

**ANDERSON COUNTY  
QUARTERLY SESSION  
COMMISSION MINUTES  
OCTOBER 20, 2014**

BE IT REMEMBERED THAT THE ANDERSON COUNTY BOARD OF COUNTY COMMISSION MET IN QUARTERLY SESSION OCTOBER 20, 2014 WITH THE FOLLOWING COMMISSIONERS PRESENT: CHUCK FRITTS, TRACY WANDELL, MARK ALDERSON, RICK MEREDITH, STEVE EMERT, PHIL WARFIELD, TIM ISBEL, ROBERT MCKAMEY, JERRY WHITE, WHITEY HITCHCOCK, JERRY CREASEY, THERESA SCOTT, ROBIN BILOSKI AND MYRON IWANSKI. ABSENT: STEVE MEAD.

Prayer was led by Commissioner Emert.

Pledge of Allegiance was led by Commissioner Isbel.

1. Commissioner Iwanski made a motion to refer to Operations Committee for them to discuss some kind of permit or ordinance for tearing down buildings and or structures at the request of a citizen. Seconded by Commissioner Wandell. Motion carried by voice vote.

2. Commissioner Wandell moved to approve agendas. Seconded by Commissioner White. Motion carried by voice vote.

- September 2 and September 15, 2014 County Commission Minutes
- Notaries and Notary Bonds
- Elections
  - Library Board
    - Lake McCoy-new term expiring 6/207 appointed by the City of Rocky Top
    - John Selser-unexpired term expiring 6/2015 appointed by the City of Clinton
  - Clinch River Regional Library Board
    - Mary Jane Berry-appointed by the AC Library Board
- Director of Schools Report
- County Mayor
  - IDB of the City of Oak Ridge Summary of Annual PILOT Incentive Reports
  - Letter from the State of TN, Comptroller of the Treasury, confirming the receipt of \$400,000 One-Year School Capital Outlay Notes, Series 2014
- Law Director Report
- Committee Reports
  - Conservation Board Minutes (9-18-14) no action required
  - Tourism Council Minutes (9-25-14) no action required
- Quarterly Reports
  - Anderson County Health Dept
- New Business
  - Oak Ridge Schools requesting \$4,000.00 of Waste Management funds for Jefferson Middle School fifth grade class annual field trip to JA Biz town.
  - AC Career & Technical Center requesting \$3,700.00 Waste Management funds for ACCTC 2014 FFA National Career Development Events.

**Notaries**

Emily Atterson

Kristine Anne Bayer

Linda L Brown

Robin Brown

J Michael Clement

Michael M Davis

Catherine A Denenberg

Jackie Dilbeck

Brenda J Farmer

Jamie Ferguson

Shawna Haste

Corrina M Hopson

Diane M Johnson

Aaron P McCoy

James S McCrary

Wendy Mioduski

Tanya Osborne

Monica Pennington

Marilyn Sue Richardson

Tanya Roseberry

John Curtis Seiber II

Cynthia M Skidmore

Shawna Nicole Slover

Brittany N Smith

Brenda F Smith

Stephanie Long Taylor

Jerry Ward

Jennifer B Woods

**Notary Bonds**

Western Surety Company

Robert B Schroeder

John Bills

Christy White

Teresa Adcock

Lewis F Preston Jr.

SBCA

Priscilla Witmer

Auto Owners Ins

Connie Ellen Ball

Surety Bonding Company of America

Thomas J Brown

State Farm

Lydia Dabney

Sara Ashley Mattingly

Donna Porter

Modeane Moore Begley

Charles T Webber

RLI

David R Bradshaw

CBIC

Amber Burnette

### Elections

3. Commissioner Isbel made a motion to nominate Zach Bates to fill District 4 seat on County Commission. Commissioner Warfield made motion for discussion to cease and seconded. Motion carried by voice vote.

### School Report

No action at this time.

### Mayor Report

4. Commissioner Meredith moved to approve the following appointments to Boards, Commissions and Committees. Seconded by Commissioner Alderson. Motion carried by voice vote.

