

ANDERSON COUNTY
REGULAR SESSION
COMMISSION MINUTES
JULY 18, 2016

BE IT REMEMBERED THAT THE ANDERSON COUNTY BOARD OF COMMISSION MET IN REGULAR SESSION ON JULY 18, 2016 WITH THE FOLLOWING COMMISSIONERS PRESENT: CHUCK FRITTS, TRACY WANDELL, MARK ALDERSON, RICK MEREDITH, STEVEN EMERT, PHIL WARFIELD, ZACH BATES, TIM ISBEL, ROBERT MCKAMEY, JERRY WHITE, WHITEY HITCHCOCK, JERRY CREASEY, THERESA SCOTT, ANGELEQUE MCNUTT AND MYRON IWANSKI. ABSENT: NONE.

Prayer was led by Commissioner Warfield.

Pledge of Allegiance was led by Commissioner Scott.

1. Commissioner White made a motion to approve the Consent Agenda. Seconded by Commissioner Alderson. Motion carried by voice vote.

- June 20, 2016 and June 23, 2016 County Commission Minutes
- Notary and Notary Bonds
- Reports
 - Director of Schools
 - None submitted
 - County Mayor
- Committee Reports
 - Anderson County Board of Education June 9, 2016 Minutes
 - AC Municipal Solid Waste Regional Board July 12, 2016
 - Anderson County Road Committee July 11, 2016 Minutes
 - Financial Management Committee

Notaries

Doris Ollis

Jacob R Nicholls

Danielle Gallaher

James M Normand

Sarah W Galloway

Andrea Marie Patterson

Leah Gilbert

Candace L Phillips

Kimberly Glessner

Tammy D Rounds

Cynthia S Jeffers

James F Sanderson

Linda G Lovely

Amanda D Wallace

Alisha Martin

April J Wolfe

David Metchikoff

Robin Yochum

Thomas J Morgan

Rhiannon York

Notary Bonds

State Farm

Liberty Mutual

Kimberly Butler

Teresa Garner

RLI

Jennifer Brown
Joshua L Holley
Pamela P Gibson
Tammy Upton

SBCA

Karen E Tadlock
Michael C Bowers
Karen N Leon
Michael David Hatmaker

Sentry Select

Jeremiah R Thompson

Nationwide

Lara C Davis

2. Commissioner White made a motion to approve the Regular Agenda. Seconded by Commissioner Wandell. Motion carried by voice vote.

3. Commissioner White made a motion to discuss Public Works Directors legal fees under Old Business. Seconded by Commissioner McKamey. Voice vote. Motion failed.

Mayor

No action.

School Director

No action.

Law Director

4. Commissioner McKamey made a motion to approve settlement agreement on lawsuit in the case of Forrester v. Anderson County and William Jones. Seconded by Commissioner Scott. Motion carried by voice vote.

5. Commissioner Mead made a motion to approve for the Law Director to move forward with legal action with Chester Cates on back payment on lease on Blockhouse Valley. Seconded by Commissioner Warfield. Voting aye: Fritts, Wandell, Alderson, Meredith, Emert, Warfield, Bates, Isbel, McKamey, Hitchcock, Mead, Creasey, Scott, McNutt and Iwanski. Voting no: White. Motion carried.

Western Surety

Jason S Henderson
Vanessa S Thacker
Megan A Elliott

Property Bond

Kathy Turpin

Auto Owners Ins

Frances B Inman

Merchants

Melissa Wallis Bacon

Travelers

Lori L Ellis

6. Commissioner McKamey made a motion to defer the letter from the State of Tennessee Comptroller Office regarding property tax assessment of mobile homes for discussion. Seconded by Commissioner Isabel. Motion carried by voice vote.
7. Commissioner Wandell made a motion to approve a resolution 16-07-591 requesting the Tennessee Department of Transportation to re-evaluate and reconsider construction plans to U.S. Highway at 25W through the Powell/Claxton/South Clinton communities of Anderson County, to initiate public discussions and comments regarding this important project and to request the Anderson County delegation to the Tennessee General Assembly to intervene and communicate with TDOT that public comment is necessary for Anderson County citizens to voice their important views toward this critical project that affects the public safety and welfare of all motorists traveling this important commuter corridor and resolution 16-7-590 in honor of John McCulley.(Exhibit A and B) Seconded by Commissioner Scott. Motion carried by voice vote unanimously.
8. Commissioner Meredith made a motion to approve the following contracts contingent on approval signature and approval letter from Law Director. Seconded by Commissioner Warfield. Motion carried by voice vote. Commissioner Bates abstained.
- Comcast Communications-10 month contract for internet services for early voting for Anderson County Election Commission for period of February 1, 2016 thru November 30, 2016
 - Correct Care Integrated Health Inc-12 month contract for supplemental insurance for inmates at the Anderson County Detention Center for period of June 1, 2016 thru May 31, 2017
 - Arthur Reed Baker-5 year contract for lease of the West Wolf Valley Convenience Center for period of July 1, 2016 thru June 30, 2021
 - Volunteer Highway Supply Company Inc.-3 year contract for the striping of county roads per bid number 4678 for period of July 1, 2016 thru June 30, 2019
 - Highway Markings Inc-3 year contract for the striping of county roads per bid number 4678 for period of July 1, 2016 thru June 30, 2019
 - University of TN Medical Center Homecare Services LLC-12 month contract for hospice patient transportation for period of June 11, 2016 thru June 10, 2017
 - Tennessee Guardrail Inc-3 year contract for new and used guard rails per bid number 4676 for period of July 1, 2016 thru June 30, 2019
 - Highway Markings Inc-3 year contract for new and used guard rails per bid number 4676 for period of July 1, 2016 thru June 30, 2019
 - IC Solutions-5 year contract for inmate telephone services, per request for proposal number 4490 for period of July 1, 2015 thru June 30, 2020 with the option to renew for 5 additional years in one year increments
 - Longmire Bus Line Inc-4 year contract an option to renew an additional 4 years in one year increments for transportation of students to and from school each day in Anderson County
 - William Scotty Phillips-4 year contract with an option to renew for 4 additional years in one year increments for transportation of students to and from school each day in Anderson County

