shelton, Register of Deeds

  
Jeff Cole, County Clerk



33. Commissioner Fritts moved to approve written request from the Legislative Committee an act to amend Tennessee Code Annotated §67-4-601(b)(6) to allow Anderson County to impose a litigation tax in all civil and criminal cases to fund courthouse security projects. Seconded by Commissioner Shuey.

Voting Aye: Albright, Alderson, Biloski, Bolling, Cox, Creasey, Fritts, Hitchcock, Iwanski and Shuey. NO: Alley, Haun, McKamey, Wandell and White. Absent: Gillenwaters. Motion carried.

**PUBLIC ACTS 2008**

CHAPTER NO. \_\_\_\_\_

AN ACT to amend Tennessee Code Annotated § 67-4-601(b)(6) to allow Anderson County to impose a litigation tax in all civil and criminal cases to fund courthouse security projects.

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE**

Amend T.C.A § 67-4-601(b)(6) to read as follows:

Notwithstanding any provision of law to the contrary, in any county having a population of not less than sixty-two thousand nine hundred (62,900) nor more than sixty-three thousand (63,000), and in any county having a population of seventy-one thousand three hundred (71,300), nor more than seventy-one thousand four hundred (71,400), according to the 2000 federal census or any subsequent federal census, upon the adoption of a resolution by two-thirds majority vote of the county legislative body, a privilege tax on litigation in all civil and criminal cases may be levied in an amount not to exceed twenty-five dollars (\$25.00) per case, to be used exclusively for courthouse security, in addition to the purposes identified in subsection (b)(1). (Emphasis on added language)

**PASSED:** 01-22-08



approval or non-approval shall be proclaimed by the presiding officer of such body and certified by him to the Secretary of State.

**SECTION 4: Effective Date.**

This Act shall take effect on June 20, 2008.

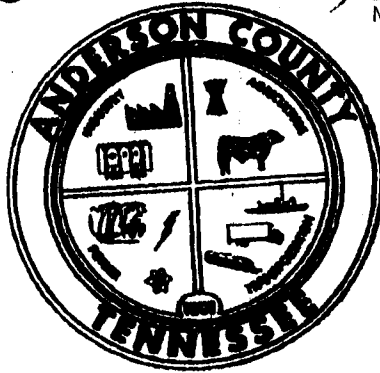
PASSED: 1-22-08

**ATTEST:**

I hereby certify and attest that the above Private Act was approved and passed by the Anderson County Legislative Body for submission to the Anderson County Legislative Delegation on January 22<sup>nd</sup>, 2008 by a vote of 11 in favor, 4 against. Absent: 1

*Jeff Cole*  
 \_\_\_\_\_  
 Jeff Cole, Anderson County Clerk

*Myron Iwanski*  
 \_\_\_\_\_  
 Myron Iwanski, Chair, County Commission



Operations Committee Report

35. Commissioner McKamey moved to approve recommendation from the Operations Committee to authorize a letter of support of the Tennessee Valley Regional Communication System and initial steps for the Public Safety Interoperable Communications Grant. Seconded by Commissioner Shuey. Motion carried by voice vote.

36. Commissioner McKamey moved to approve recommendation from the Operations Committee to allow the Anderson United Soccer Club to place 2 sheds on the county soccer field property in compliance with the county's building and zoning regulations. Seconded by Commissioner Bolling. Motion carried by voice vote.

37. Commissioner McKamey moved to approve recommendation from the Operations Committee of the December 31, 2007 New Years Eve added to the 2007 State Holiday list and the 2008 State Holiday list for county employees that work in state offices. Seconded by Commissioner Bolling. Motion carried by voice vote.

38. Commissioner McKamey moved to approve recommendation from the Operations Committee to direct the County Mayor to notify all department heads and elected officials that Building & Grants Director, Alan Beauchamp will be the county's contact person with the architect. Seconded by Commissioner Bolling. Motion carried by voice vote.

Revenue Committee Report

No action taken at this time.

Tourism Council Report

40. Commissioner Bolling moved to adopt the revisions in the Tourism Council Board By-Laws. Seconded by Commissioner White. Motion carried by voice vote. (See Folder)

41. Commissioner Wandell moved to replace Mayor Chris Helper on the Tourism Board and nominate Commissioner Bolling to represent the City of Oliver Springs. Seconded by Commissioner Creasey. Motion carried by voice vote.