- Christopher K Phillips-Director of Accounts and Budgets
- Bill Riggs-Chairman of the Civil Service Board
- Duane Stooksbury-Anderson County Water Authority exp 9/18
- James "Jim" Cooper-Anderson County Development Corporation exp 9/18
- Emergency Communications District Board of Directors
  - Steve Payne, EMA Director exp 1/18
  - Nathan Sweet, EMS Director exp 1/16
  - Chief Darryl Kerley, ORFD exp 1/17
- Regional Solid Waste
  - Dusty Irwin exp 9/20
  - Richard Burroughs exp 9/20
  - Jim Cooper exp 9/20
  - Robert McKamey exp 9/20
- Budget Committee
  - Robert McKamey
- Regional Planning Commission
  - Ned Ferguson exp 9/18
  - Steve Emert exp 1/16
  - Harold Edwards exp 1/16
- Anderson County Economic Development Association
  - Allen Tadlock
  - James "Jim" Cooper
  - Von Evans
  - Dusty Irwin
  - Rick Chinn
  - Cathy Brown
  - Robert Baird
  - William "Bear" Stephenson

### Law Director

No action at this time.

5. Commissioner White moved to approve three year contract with Carolina Textiles for men's underwear per bid #4553 for the Detention Center for the period of September 1, 2014 thru June 30, 2017. Seconded by Commissioner Isbel. Motion carried by voice vote.
6. Commissioner White moved to approve two year contract for kitchen equipment for the School Nutrition Department for the period of July 1, 2014 thru June 20, 2016. Seconded by Commissioner Biloski. Motion carried by voice vote.
7. Commissioner Isbel moved to defer for 30 days contract agreement with AT&T. Seconded by Commissioner White. Motion carried by voice vote.
8. Commissioner White moved to approve one year contract with Riverside/Houghton Mifflin Harcourt for Criterion On-line writing evaluation service subscription renewal, for the Office of Technology Department for the period of September 2014 thru September 2015. Seconded by Commissioner Alderson. Motion carried by voice vote.
9. Commissioner White moved to approve the revised policy for Wireless Devices Procedures. Seconded by Commissioner Isbel. Motion carried by voice vote.
10. Commissioner Alderson moved to approve Resolution number 14-10-516 to join two cooperatives purchasing agreements between E&I Public Sourcing (for the Motor Pool Dept.) and North Central EMS Cooperative (for the EMS Dept.). Seconded by Commissioner Isbel. Motion carried by voice vote.(Exhibit A)

**Budget Committee**

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

**Increase Revenue Codes:**

141-42670	DUI Treatment Fines	\$10,000.00
141-43582-3000	Community Services-LDC Usage	36,150.47
141-48610	Donations-United Way	3,900.00
	<b>Total Revenues Increased</b>	<b>\$50,050.47</b>

**Increase Expenditure Codes:**

141-73300-189	LDC-Other Salaries & Wages	\$34,125.00
141-73300-201	LDC-Social Security	2,115.75

141-73300-204	LDC-State Retirement	\$ 2,525.25
141-73300-206	LDC-Life Insurance	61.20
141-73300-207	LDC-Medical Insurance	6,528.46
141-73300-212	LDC-Medicare	494.81
141-73300-307	LDC-Communication	900.00
141-73300-452	LDC-Utilities	1,800.00
141-73300-499	LDC-Other Material & Supplies	1,500.00
	Total Expenditures Increased	\$50,050.47

Increase Revenue Code:

141-46980	Other State Grant	\$3,000.00
	Tobacco Use Prevention Grant	

Increase Expenditure Code:

141-72130-499-9000	Coordinated School Health	\$3,000.00
	Other Materials & Supplies	

12. Commissioner Biloski moved to approve recommendation from Budget Committee the following school transfers. Seconded by Commissioner Warfield. Motion carried by voice vote.

Increase Expenditure Code:

141-71200-399	Other Contracted Services	\$89,628.00
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Decrease Expenditure Codes:

141-71200-189	Other Salaries	\$17,771.00
141-71200-171	Speech/Language Pathologists	68,177.00
141-71200-312	Contracts w/Private Agencies	3,132.00
141-71200-320	Dues & Memberships	548.00
	Total Expenditures Decreased	\$89,628.00

13. Commissioner White moved to approve recommendation from Budget Committee the following non school appropriations. Seconded by Commissioner Warfield. Voting aye: Fritts, Wandell, Alderson, Meredith, Emert, Warfield, Bates, Isbel, McKamey, White, Hitchcock, Creasey, Scott, Biloski and Iwanski. Voting no: none. Absent: Mead. Motion carried.