- M & R Bus Company-4 year contract with an option to renew for 4 additional years in one year increments for transportation of students to and from school each day in Anderson County
- Andersonville Bus Lines Inc-4 year contract with an option to renew for 4 additional years in one year increments for transportation of students to and from school each day in Anderson County
- Parker Transport Inc- 4 year contract with an option to renew for 4 additional years in one year increments for transportation of students to and from school each day in Anderson County
- Landreth School Bus Service-4 year contract with an option to renew for 4 additional years in one year increments for transportation of students to and from school each day in Anderson County

9. Commissioner Alderson made a motion to approve the following Contracts contingent on approval signature and approval letter from Law Director. Seconded by Commissioner Meredith. Motion carried by voice vote. Commissioner Isbel and Commissioner Bates abstained.

- Rogers Group Inc-3 year contract for asphalt material for Anderson County per bid number 4677 for period of July 1, 2016 thru June 30, 2016
- Rogers Group Inc-3 year contract for cold mix for Anderson County Highway Department per bid number 4675 for period of July 1, 2016 thru June 30, 2019

10. Commissioner Meredith made a motion to approve the Mental Health Contract with the amendment of extending it to June 30, 2017. Seconded by Commissioner Alderson. Motion carried by voice vote.

Elected Officials

11. Commissioner Meredith made a motion that the Trustees Office be relieved of liability for the collection of delinquent taxes turned over to the Clerk & Master for the year 2014. Seconded by Commissioner Mead. Motion carried by voice vote.

12. Commissioner McKamey made a motion that the Trustees Office be released of the 2014 property taxes and property assessed in error. Seconded by Commissioner Meredith. Motion carried by voice vote.

13. Commissioner Meredith made a motion to approve a bond for Finance Department for \$100,000.00, Purchasing Department for \$100,000.00, Director of Schools for \$100,000.00 and Property Assessor for \$50,000.00. Seconded by Commissioner Scott. Motion carried by voice vote.

Budget Committee

14. Commissioner Warfield made a motion to approve the resolution fixing the tax levy in Anderson County, Tennessee for the fiscal year beginning July 1, 2016.(Exhibit C) Seconded by Commissioner Mead. Voting aye: Fritts, Wandell, Alderson, Meredith, Emert, Warfield, Bates, Isbel, McKamey, White, Hitchcock, Mead, Creasey, Scott, McNutt and Iwanski. Voting no: none. Motion passed.

15. Commissioner Meredith made a motion to approve the resolution making appropriation for the various funds, departments, institutions, offices and agencies of Anderson County, Tennessee for the year beginning July 1, 2016 and ending June 30, 2017.(Exhibit D) Seconded by Commissioner Alderson. Voting aye: Fritts, Wandell, Alderson, Meredith, Emert, Warfield, Bates, Isbel, McKamey, White, Hitchcock, Mead, Creasey, Scott, McNutt and Iwanski. Voting no: none. Motion passed.

16. Commissioner Alderson made a motion to approve the joint resolution 16-07-586, 16-07-588 and 16-07-589 to approve a nonrecurring (one-time) appropriation for fiscal year 2017 to fund nonrecurring capital project expenses with Anderson County Schools Board of education, Clinton City Schools Board of Education and Oak Ridge City Schools Board of Education contingent on if the Department of Education needs to know the type of equipment each school is purchasing.(Exhibit E, F and G) Seconded by Commissioner Scott. Voting aye: Fritts, Wandell, Alderson, Meredith, Emert, Warfield, Bates, Isbel, McKamey, White Mead, Creasey, Scott, McNutt and Iwanski. Voting no: Hitchcock. Motion passed.

Operations Committee

17. Commissioner Isbel made a motion to approve a joint resolution to approve uniform tax increment financing policies and procedures between the Anderson County Board of Commissioners and the Industrial Development Board.(Exhibit H) Seconded by Commissioner Mead. Voting aye: Fritts, Wandell, Alderson, Meredith, Emert, Warfield, Bates, Isbel, McKamey, White, Hitchcock, Mead, Creasey, Scott, McNutt and Iwanski. Voting no: none. Motion passed.

Old Business

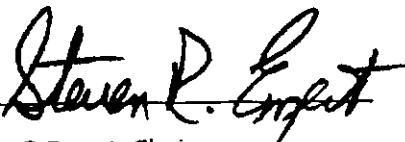
None

New Business

None

Meeting adjourned.





Steven R Emert, Chairman

County Commission



Jeff Cole

County Clerk

EXHIBIT PAGE

JULY 18, 2016

EXHIBIT A: RESOLUTION REQUESTING THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) TO RE-EVALUATE AND RECONSIDER CONSTRUCTION PLANS TO U.S. HIGHWAY 25W THROUGH THE POWELL/CLAXTON/SOUTH CLINTON COMMUNITIES OF ANDERSON COUNTY, TO INITIATE PUBLIC DISCUSSIONS AND COMMENTS REGARDING THIS IMPORTANT PROJECT AND TO REQUEST THE ANDERSON COUNTY DELEGATION TO THE TENNESSEE GENERAL ASSEMBLY TO INTERVENE AND COMMUNICATE WITH TDOT THAT PUBLIC COMMENT IS NECESSARY FOR ANDERSON COUNTY CITIZENS TO VOICE THEIR IMPORTANT VIEWS TOWARD THIS CRITICAL PROJECT THAT AFFECTS THE PUBLIC SAFETY AND WELFARE OF ALL MOTORISTS TRAVELING THIS IMPORTANT COMMUTER CORRIDOR

EXHIBIT B: POSTHUMOUS RESOLUTION IN HONOR OF JOHN MCCULLEY

EXHIBIT C: RESOLUTION FIXING THE TAX LEVY IN ANDERSON COUNTY TENNESSEE FOR THE FISCAL YEAR BEGINNING JULY 1, 2016

EXHIBIT D: A RESOLUTION MAKING APPROPRIATION FOR THE VARIOUS FUNDS, DEPARTMENTS, INSTITUTIONS, OFFICES, AND AGENCIES OF ANDERSON COUNTY, TENNESSEE FOR THE YEAR BEGINNING JULY 1, 2016 AND ENDING JUNE 30, 2017