42. Commissioner Cox moved to approve \$500.00 from Waste Management fund to send Gabe Templin to Junior National Young Leaders Conference in Washington, D.C. Seconded by Commissioner Albright. Motion carried by voice vote.

43. Commissioner White moved to approve \$500.00 from Waste Management fund to send Grand Oaks Elementary School for a field to U.S. Space & Rocket Center, Huntsville, Al. Seconded by Commissioner Cox. Motion carried by voice vote.

44. Commissioner White moved to reject settlement offer on the Connie Cox case and go to trail. Seconded by Commissioner Shuey.

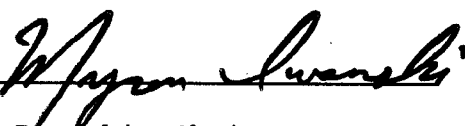
Voting Aye: Alley, Haun, Shuey and White. NO: Albright, Alderson, Biloski, Bolling, Creasey, Fritts, Hitchcock, Iwanski, McKamey and Wandell. Absent: Cox and Gillenwaters. Motion failed.

45. Commissioner Hitchcock moved to accept the settlement agreement of no more than \$7,500.00 for lawyer fees. Seconded by Commissioner Alderson.

Voting Aye: Albright, Alderson, Biloski, Bolling, Creasey, Fritts, Hitchcock, Iwanski, McKamey and Wandell. NO: Alley, Haun, Shuey and Wandell. Absent: Cox and Gillenwaters. Motion carried.

46. Commissioner Alderson moved to accept the updated Anderson County Road List. Seconded by Commissioner Fritts. Motion carried by voice vote. (See County Clerk's Office)

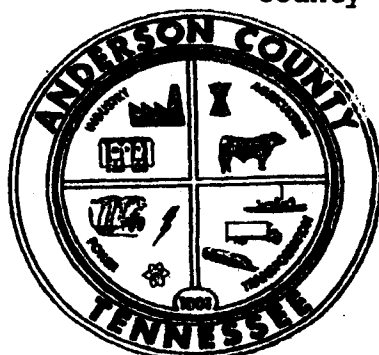
Session is adjourned.



Myron Iwanski, Chairman  
County Commission



Jeff Cole  
County Clerk



Increase Expenditure Code:  
 101-54110-716 Law Enforcement Equipment 1,103.60  
 101-54110-718 Motor Vehicles 14,240.78  
 Total 15,344.38

Increase Revenue Code:  
 101-49800 Transfers in 8,216.20

Increase Expenditure Code:  
 101-54110-718 Motor Vehicles 8,216.20

Increase Revenue Code:  
 122-44570 Contributions & Gifts 55.00

Increase Expenditure Code:  
 122-54150-499 Other Supplies 55.00

Decrease Expenditure Code:  
 101-34164 Data Processing Reserve Fund 8,600.00

Increase Expenditure Code:  
 101-53100-709 Data Processing Equipment 7,850.00  
 101-53300-317 Data Processing Services 750.00

Decrease Code:  
 101-34151 Reserve-Alcohol & Drug Treatment 18,000.00

Increase Expenditure Code:  
 101-55170-316 Contributions 18,000.00

20. Commissioner Fritts moved to approve the following non-school appropriations in the County General Fund. Seconded by Commissioner Biloski.

Voting Aye: Albright, Alderson, Alley, Biloski, Bolling, Cox, Creasey, Fritts, Haun, Hitchcock, Iwanski, McKamey, Shuey, Wandell and White. Motion carried.

Increase Revenue Code:  
 101-47235-1107 Homeland Security Grant 80,000.00  
 #GG-07-20820-00

Increase Expenditure Code:  
 101-54410-790-1107 Communication Equipment 80,000.00

21. Commissioner Fritts moved to approve the transfers in the non-school County General Fund. Seconded by Commissioner McKamey. Motion carried by voice vote.

Decrease Expenditure Code:  
 101-53800-414 Duplicating Supplies 500.00  
 101-53800-499 Other Supplies & Materials 500.00

Increase Expenditure Code:  
 101-53400-334 Maintenance Agreements 1,000.00

Decrease Expenditure Code:  
 101-51800-707 Building Improvements 314,000.00

Increase Expenditure Code:  
 101-91110-707 General Admin. Capital Proj. 314,000.00

Voting to refer

Voting Aye: Alley, Cox, Creasey, Shuey and Wandell. NO: Albright, Alderson, Biloski, Bolling, Fritts, Haun, Hitchcock, Iwanski, McKamey and White. Absent: Gillenwaters. Motion failed.