Increase Revenue Code:

101-47590-9003	GHSO Grant-Traffic Safety	\$40,000.25
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Increase Expenditure Codes:

101-54110-187-9003	GHSO Grant-Overtime	\$25,825.81
101-54110-201-9003	GHSO Grant-Social Security	1,601.18
101-54110-204-9003	GHSO Grant-State Retirement	2,029.89
101-54110-209-9003	GHSO Grant-Disability Insurance	168.90
101-54110-212-9003	GHSO Grant-Medicare	374.47
101-54110-716-9003	GHSO Grant-Law Enforcement Equip	10,000.00
	Total Expenditures Increased	\$40,000.25

Increase Revenue Code:

101-47250-1000	JAG Grant-Law Enforcement Equip	\$14,993.00
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Decrease Expenditure Code:

101-54110-716	Law Enforcement Equipment	\$4,997.00
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Increase Expenditure Code:

101-54110-716-1000	JAG Grant-Law Enforcement Equip	\$19,990.00
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Increase Expenditure Code:

101-52500-709	Data Processing Equipment	\$900.00
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Increase Revenue Code:

101-43396	County Clerk Computer Fees	\$900.00
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Increase Expenditure Code:

101-52500-411	Data Processing Supplies	\$5,700.00
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Increase Revenue Code:

101-46990-2001	State Revenue	\$5,700.00
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Increase Expenditure Code:

171-91110-706	General Administration Project	\$30,000.00
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Decrease Reserve Code:

171-34585	Restricted for Capital Projects	\$30,000.00
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Increase Expenditure Code:

101-55110-335	Maintenance & Repair Svrs Bldg	\$8,000.00
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Decrease Reserve Code:

101-34530-2000	Restricted-Health Department	\$8,000.00
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Increase Revenue Code:

101-46980-2001	Park Grant	\$10,133.00
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Decrease Expenditure Code:

101-51240-791-2001	Other Construction	\$10,133.00
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Park Improvement at Marlow Park

Increase Expenditure Codes:

115-56500-707-2000	Building Improvements	\$34,870.00
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115-56500-709-2001	Data Processing Equipment	117.14
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	Total Expenditures Increased	\$34,987.14
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Decrease Reserve Code:

115-34635-2000	Committed Reserve-Clinton	\$34,987.14
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Increase Expenditure Codes:

101-55110-302-TAB	Advertising	\$7,845.00
101-55110-355-TAB	Travel	1,100.00
101-55110-399-TAB	Other Contracted Services	13,000.00
101-55110-413-TAB	Drugs and Medical Supplies	1,060.00
101-55110-429-TAB	Instructional Supplies	6,583.10
101-55110-499-TAB	Other Supplies and Materials	8,253.00
101-55110-599-TAB	Other Charges	15,000.00
	Total Expenditures Increased	\$52,841.10

Decrease Reserve Code:

101-34530-2001	Restricted-TAB Grant	\$52,841.10
	Health Department	

Increase Revenue Code:

101-47590-2009	DOE Grant CDFA #81.214	\$16,000.00
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Increase Expenditure Code:

101-54410-499-2009	Professional Fee, Grant & Award	\$16,000.00
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Increase Revenue Code:

101-47235-1113	Homeland Security	\$20,000.00
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Grant #34101-11414

Increase Expenditure Code:

101-54410-499-1113	Other Supplies and Materials	\$20,000.00
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14. Commissioner White moved to approve recommendation from Budget Committee the following non school transfer. Seconded by Commissioner Emert. Motion carried by voice vote.

Increase Expenditure Code:

101-51500-189	Other Salaries/Wages	\$10,500.00
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Decrease Expenditure Code:

101-51500-169	Part-Time Help	\$4,000.00
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101-51500-192	Election Commission	2,500.00
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101-51500-193	Election Workers	4,000.00
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	Total Expenditures Decrease	\$10,500.00
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15. Commissioner Alderson moved to approve recommendation from Budget Committee the following general fund unassigned fund balance appropriations. Seconded by Commissioner White.

Increase Expenditure Codes:

101-51720-331	Legal Services	\$15,676.08
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David Crowley-Ouster & Civil Litigation

101-51300-331	Legal Services	
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	Mayor Frank-White Loop Rd	3,318.79
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	Total Expenditures Increased	\$18,994.87
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Decrease Reserve Code:

101-39000	Unassigned Fund Balance	\$18,994.87
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Commissioner Fritts made a motion that we defer these fees to the Law Director for him to look at before approving. Seconded by Commissioner Bates. Motion carried by voice vote.

16. Commissioner Fritts made a motion to put the excess Unassigned Fund Balance over \$4,000,000 in a reserve till we can take action to give county general fund employee bonuses. Seconded by Commissioner Iwanski. Motion carried by voice vote.

17. Commissioner White moved to approve recommendation from Budget Committee the following miscellaneous items. Seconded by Commissioner Warfield. Motion carried by voice vote.