EXHIBIT E, F AND G: A JOINT RESOLUTION TO APPROVE A NONRECURRING (ONE-TIME) APPROPRIATION FOR FISCAL YEAR 2017 TO FUND NONRECURRING CAPITAL PROJECT EXPENSES

EXHIBIT H: A JOINT RESOLUTION TO APPROVE UNIFORM TAX INCREMENT FINANCING POLICIES AND PROCEDURES BETWEEN THE ANDERSON COUNTY BOARD OF COMMISSIONERS AND THE INDUSTRIAL DEVELOPMENT BOARD

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

Anderson County, Tennessee Board of Commissioners

EXHIBIT

A

RESOLUTION NO. 16-07-591

RESOLUTION REQUESTING THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) TO RE-EVALUATE AND RECONSIDER CONSTRUCTION PLANS TO U.S. HIGHWAY 25W THROUGH THE POWELL/CLAXTON/SOUTH CLINTON COMMUNITIES OF ANDERSON COUNTY, TO INITIATE PUBLIC DISCUSSIONS AND COMMENTS REGARDING THIS IMPORTANT PROJECT AND TO REQUEST THE ANDERSON COUNTY DELEGATION TO THE TENNESSEE GENERAL ASSEMBLY TO INTERVENE AND COMMUNICATE WITH TDOT THAT PUBLIC COMMENT IS NECESSARY FOR ANDERSON COUNTY CITIZENS TO VOICE THEIR IMPORTANT VIEWS TOWARD THIS CRITICAL PROJECT THAT AFFECTS THE PUBLIC SAFETY AND WELFARE OF ALL MOTORISTS TRAVELING THIS IMPORTANT COMMUTER CORRIDOR.

WHEREAS, TDOT has announced plans to commence construction activities on the Highway 25W corridor through the Powell, Claxton and South Clinton communities of Anderson County; and

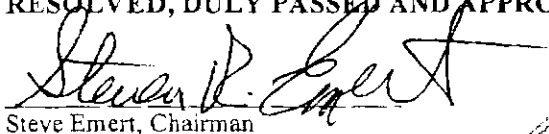
WHEREAS, these plans have not involved citizen discussion, County Commission involvement or consultation with the Anderson County Highway Department; and

WHEREAS, all agree that safety is paramount to the traveling public and improvements need to be made to this critical commuter corridor; however, for the past thirteen (13) years numerous County Commission Resolutions have been adopted and sent to the General Assembly for action involving the widening of Edgemoor Road, but these requests have fallen on deaf ears and nothing has been done to initiate those viable alternatives that would ease traffic congestion in this area; and

WHEREAS, the citizens of this area have legitimate concerns about the newly announced TDOT plans and desire their voice to be heard at both the local and state level.

NOW THEREFORE, BE IT RESOLVED by the Anderson County Board of Commissioners meeting in regular session this 18th day of July 2016 that we appreciate TDOT for their willingness to engage in this much needed safety project; however, the citizens of this area should be heard, public hearings need to be conducted and local government officials need to be consulted. Furthermore, we request the Anderson County delegation to the Tennessee General Assembly to intervene and investigate these concerns and report findings to the citizens and all local government officials involved. We respectfully request TDOT to delay initiation of its current plans and hold public hearings so the citizens have their right to be heard on this important safety project.

RESOLVED, DULY PASSED AND APPROVED this 18th day of July 2016.


Steve Emert, Chairman


Terry Frank, County Mayor

ATTEST:

Jeff Cole, Anderson County Clerk



Anderson County, Tennessee
Board of Commissioners

EXHIBIT

B

RESOLUTION NO. 16-7-590

POSTHUMOUS RESOLUTION IN HONOR OF JOHN McCULLEY

WHEREAS, our dear friend, Corporal John McCulley passed away on Friday, June 3rd, 2016 after a courageous battle with cancer; and

WHEREAS, like so many other tragic events in John's life, he fought this battle wanting no sympathy from his friends and family; and

WHEREAS, John was an imposing, but iconic figure at his security post on the third floor of the courthouse. Those who knew him understood, that beneath his large stature, he was a kind warm soul that cared immensely for the people he worked with and the citizens he served; and

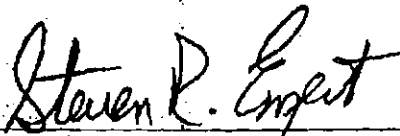
WHEREAS, cancer may have taken our dear friend, but his "brighter than life" personality will forever live on in the hearts and minds of all who knew and loved him;

NOW, THEREFORE, BE IT RESOLVED by the Anderson County Board of Commissioners meeting in regular session this 18th day of July 2016 that we honor John McCulley for his courageous battle with cancer, his constant devotion to his brothers and sisters in the law enforcement family and his dedication to the citizens of Anderson County. May the Lord bless his kind warm soul and we all embrace and learn from his bravery.

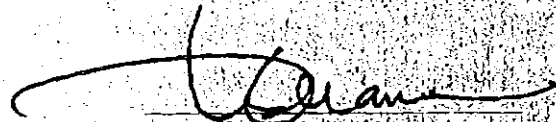
BE IT FURTHER RESOLVED that we proclaim July 22nd 2016 as "Corporal John McCulley Day" in Anderson County.

RESOLVED, duly passed and approved this 18th day of July 2016.