Voting for original motion

Voting Aye: Albright, Alderson, Creasey, Fritts, Haun, Hitchcock, Iwanski, Shuey and White. NO: Alley, Biloski, Bolling, Cox, McKamey and Wandell. Absent: Gillenwaters. Motion failed.

32. Commissioner Fritts moved to approve recommendation from the Legislative Committee the Resolution #293 to support State Legislation repealing the provision that reduces the commission retained by the County Register of Deeds. Seconded by Commissioner McKamey. Motion carried by voice vote.

## Anderson County, Tennessee Board of Commissioners

### Resolution No. 1-08 #293

#### RESOLUTION TO SUPPORT STATE LEGISLATION REPEALING THE PROVISION THAT REDUCES THE COMMISSION RETAINED BY THE COUNTY REGISTER OF DEEDS.

WHEREAS, the Anderson County Legislative Body has determined that Tennessee Code Annotated Title 67 Chapter 4 Section 409 entitles the Register of Deeds office to retain a five percent (5%) commission on taxes levied under this section, and

WHEREAS, the Anderson County Legislative Body has determined that fifty-two percent (52%) of the five percent (5%) commission has since been retained by the state for the purpose of funding an antiquated retirement system for county officials, and

WHEREAS, the Anderson County Legislative Body has determined that the antiquated retirement system is no longer being funded by the fifty-two percent (52%) of the five percent (5%) commission entitled to be retained by the County Register, and

WHEREAS, such funds are now remitted to the state treasurer and credited to the general fund of the state, and

WHEREAS, the Tennessee Registers Association has asked the state legislative body to repeal the provision that reduces the commission retained by the County Register, and

WHEREAS, the Tennessee Registers Association is asking the County Legislative Body to endorse and support any and all legislation repealing the provision reducing commissions retained by the Register of Deeds Office thereby restoring the retained commission to five percent (5%).

NOW, THEREFORE, BE IT RESOLVED by this legislative body meeting in regular session this 22<sup>nd</sup> day of January 2008, in Clinton, Tennessee that:

SECTION 1. This Legislative Body supports the repeal of the provision reducing the commission retained by the Register of Deeds Office.

**ATTEST:**

I hereby certify and attest that the above requested amendment to T.C.A. § 67-4-601(b)(1) was endorsed and passed by the Anderson County Legislative Body on January 22<sup>nd</sup>, 2008 by a vote of 10 in favor, and 5 against. One absent.

  
Jeff Cole, Anderson County Clerk

  
Myron Iwanski, Chair, County Commission



34. Commissioner Alderson moved to amend the Private Act for sale of fireworks in a certain time frame due to the General Assembly. Seconded by Commissioner Bolling.

Voting Aye: Albright, Alderson, Biloski, Bolling, Cox, Creasey, Fritts, McKamey, Shuey, Wandell and White. NO: Alley, Haun, Hitchcock and Iwanski. Absent: Gillenwaters. Motion carried.

PRIVATE ACTS 2008

CHAPTER NO. \_\_\_\_\_

AN ACT to amend Private Acts of 1947, Chapter 291 in order to permit the seasonal retail sale, use and possession of fireworks in Anderson County.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE

**SECTION 1. Amendment of Private Acts of 1947, Chapter 291**

Private Acts of 1947, Chapter 291, entitled, "Fireworks," is hereby amended in order to permit the seasonal retail sale, use and possession of fireworks in Anderson County as authorized and further governed by T.C.A. §§ 68-104-101 et seq. "Seasonal" is defined as permitted retail sale, use and possession of authorized D.O.T. Class C, common fireworks from June 20 through July 5 and December 10 through January 2 of each calendar year. Nothing contained herein shall prohibit the Anderson County Legislative Body from enacting additional local laws and zoning regulations governing the seasonal retail sale, use and possession of fireworks.

**SECTION 2: Severability.**

The provisions of this Act are hereby declared severable, and if any of its sections, provisions, clauses, or parts are held unconstitutional or void, then the remainder of this Act shall continue in full force and effect, it being the legislative intent now hereby declared, that this Act would have been adopted even if such unconstitutional or void matter or matters had not been included therein.

**SECTION 3: Local Approval.**

This Act shall have no effect unless it is approved by a two-thirds (2/3) majority vote by the Anderson County Legislative Body after its approval by the General Assembly. Its