- Approval letter from Director of State and Local Finance (Exhibit B)

- Application to apply for Storm Water Grant
- Application to apply for Green Valley Convenience Center Grant

Commissioner Iwanski made a motion to amend previous motion to pull out approval to pay liability to City of Clinton. Seconded by Commissioner White. Motion carried by voice vote.

18. Commissioner Alderson made a motion to send to Budget Committee the purchase of 3 or 4 AED devices for the Anderson County Detention Center. Seconded by Commissioner Iwanski. Motion carried by voice vote.

#### Highway Department

19. Commissioner White moved to approve recommendation from Road Committee to abandon the right of way in the H.C. Boyer Subdivision off Andersonville Highway. Seconded by Commissioner Alderson. Motion carried by voice vote.

#### Legislative Committee

20. Commissioner Isbel moved to approve recommendation from Legislative Committee to re-submit the private act to the state legislature for approval. Seconded by Commissioner Fritts. Voting aye: Fritts, Wandell, Alderson, Meredith, Emert, Warfield, Bates, Isbel, McKamey, White, Hitchcock, Creasey, Scott, Biloski and Iwanski. Voting no: none. Absent: Mead. Motion passed.

#### Operations Committee

21. Commissioner Meredith moved to approve Glen Alpine Convenience Center agreement with City of Clinton to match the offer by the City of Clinton and extend the agreement to the same date as the city council previously approved. Seconded by Commissioner Wandell. Motion carried by voice vote.

22. Commissioner Meredith moved to approve a resolution number 14-10-517 approving the use of the City of Oak Ridge's incremental tax revenues for a period up to thirty years pursuant to the economic impact plan for the redevelopment of the Oak Ridge Mall economic development area. Seconded by Commissioner White. Motion carried by voice vote. (Exhibit C)

23. Commissioner Meredith moved to approve 2013 donation to AVFD contingent on the agreement as stated in question #11 (Would you be willing to sign documentation of some type, drawn up by our law director, stating that at anytime you revert back to a membership/subscription base department that "ALL" money and fire truck allowance, would be paid back to the county in a specified time period?) upon completion, the county will provide the 2013 donation to AVFD and return the department to an appropriate place on the fire truck resolution list. Seconded by Commissioner Biloski.

Commissioner Emert moved to defer for 30 days to get a copy of charter and new board member information from AVFD. Seconded by Commissioner Scott.

Commissioner Alderson amended motion to defer for up to 90 days. Seconded by Commissioner Iwanski. Motion carried by voice vote.

24. Commissioner Meredith moved to approve resolution authorizing Anderson County to apply for 2014/2015 Tennessee Department of Environment and Conservation (TDEC), Tennessee Stormwater Association (TSA), TVA grant funds for paving and stormwater control of recycling centers up to the maximum of \$30,000.00. Seconded by Commissioner White. Motion carried by voice vote.(Exhibit D)

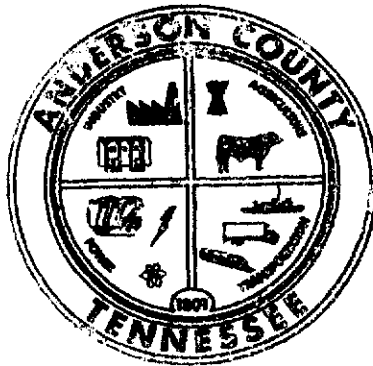
25. Commissioner Meredith move to approve to authorize the Mayor to sell the county owned property located at 831 Clinch Avenue, Clinton with a minimum bid of 10% below the appraised value. Seconded by Commissioner White. Motion carried by voice vote.

26. Commissioner Iwanski made a motion to defer action on the \$105,657.49 to City of Clinton until an agreement is reached with the City of Clinton. Seconded by Commissioner Meredith. Motion carried by voice vote.

New Business

No action at this time.

Meeting adjourned.