APPROVED:

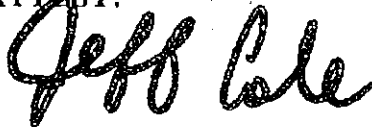


Steve Emert, Chairman

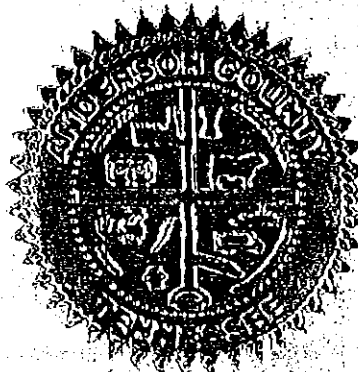


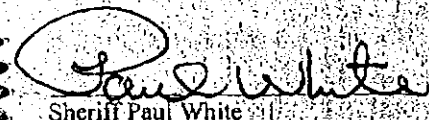
Terry Frank, County Mayor

ATTEST:



Jeff Cole, Anderson County Clerk





Sheriff Paul White

**RESOLUTION FIXING THE TAX LEVY IN ANDERSON COUNTY, TENNESSEE
FOR THE FISCAL YEAR BEGINNING JULY 1, 2016**

EXHIBIT

C

SECTION 1. BE IT RESOLVED, by the Board of County Commissioner of Anderson County, Tennessee assembled in special called session on the 12th day of July, 2016 that the combined property tax rate for Anderson County, Tennessee, for the fiscal year beginning July 1, 2016, shall be \$2.7589 on each \$100.00 of the taxable property within the boundaries of the City of Clinton; \$2.5945 on each \$100.00 of the taxable property within the boundaries of the City of Oak Ridge; and \$2.7903 on each \$100.00 of the taxable property in Oliver Springs, Rocky Top, Norris, and Rural Anderson County, which levy is to provide revenue for each of the following funds and otherwise conform to the following levies:

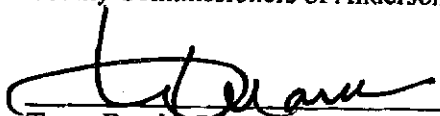
<u>Fund</u>	<u>of Clinton</u>	<u>of Oak Ridge</u>	<u>Anderson County</u>
County General	0.7247	0.7247	0.7247
Library	0.0282	0.0282	0.0282
Solid Waste	0.0658	0.0658	0.0658
Highway	0.0291	0.0291	0.0291
Public Schools	1.6105	1.6105	1.6105
Debt Service	0.1063	0.1063	0.1063
Rural Debt Service	0.0000	0.0000	0.0314
HS Debt Service	0.1644	0.0000	0.1644
Capital Projects Fund	0.0019	0.0019	0.0019
Educational Projects Fund	<u>0.0280</u>	<u>0.0280</u>	<u>0.0280</u>
TOTAL	2.7589	2.5945	2.7903


SECTION 2. BE IT RESOLVED, that there is levied by and for use of Anderson County, Tennessee, a Business Tax (provided in thereto) on the businesses in Anderson County, Tennessee, or exercising a taxable privilege as approved by said Act, at the rates and in the manner prescribed by said Act. The proceeds of the privilege taxes herein levied shall be apportioned to the Anderson County General Fund.

SECTION 3. BE IT RESOLVED, that there is hereby and for the use of Anderson County, Tennessee a severance tax (provided in chapter 795 of the Public Acts of Tennessee, 1972, amended 1974) on all coal products severed from the ground in Anderson County, Tennessee, as provided in said Act. The proceeds of the severance tax herein levied shall be apportioned for the following specific purposes as proscribed by said Act: one-half (1/2) of all revenues collected shall be used for highway and stream cleaning systems of said county; one-half (1/2) of all revenues collected shall be used for education.

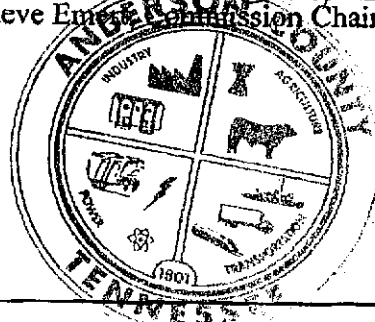
SECTION 4. BE IT RESOLVED, that all resolutions of the Board of County Commissioners of Anderson County, Tennessee, which are in conflict with this resolution are hereby repealed.

SECTION 5. BE IT RESOLVED, that this resolution shall take effect after its passage the public welfare requiring it. This resolution shall be spread upon the minutes of the Board of County Commissioners of Anderson County.


Terry Frank, County Mayor


Jeff Cole, County Clerk


Steve Emer, Commission Chairman



**A RESOLUTION MAKING APPROPRIATION FOR THE VARIOUS FUNDS,
DEPARTMENTS, INSTITUTIONS, OFFICES, AND AGENCIES OF ANDERSON
COUNTY, TENNESSEE FOR THE YEAR BEGINNING JULY 1, 2016 AND ENDING
JUNE 30, 2017**

SECTION 1. BE IT RESOLVED, by the Board of County Commissioner of Anderson County, Tennessee assembled in special session on the 18th day of July, 2016 that the amounts hereafter set out are hereby appropriated for the purpose of meeting the expenses of the various funds, departments, institutions, offices, and agencies of Anderson County, Tennessee, for the capital outlay, and for meeting the payment of principal and interest on the County's debt, maturing during the year beginning July 1, 2016, and ending June 30, 2017, according to the following schedule.

101 COUNTY GENERAL FUND

51100	County Commission	\$313,224.00
51210	Board of Equalization	7,393.00
51240	Conservation Commission	378,303.00
51300	County Mayor	267,052.00
51310	Personnel Office (HR)	213,252.00
51400	County Attorney/Law Director	321,174.00
51500	Election Commission	488,726.00
51600	Register of Deeds	413,192.00
51720	Planning and Zoning	237,573.00
51730	Maintenance	50,000.00
51800	County Building	916,761.00
51900	Other General Administration	223,306.00
51910	Vault/County Historian	37,986.00
52100	Accounting and Budgeting	678,352.00
52200	Purchasing	255,580.00
52300	Property Assessor's Office	377,325.00
52310	Reappraisal Program	239,109.00
52400	County Trustee	641,325.00
52500	County Clerk's Office	818,234.00
53100	Circuit Court	1,203,853.00
53200	Criminal Court	2,058.00
53310	General Sessions Judge	557,858.00
53330	Drug Court	81,086.00
53400	Chancery Court	465,801.00
53500	Juvenile Court	598,957.00
53600	District Attorney General	47,740.00
53610	District Public Defender	32,965.00
53700	Judicial Commissioners	2,154.00
53800	Probate Court	4,000.00
53900	Pre-Trial Release Program	110,159.00
53920	Courtroom Security	75,500.00
53930	Victims Assistance	26,750.00