*Robert McKamey*

Robert McKamey, Chairman

County Commission

*Jeff Cole*

Jeff Cole

County Clerk

OCTOBER 20, 2014

EXHIBITS

EXHIBIT A: RESOLUTION TO AUTHORIZE COOPERATIVE PURCHASING AGREEMENTS FOR THE USE AND BENEFIT OF ALL COUNTY DEPARTMENTS

EXHIBIT B: APPROVAL LETTER FROM DIRECTOR OF STATE AND LOCAL FINANCE

EXHIBIT C: RESOLUTION APPROVING THE USE OF THE CITY OF OAK RIDGE'S INCREMENTAL TAX REVENUES FOR A PERIOD UP TO THIRTY YEARS PURSUANT TO THE ECONOMIC IMPACT PLAN FOR THE REDEVELOPMENT OF THE OAK RIDGE MALL ECONOMIC DEVELOPMENT AREA

EXHIBIT D: RESOLUTION AUTHORIZING ANDERSON COUNTY TO APPLY FOR 2014/2015 TENNESSEE DEPARTMENT OF ENVIROMENT AND CONSERVATION (TDEC), TVA GRANT FUNDS FOR PAVING AND STORMWATER CONTROL OF RECYCLING CENTERS UP TO THE MAXIMUM OF \$30,000.00

\*ALL ORIGINAL CERTIFIED COPIES OF DOCUMENTS ARE FILED IN THE COUNTY CLERK'S CLINTON LOCAIOTN LOCATED IN COURTHOUSE ROOM 111.

# Anderson County, Tennessee

EXHIBIT

## Board of Commissioners

A

### RESOLUTION 14-\_\_\_\_\_

#### RESOLUTION TO AUTHORIZE COOPERATIVE PURCHASING AGREEMENTS FOR THE USE AND BENEFIT OF ALL COUNTY DEPARTMENTS.

**WHEREAS**, *Tennessee Code Annotated (TCA) § 12-3-1205 (B) (1)* allows for master cooperative purchasing agreements upon the approval and consent of the local legislative body; and

**WHEREAS**, cooperative purchasing agreements allow local governments to purchase goods and services from other local, state and national cooperative purchasing alliances that have been competitively bid under the same circumstances required by law by the purchasing entity; and

**WHEREAS**, these master cooperative agreements reduce time and personnel resources needed to competitively bid goods and services at the local level, but still allow local governments to take advantage of the lowest and best pricing available for the needed goods and services; and

**WHEREAS**, Tennessee state law was recently amended at the request of the Tennessee Association of Public Purchasing, the Anderson County Legislative Committee and the Anderson County Board of Commissioners for all Tennessee counties to take advantage of cooperative purchasing agreements in effect throughout our state and nation; and

**WHEREAS**, Tennessee Code Annotated, Section *12-3-1205 (B) (1)*, states as follows:

(1) Notwithstanding any other law to the contrary, any municipality county, utility district, or other local government of the state may participate in, sponsor, conduct, or administer a cooperative purchasing agreement for the procurement of any goods, supplies, services, or equipment with one (1) or more other governmental entities outside this state, to the extent the laws of the other state permit the joint exercise of purchasing authority, in accordance with an agreement entered into between or among the participants; provided, such goods, supplies, services, or equipment were procured in a manner that constitutes competitive bidding and were advertised, evaluated, and awarded by a governmental entity and made available for use by other governmental entities.

(2) A municipality, county, utility district, or other local government of the state may participate in a master agreement by adopting a resolution accepting the terms of the master agreement. If a participant in a joint or multi-party agreement is required to advertise and receive bids, then it will be deemed sufficient for those purposes that the purchasing entity or the entity that procured the bid complied with its own purchasing requirements. The participant shall acquire and maintain documentation that the purchasing entity or entities that procured

the bid complied with its own purchasing requirements.

**WHEREAS**, Anderson County desires to take advantage of the newly created law and reduce the taxpayer burden for duplication of services while still taking advantage of the lowest and best pricing under the master cooperative agreements that have been competitively bid under the same circumstances required by law by the purchasing entity.

**NOW THEREFORE, BE IT RESOLVED** by the Anderson County Board of Commissioners meeting in regular session this 20<sup>th</sup> day of October 2014 that we agree to the terms of the newly created law and authorize use of the following master cooperative purchasing agreements:

- 1) E & I Public Sourcing (E&I). *(See Exhibit 1)*
- 2) North Central EMS Cooperative (NCEMSC). *(See Exhibit 2)*

**BE IT FURTHER RESOLVED** that the established list of authorized cooperative purchasing agreements may be amended at any time by the Anderson County Board of Commissioners.

**RESOLVED, DULY PASSED AND APPROVED** this 20th day of October 2014.

*Robert McKamey*

Robert McKamey, AC Commission, Chair

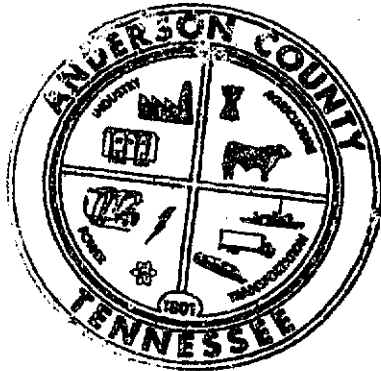
*Terry Frank*

Terry Frank, Anderson County Mayor

ATTEST:

*Jeff Cole*

Jeff Cole, Anderson County Clerk





EXHIBIT

B

STATE OF TENNESSEE  
COMPTROLLER OF THE TREASURY  
OFFICE OF STATE AND LOCAL FINANCE  
SUITE 1600 JAMES K. POLK STATE OFFICE BUILDING  
505 DEADERICK STREET  
NASHVILLE, TENNESSEE 37243-1402  
PHONE (615) 401-7872  
FAX (615) 741-5986



October 10, 2014

Honorable Terry Frank, Mayor  
Anderson County  
Office of the County Mayor  
100 N. Main Street, Room 208  
Clinton, TN 37716-3617

Dear Mayor Frank:

This Office received a letter from Anderson County (the "County") on October 9, 2014, requesting approval to issue interfund tax and revenue anticipation notes ("TRANs") for fiscal year 2015. The County's request indicates that the interfund TRANs will be interim short-term funding until the County has an opportunity to execute notes with an outside financial institution, the proceeds of which will retire the interfund TRANs.

The County will be required to submit a separate request for approval to issue the TRANs to the financial institution to the Office of State and Local Finance prior to issuing the notes.

Counties in Tennessee are authorized to issue TRANs pursuant to Tennessee Code Annotated Title 9, Chapter 21 to provide monies for operating expenses until sufficient revenues are received. The par amount of TRANs must not exceed 60% of the annual appropriation for the fund involved, and projected future revenues must be sufficient to provide for the payment of the TRANs by June 30, 2015.

#### **Debt Management Policy**

The County provided a copy of its debt management policy, and within forty-five days of issuance of the debt approved in this letter, is required to submit a Report on Debt Obligation that indicates that this debt complies with its debt policy. If the County amends its policy, please submit the amended policy to this office.

#### **Tax and Revenue Anticipation Note**

This letter constitutes approval to issue up to \$2,793,000 General Purpose School Fund TRANs, Series 2014, as interfund loans from the County's General Fund and Rural High School Debt Service Fund, in amounts of \$1,000,000 and \$1,793,000, respectively.

The issuance of the TRANs is conditional upon agreement with the following terms by the County Commission:



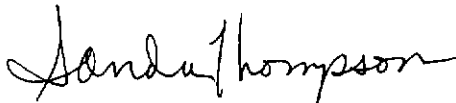
- A copy of this letter shall be provided to all the members of the County Commission, be presented at the next meeting of the County Commission, and be entered in the minutes of the meeting.
- The County shall comply with the requirements of Tennessee Code Annotated, Title 9, Chapter 21.
- The County shall use the Tax and Revenue Anticipation Note Form enclosed with this letter as its loan document.
- The County shall report the execution of the TRANS and the amounts to the County Commission and this Office within 45 days of issuance on Form CT-0253-Report on Debt Obligation.
- The County shall maintain a balanced budget with no cash deficits and sufficient to pay operating and debt service costs.
- The County shall repay the TRANS no later than June 30, 2015 and provide this Office documentation within 15 days of, but not later than June 30, 2015. If the County does not issue the TRANS, please provide documentation to this Office stating the non-issuance no later than June 30, 2015.

This letter and the approval to issue debt do not address compliance with federal tax regulations and should not be relied upon for that purpose. The County should discuss these issues with a tax attorney or bond counsel.

#### Report on Debt Obligation

Enclosed is a revised Report on Debt Obligation (Form CT-0253). The Form must be filed with the governing body of the public entity issuing the debt not later than forty-five (45) days following the issuance or execution of a debt obligation by or on behalf of any public entity, with a copy (including attachments, if any) filed with the Director of the Office of State and Local Finance by mail to the address on this letter or by email to [StateandLocalFinance.PublicDebtForm@cot.tn.gov](mailto:StateandLocalFinance.PublicDebtForm@cot.tn.gov). No public entity may enter into additional debt if it has failed to file the Report on Debt Obligation.