54110	Sheriff's Department	5,067,333.00
54210	Jail	5,847,862.00
54230	Alternatives to Incarceration	150,696.00
54260	Commissary	25,000.00
54410	Emergency Management	464,571.00
54420	Rescue Squad	27,500.00
54490	Emergency Communications	833,068.00
54610	County Corner/Medical Examiner	272,104.00
54900	Other Public Safety – Motor Pool	370,983.00
55110	Local Health Center	324,849.00
55120	Rabies and Animal Control	143,819.00
55160	Dental Health Program	399,597.00
55170	Alcohol & Drug Program	10,000.00
55190	Other Local Health Service	453,346.00
55390	Appropriation to State	122,120.00
56300	Senior Citizens Assistance	75,828.00
56700	Parks and Fair Boards	3,000.00
57100	Agricultural Extension Services	167,712.00
57500	Soil Conservation	56,003.00
57800	Storm Water	35,000.00
58120	Industrial Development	462,000.00
58300	Veterans' Service	105,904.00
58400	Other Charges	456,600.00
58900	Miscellaneous	141,838.00
91130	Public Safety Projects	214,256.00
91170	Public Utility Projects	49,136.00
99100	Transfers to Other Funds	<u>61,100.00</u>
	TOTAL COUNTY GENERAL FUND	\$ 26,082,973.00

115 ANDERSON COUNTY LIBRARY BOARD

56500	Libraries	\$ 583,935.00
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116 SOLID WASTE FUND

55710	Sanitation Management	188,362.00
55732	Convenience Centers	601,500.00
55739	Other Waste Collection	63,459.00
55751	Recycling Centers	11,000.00
55754	Landfill Operation	632,000.00
55759	Other Waste Disposal	<u>70,500.00</u>
	TOTAL SOLID WASTE FUND	\$ 1,566,821.00

122 DRUG CONTROL FUND

54150	Drug Enforcement	\$ 60,000.00
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128 TOURISM COUNCIL FUND

58110	Tourism	\$ 432,684.00
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131 HIGHWAY/PUBLIC WORKS FUND

61000	Administration	280,808.00
62000	Highway and Bridge Maintenance	1,779,436.00
63100	Operation & Maintenance Equipment	795,015.00
65000	Other Charges	226,000.00
68000	Capital Outlay	<u>585,000.00</u>
	TOTAL HIGHWAY/PUBLIC WORKS FUND	\$3,666,259.00

141 GENERAL PURPOSE SCHOOL FUND

71100	Regular Instruction Program	\$22,938,850.00
71200	Special Education Instruction Program	5,769,524.00
71300	Vocational Educational Instruction Program	3,109,422.00
71400	Fast Track Program	100,000.00
72110	Support Services – Attendance	289,330.00
72120	Support Service – Health	685,147.00
72130	Support Services – Other Student Support	1,593,615.00
72210	Support Services – Regular Instruction Staff	1,091,416.00
72220	Support Services – Special Education Instructional	1,449,479.00
72230	Support Services – Vocational Instructional Staff	250,460.00
72290	Support Services – Other Programs	300,000.00
72310	Support Services – General Administration – BOE	1,168,750.00
72320	Support Services – General Administration	367,453.00
72410	Support Services – School Administration	3,650,952.00
72510	Support Services – Business Administration	494,069.00
72520	Support Services – Human Resources	80,037.00
72610	Support Services – Operation of Plant	4,804,100.00
72620	Support Services – Maintenance of Plant	1,582,022.00
72710	Support Services – Student Transportation	3,158,380.00
72810	Support Services – Central and other	918,011.00
73300	Community Support – Life Development Center	57,077.00
76100	Capital Outlay	328,148.00
82300	Debt – Other Debt Costs	<u>1,562,255.00</u>
	TOTAL GENERAL PURPOSE SCHOOL FUND	\$ 55,748,498.00

143 CENTRAL CAFETERIA FUND

73100	Food Services	3,590,882.00
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145 OTHER EDUCATION SPECIAL REVENUE FUND

73300	Community Services	2,887,298.00
73400	Early Childhood Education	612,103.00
82100	Principal on Debt	72,446.00
82200	Interest on Debt	49,074.00
99100	Operating Transfers	<u>147,333.00</u>

**TOTAL OTHER EDUCATION SPECIAL
REVENUE FUND** **\$3,768,254.00**

DEBT SERVICE FUNDS

151	General Debt Service Fund	\$	1,713,638.00
152	Rural School Debt Service Fund	\$	1,481,835.00
156	High School Debt Service Fund	\$	2,100,694.00

171 GENERAL CAPITAL PROJECT FUND

91100	Capital Projects	\$	30,199.00
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177 EDUCATIONAL CAPITAL PROJECT FUND

91100	Capital Projects	\$	440,425.00
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205 EMERGENCY MEDICAL SERVICES

55130	Ambulance Service	\$	5,650,000.00
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263 ANDERSON COUNTY BENEFIT PLAN FUND

51900	Anderson County Benefit Plan	\$	4,200,200.00
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269 CHANNEL 95 ENTERPRISE FUND

56900	Other Social, Cultural & Recreational	\$	175,000.00
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TOTAL ALL FUNDS **\$ 111,292,297.00**

SECTION 2. BE IT FURTHER RESOLVED, that there are also hereby appropriated certain portions of the commissions and fees for collecting taxes and licenses and for administering other funds which the Trustee, County Clerk, Circuit Court Clerk, Clerk and Master, Register, and Sheriff and their officially authorized deputies and assistants may severally be entitled to receive under State laws heretofore or hereafter enacted, expenditures out of commissions and/or fees collected by the Trustee, County Clerk, Circuit Court Clerk, Clerk and Master, Register, and Sheriff may be made for such purposes and in such amounts as may be authorized by existing law or by valid order of any court having power to make such appropriations. Any excess commissions and/or fees collected over and above the expenditures duly and conclusively authorized shall be paid over to the Trustee and converted into the General Fund as provided by law.