Sincerely,



Sandra Thompson  
Director of State & Local Finance

Cc: Mr. Jim Arnette, Director of Local Government Audit, COT

Encl: Report on Debt Obligation  
Tax Anticipation Note Form

**A RESOLUTION OF THE COUNTY COMMISSION OF ANDERSON COUNTY, TENNESSEE APPROVING THE USE OF THE CITY OF OAK RIDGE'S INCREMENTAL TAX REVENUES FOR A PERIOD UP TO THIRTY (30) YEARS PURSUANT TO THE ECONOMIC IMPACT PLAN FOR THE REDEVELOPMENT OF THE OAK RIDGE MALL ECONOMIC DEVELOPMENT AREA**

WHEREAS, The Industrial Development Board of the City of Oak Ridge, Tennessee (the "IDB") prepared the Economic Impact Plan for the Redevelopment of the Oak Ridge Mall Economic Development Area (the "Economic Impact Plan") regarding the development of the Oak Ridge Mall area (the "Plan Area"); and

WHEREAS, the redevelopment of the Plan Area would include the demolition of the existing mall and the construction of a retail-driven, multi-use project which is anticipated to contain, as the development is completed over time, approximately 400,000 square feet of retail space in multiple buildings, approximately 60,000 to 100,000 square feet of office space and a hotel (the "Project") plus the construction of up to 50 multi-family residential units; and

WHEREAS, the Economic Impact Plan would permit certain tax increment financing ("Tax Increment Financing") to be provided through the issuance of the IDB's bonds, notes and other obligations in the total amount not to exceed \$13,000,000, exclusive of interest paid on any tax increment financing issued or refinanced by the IDB, pursuant to Chapter 53, Title 7 of the Tennessee Code Annotated; and

WHEREAS, the incremental property tax revenues (the "TIF Revenues") that result from the development of the Plan Area under the Economic Impact Plan will be allocated to the IDB to be used to pay debt service of the Tax Increment Financing; and

WHEREAS, the proceeds of the Tax Increment Financing would be used to pay a portion of the cost for any one or more of the following: (i) the cost of constructing the Public Infrastructure for the Project (the "Public Infrastructure Costs"), (ii) the costs for demolition of existing buildings and other improvements (the "Demolition Costs"), (iii) the costs of site preparation for the Project (the "Site Preparation Costs"), (iv) the cost of construction of the buildings for the retail space, offices and the hotel for the Project (the "Building Costs"), (v) the costs for the relocation of all utilities and installation of new utilities (the "Utilities Cost"), (vi) the transaction costs, engineering costs, closing costs and legal costs incurred by the IDB and the developer in connection with the adoption and implementation of the Economic Impact Plan and the financing contemplated thereunder (the "Transaction Cost"), and (vii) such other cost as permitted by Tennessee Code Annotated § 7-53-312 (the "Other Costs"); and

WHEREAS, the Economic Impact Plan provided that the TIF Revenues would be distributed pursuant to the IDB commencing for the taxes assessed for the 2016 calendar year and continuing for a period equal to the lesser of (a) the point in time when the Tax Increment Financing has been repaid, with interest, or (b) twenty (20) years, provided however, that the TIF Revenues could be distributed to the IDB for a period in excess of twenty (20) years if the Commissioner of the Department of Economic and Community Development and the

Comptroller of the Treasury make a written determination pursuant to Tennessee Code Annotated § 9-23-104 that it is in the best interest of the State of Tennessee that the TIF Revenues should be distributed to the IDB for a period in excess of twenty (20) years and the governing bodies of the City of Oak Ridge (the "City") and Anderson County (the County") also approve any allocation period in excess of twenty (20) years; and

WHEREAS, after giving the notice of a public hearing to be held on October 24, 2013, and after conducting the public hearing as required by Tennessee Code Annotated § 7-53-312, ~~the IDB voted to recommend the adoption of the Economic Impact Plan at a meeting on~~ October 24, 2013; and

WHEREAS, the City Council for the City approved the Economic Impact Plan on November 11, 2013; and

WHEREAS, the County Commission of the County approved the Economic Impact Plan on November 18, 2013; and

WHEREAS, by email dated January 23, 2014, the General Counsel for the Department of Economic and Community Development advised that the use of the proceeds of the Tax Increment Financing to finance the Demolition Costs, the Site Preparation Costs, the Building Costs, the Utilities Costs and the Other Costs was deemed approved by operation of law; and

WHEREAS, by letter dated January 5, 2014, the Comptroller of the Treasury has approved the use of the proceeds of the Tax Increment Financing to finance the Demolition Costs, the Site Preparation Costs, the Building Costs, the Utilities Costs and the Other Costs but provided that the approval did not include an allocation of the TIF Revenues to the IDB for a period in excess of twenty (20) years, and