BE IT FURTHER RESOLVED, that if any officials, as enumerated in Section 8-22-102, T.C.A. (Tennessee code Annotated), operate under provisions of Section 8-22-104 T.C.A., provisions of the preceding paragraph shall not apply to those particular officials.

SECTION 3. BE IF FURTHER RESOLVED, that any amendment to the budget shall be approved as provided in Section 5-9-407 T.C.A. One copy of each amendment shall be filed

with the County Clerk, one copy with Chairman of the Budget Committee, and with each divisional or departmental head concerned. Under Section 5-21-113(e)(1) the budget committee, with the consent of any official, head of any department or division that may be affected, may make transfers and adjustments within the smallest budgetary itemization of any subdivision. The reason(s) for each transfer shall be clearly stated; however, this section shall in no case whatsoever be construed as authorizing transfer from one fund to another, but shall apply solely to transfers within a certain fund.

SECTION 4. BE IT FURTHER RESOLVED, that any appropriation made by this resolution that covers the same purpose for which a specific appropriation is made by statute is made in lieu of but not in addition to said statutory appropriation. The salary, wages, or remuneration of each officer, employee or agent of the county shall not be in excess of the amounts authorized by existing law or as set forth in the estimate of expenditures which accompanies this resolution. Provided, however, that appropriations for such salaries, wages, or other remuneration hereby authorized shall in no case be construed as permitting expenditures for an office, agency, institution, division, or department of the county in excess of the appropriation made herein for such office, agency, institution, division, or department of the County. Such appropriation shall constitute the limit to the expenditures of any office, agency, institution, division, or department for the year ending June 30, 2017. The aggregate expenditures for any item of appropriation shall in no instance be more than the amount herein appropriated for such item.

SECTION 5. BE IT FUTHER RESOLVED, that any resolution which may hereafter be presented to the Board of County Commissioners providing for appropriations in addition to those made by this Budget Appropriation Resolution shall specifically provide sufficient revenue or other funds, actually to be provided during the year in which the expenditures is to be made to meet such additional appropriation. Said appropriation resolution shall be submitted to and approved by the State Director of Local Finance after its adoption as provided by Section 9-21-402, T.C. A.

SECTION 6. BE IT FURTHER RESOLVED, whereas Section 5-9-109, T.C.A., authorized the county legislative body to make appropriation to nonprofit charitable organizations; and,

WHEREAS, the Anderson County Board of County Commissioners recognized the various nonprofit charitable organizations located in Anderson County have great need for funds to carry out their nonprofit charitable work,

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Anderson County, on this 18th day of July, 2016

SECTION 6.1 That the following list of nonprofit organizations and amounts be appropriated to promote the economic welfare of Anderson County.

Anderson County Chamber of Commerce	\$ 30,000.00
Anderson County Economic Development Association	124,500.00
East Tennessee Economic Development Association	7,500.00
East Tennessee Human Resource Agency, Inc.	11,000.00

Anderson County Fair Association	3,000.00
Volunteer Fire Departments	162,500.00
Volunteer Fire Department Truck ½ portion	117,625.00
Anderson County Rescue Squad, Inc.	<u>27,500.00</u>
Total	\$ 483,625.00

SECTION 6.2. That these amounts listed be appropriated to the various nonprofit organizations listed to promote funds for the ongoing programs of the organizations.

BE IT FURTHER RESOLVED, that all appropriations enumerated in Sections 6.1 through 6.2 above are made subject to the following conditions.

1. That the nonprofit charitable organizations to which funds are appropriated shall file with the County Clerk and disbursing officials the proposed use of the County's funds in accordance with rules promulgated by the Comptroller of the Treasury, Chapter 0380-2-7. Such annual report shall be prepared and certified by the chief financial officer of such nonprofit organizations in accordance with Section 5-9-109(c), T.C.A.
2. That said funds must only be used by the named nonprofit charitable organizations in furtherance of their nonprofit charitable purpose benefiting the general welfare of the residents of Anderson County.
3. That it is the expressed interest of the County Commission of Anderson County in providing these funds to the above-named nonprofit charitable organizations to be fully in compliance with chapter 0390-2-7 of the rules of the Comptroller of the Treasury and Section 5-9-109 of the T.C.A. and any and all other laws which may apply to county appropriation to nonprofit organizations, and so this appropriation is made subject to compliance with any and all of these laws by regulations.

SECTION 7. BE IT FURTHER RESOLVED, that the County Mayor and the Director of Finance and County Clerk are hereby authorized to borrow money on revenue anticipation notes, provided such notes are first approved by the Director of Local Finance, to pay for the expenses herein authorized until the taxes and other revenue for year 2016-2017 have been collected. The proceeds of loans for each individual fund and shall be used only to pay the expenses and other requirements of the fund for which the loan is made. The loan shall be paid out of revenue from the fund for which the money is borrowed. The notes evidencing the loans authorized under this section shall be issued under the applicable sections of Title 9, Chapter 21, T.C.A. Said notes shall be signed by the County Mayor and countersigned by the County Clerk and shall mature and be paid in full without renewal not later the June 30, 2017.

SECTION 8. BE IT FURTHER RESOLVED, that the delinquent County property taxes collected by the Clerk and Master for the year 2014 and prior years and the interest and penalty thereon collected during the year ending June 30, 2017, shall be apportioned to the General Purpose School Fund at 60% (subject to apportionment requirement on the basis of WFTEADA) and to the General Fund at 40%. The delinquent County property taxes collected by the Trustee

for the year 2015 and the interest and penalty thereon collected during the year ending June 30, 2017, shall be apportioned to the various county funds according to the subdivision of the tax levy for the year 2015. The Clerk and Master and the Trustee are hereby authorized and directed to make such apportionment accordingly.

SECTION 9. BE IT FURTHER RESOLVED, that the Local Option Sales tax portion that is split between the County General Fund and the Highway Fund should be 63% and 37% respectively.

SECTION 10. BE IT FURTHER RESOLVED, that the budget for the School Federal Projects Funds and Other Education Special Revenue Funds shall be the budget and any related amendments or transfers approved by the Anderson County Board of Education for the separate projects within the funds 142 and 145.

SECTION 11. BE IT FURTHER RESOLVED, that all unencumbered balances of appropriations remaining at the end of the year shall lapse and be of no further effect at the end of the year at June 30, 2017.

SECTION 12. BE IT FURTHER RESOLVED, that any resolution or part of a resolution, which has heretofore been passed by the board of County Commissioners, which is in conflict with any provision in this resolution, be and the same is hereby repealed.

SECTION 13. BE IT FURTHER RESOLVED, that this resolution shall take effect from and after its passage and its provisions shall be in force from and after July 1, 2016. This resolution shall be spread upon the minutes of the board of County Commissioners.


Terry Frank, County Mayor


Steve Emert, Commission Chairman


Jeff Cole, County Clerk



Joint Resolution
Anderson County, Tennessee
Board of Commissioners and Anderson County Schools
RESOLUTION 16-07-586

**A JOINT RESOLUTION TO APPROVE A NONRECURRING (ONE-TIME)
APPROPRIATION FOR FISCAL YEAR 2017 TO FUND
NONRECURRING CAPITAL PROJECT EXPENSES**

WHEREAS, TCA §49-3-314(c)(4) allows an exemption from Maintenance of Effort requirements for local governments to appropriate funds for educational nonrecurring expenditures of a local education agency (LEA); and

WHEREAS, TCA §49-3-314(c)(4) section requires a written agreement between the local government and the LEA, which is subject to review by the State Department of Education; and

WHEREAS, the Anderson County Government fiscal year 2017 budget, presented to the Board of Commissioners on July 12, 2016, allocated \$438,012.00 to the Anderson County Schools Board of Education, Clinton City Schools Board of Education, and Oak Ridge City Schools Board of Education for nonrecurring, one-time expenditures to fund nonrecurring Capital Project expenses. For a detail of these payments see *Exhibit A*, attached to this Joint Resolution; and

WHEREAS, the Anderson County Government in fiscal years 2018 and 2019 budgets, may present to Board of Commissioners an allocation of funds to Anderson County Schools Board of Education, Clinton City Schools Board of Education, and Oak Ridge City Schools Board of Education for nonrecurring, one-time expenditures to fund nonrecurring Capital Project expenses phased over a 3 year period beginning in fiscal year 2017 through fiscal year 2019; and

WHEREAS, the Anderson County Government in fiscal year 2017 will appropriate funds to Anderson County Schools Board of Education, Clinton City Schools Board of Education, and Oak Ridge City Schools Board of Education based on Weighted Full Time Equivalent from Average Daily Attendance (WFTEADA) as determined by the State Department of Education for fiscal year 2015/16.


NOW THEREFORE, BE IT RESOLVED by the Anderson County Board of Commissioners meeting in regular session this 18th day of July 2016 that the Anderson County Board of Commissioners and the Anderson County Schools Board of Education hereby agree and acknowledge that the additional \$250,105.00 in one-time funding allocated to the Anderson County Board of Education as a part of fiscal year 2017 budget will be used to fund School nonrecurring Capital Project expenses, and shall not be included in the School's Maintenance of Effort calculations pursuant to TCA §49-3-314(c)(4) .

BE IT FURTHER RESOLVED that the \$250,105.00 one-time payment will be applied by the Anderson County Schools Board of Education to fund nonrecurring Capital Project expenses which are more fully described in *Exhibit A*, attached to this Joint Resolution.

RESOLVED, DULY PASSED AND EFFECTIVE this 18th day of July 2016.

FOR THE COUNTY OF ANDERSON, TENNESSEE:


Terry Frank, County Mayor


Steve Emert, Commission Chairman

APPROVED AS TO FORM AND LEGALITY:

ATTEST:

Jay Yeager, County Attorney


Jeff Cole, Anderson County Clerk

FOR THE ANDERSON COUNTY SCHOOLS:

Board Passage: July __, 2016


Dr. Tim Parrott, Director of Schools

Dr. John Burrell, Chairman

APPROVED AS TO FORM AND LEGALITY:

Sal Varsalona, Attorney Bd. of Ed.



Joint Resolution
Anderson County, Tennessee
Board of Commissioners and Clinton City Schools
RESOLUTION 16-07-587

**A JOINT RESOLUTION TO APPROVE A NONRECURRING (ONE-TIME)
APPROPRIATION FOR FISCAL YEAR 2017 TO FUND
NONRECURRING CAPITAL PROJECT EXPENSES**

WHEREAS, TCA §49-3-314(c)(4) allows an exemption from Maintenance of Effort requirements for local governments to appropriate funds for education for nonrecurring expenditures of local education agency (LEA); and

WHEREAS, TCA §49-3-314(c)(4) section requires a written agreement between the local government and the LEA, which is subject to review by the State Department of Education; and

WHEREAS, the Anderson County Government fiscal year 2017 budget, amended by the Board of Commissioners on July 12, 2016, allocated \$438,012.00 to the Anderson County Schools Board of Education, Clinton City Schools Board of Education, and Oak Ridge City Schools Board of Education for nonrecurring, one-time expenditures to fund nonrecurring Capital Project expenses. For a description of these payments see *Exhibit A*, attached to this Joint Resolution; and

WHEREAS, the Anderson County Government in fiscal years 2018 and 2019 budgets, may be appropriated by Board of Commissioners to expend funds to Anderson County Schools Board of Education, Clinton City Schools Board of Education, and Oak Ridge City Schools Board of Education for nonrecurring, one-time expenditures to fund nonrecurring Capital Project expenses phased over a 3 year period beginning in fiscal year 2017 through fiscal year 2019; and

WHEREAS, the Anderson County Government in fiscal year 2017 will appropriate funds to Anderson County Schools Board of Education, Clinton City Schools Board of Education, and Oak Ridge City Schools Board of Education based on Weighted Full Time Equivalent from Average Daily Attendance (WFTEADA) as determined by the State Department of Education for fiscal year 2015/16.