WHEREAS, in accordance with the Economic Impact Plan, the IDB will finance the TIF Eligible Costs with a lender or lenders and would pledge the TIF Revenues to such lender or lenders to apply to the debt service on the Tax Increment Financing; and

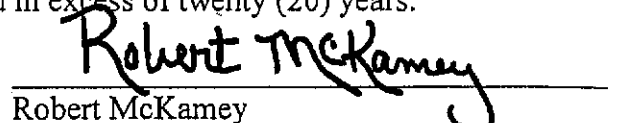
WHEREAS, the lenders have advised the IDB that the lenders will not be able to finance the TIF Eligible Costs unless the City's TIF Revenues could be used to pay the debt service on the Tax Increment Financing for a period of up to thirty (30) years; and

WHEREAS, the IDB and the governing body of the City have approved the use of the City's TIF Revenues by the IDB to pay the debt service on the Tax Increment Financing commencing with the taxes assessed for the 2016 calendar year and continuing for a period equal to the lesser of (a) the point in time when the Tax Increment Financing has been repaid, with interest, or (b) thirty (30) years; and

WHEREAS, the County is willing to approve the IDB's use of the City's TIF Revenues to pay the debt service on the Tax Increment Financing for a period of up to thirty (30) years, provided that the County's TIF Revenues shall not be used to pay the debt service on the Tax Increment Financing for a period in excess of twenty (20) years.

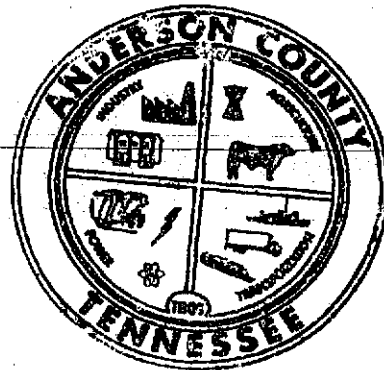
NOW, THEREFORE, BE IT RESOLVED by the County Commission of Anderson County, Tennessee (the "County Commission"), that the IDB's use of the City's TIF Revenues to pay the debt service on the Tax Increment Financing for a period of up to thirty (30) years is hereby approved, provided that the County's TIF Revenues shall not be used to pay the debt service on the Tax Increment Financing for a period in excess of twenty (20) years.

  
Terry Frank  
County Mayor

  
Robert McKamey  
Chairman County Commission

Attested: October 20, 2014

  
Jeff Cole  
County Clerk



Anderson County, Tennessee  
Board of Commissioners

EXHIBIT  
D

RESOLUTION NO. 14-10-515

~~RESOLUTION AUTHORIZING ANDERSON COUNTY TO APPLY FOR 2014/2015  
TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION (TDEC),  
TENNESSEE STORMWATER ASSOCIATION (TSA), TVA GRANT FUNDS FOR  
PAVING AND STORMWATER CONTROL OF RECYCLING CENTERS UP TO THE  
MAXIMUM OF \$30,000.00~~

WHEREAS, Tennessee Department of Environment and Conservation has partnered with TVA, the Tennessee Stormwater Association, and the Tennessee Department of Transportation to offer grants to fund green infrastructure and low-impact development projects in local communities.

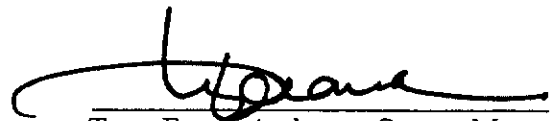
WHEREAS, Anderson County desires to take advantage of this opportunity to better serve the citizens of the County and improve overall and environmental conditions of our convenience and recycling centers.

WHEREAS, Anderson County is committed to making "green" improvements to our communities that provide more environmentally friendly services to our citizens.

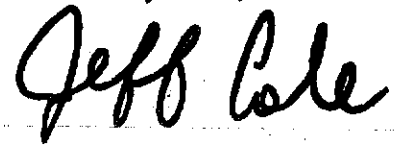
NOW, THEREFORE BE IT RESOLVED, the Anderson County Commission hereby commits to applying for 2014-2015 TDEC, TSA, TVA, TDOT Grant Funds, in an amount not exceeding \$30,000. Anderson County Commission agrees to meet the 20% matching funds required by the program in order to aid in the effort to improve the overall and environmental conditions of our recycling centers.

RESOLVED, DULY PASSED AND APPROVED this 20<sup>th</sup> day of October, 2014.

  
Robert McKamey, Chair, AC Commission

  
Terry Frank, Anderson County Mayor

ATTEST:

  
Jeff Cole, Anderson County Clerk