NOW THEREFORE, BE IT RESOLVED by the Anderson County Board of Commissioners meeting in regular session this 18th day of July 2016 that the Board of Commissioners of Anderson County and the Clinton City Schools Board of Education hereby agree and acknowledge that the additional \$32,413.00 in one-time funding allocated to the Clinton City Schools Board of Education as a part of fiscal year 2017 budget will be used to fund School nonrecurring Capital Project expenses, and shall not be included in the School's Maintenance of Effort calculations pursuant to TCA §49-3-314(c)(4).

BE IT FURTHER RESOLVED that the \$32,413.00 one-time payment will be applied by the Clinton City Schools Board of Education to fund nonrecurring Capital Project expenses which are more fully described in *Exhibit A*, attached to this Joint Resolution.

RESOLVED, DULY PASSED AND EFFECTIVE this 18th day of July 2016.

FOR THE COUNTY OF ANDERSON, TENNESSEE:



Terry Frank, County Mayor


Steve Emert, Commission Chairman

APPROVED AS TO FORM AND LEGALITY:

ATTEST:

Jay Yeager, County Attorney


Jeff Cole, Anderson County Clerk

FOR THE CLINTON CITY SCHOOLS:

Board Passage: July __, 2016


Kelly Johnson, Director of Schools

Dr. Tim Bible, Chairman



Joint Resolution
Anderson County, Tennessee
Board of Commissioners and Oak Ridge Schools
RESOLUTION 16-07-588

A JOINT RESOLUTION TO APPROVE A NONRECURRING (ONE-TIME) APPROPRIATION FOR FISCAL YEAR 2017 TO FUND NONRECURRING CAPITAL PROJECT EXPENSES

WHEREAS, TCA §49-3-314(c)(4) allows an exemption from Maintenance of Effort requirements for local governments to appropriate funds for educational nonrecurring expenditures of local education agency (LEA); and

WHEREAS, TCA §49-3-314(c)(4) section requires a written agreement between the local government and the LEA, which is subject to review by the State Department of Education; and

WHEREAS, the Anderson County Government fiscal year 2017 budget, amended by the Board of Commissioners on July 12, 2016 allocated \$438,012.00 to the Anderson County Schools Board of Education, Clinton City Schools Board of Education, and Oak Ridge City Schools Board of Education for nonrecurring, one-time expenditures to fund nonrecurring Capital Project expenses. For a description of these payments see *Exhibit A*, attached to this Joint Resolution; and

WHEREAS, the Anderson County Government in fiscal years 2018 and 2019 budgets, may be appropriated by the Board of Commissioners to expend funds to Anderson County Schools Board of Education, Clinton City Schools Board of Education, and Oak Ridge City Schools Board of Education for nonrecurring, one-time expenditures to fund nonrecurring Capital Project expenses phased over a 3 year period beginning in fiscal year 2017 through fiscal year 2019; and

WHEREAS, the Anderson County Government in fiscal year 2017 will appropriate funds to Anderson County Schools Board of Education, Clinton City Schools Board of Education, and Oak Ridge City Schools Board of Education based on Weighted Full Time Equivalent from Average Daily Attendance (WFTEADA) as determined by the State Department of Education for fiscal year 2015/16.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners meeting in regular session this 18th day of July 2016 that Anderson County Board of Commissioners and the Oak Ridge City Schools Board of Education hereby agree and acknowledge that the additional \$155,494.00 in one-time funding allocated to the Oak Ridge City Schools Board of Education as a part of fiscal year 2017 budget will be used to fund School nonrecurring Capital Project expenses, and shall not be included in the School's Maintenance of Effort calculations pursuant to TCA §49-3-314(c)(4).

BE IT FURTHER RESOLVED that the \$155,494.00 one-time payment will be applied by the Oak Ridge City Schools Board of Education to fund nonrecurring Capital Project expenses which are more fully described in *Exhibit A*, attached to this Joint Resolution.

RESOLVED, DULY PASSED AND EFFECTIVE this 11th day of July 2016.

FOR THE COUNTY OF ANDERSON, TENNESSEE:

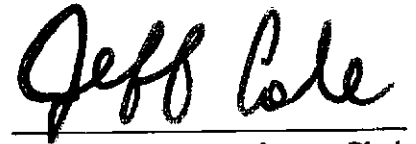

Terry Frank, County Mayor


Steve Emert, Commission Chairman

APPROVED AS TO FORM AND LEGALITY:

Jay Yeager, County Attorney

ATTEST:


Jeff Cole, Anderson County Clerk

FOR THE OAK RIDGE CITY SCHOOLS:

Board Passage: July __, 2016

Dr. Bruce Borchers, Superintendent

Mr. W. Keys Fillauer, Chairman



**Joint Resolution
Anderson County, Tennessee
Board of Commissioners and the
Industrial Development Board**

RESOLUTION 16-07-589

A JOINT RESOLUTION TO APPROVE UNIFORM TAX INCREMENT FINANCING POLICIES AND PROCEDURES BETWEEN THE ANDERSON COUNTY BOARD OF COMMISSIONERS AND THE INDUSTRIAL DEVELOPMENT BOARD.

WHEREAS, tax increment financing is a financial tool that offers the ability for governmental entities and their associated boards and committees to provide public assistance to worthy economic development projects. Through tax increment financing, incremental taxes from a designated area are allocated to pay debt service on debt incurred to pay for qualifying improvements and infrastructure that are made in connection with a particular project. Under the Tax Increment Financing Act of 2012 (the "Tax Increment Act"), codified at *Tenn. Code Ann. §§9-23-101 et seq.* only incremental property tax revenues, and not sales tax or other tax revenues, may be used to pay debt service on tax increment financing plans; and

WHEREAS, the listed entities desire to adopt uniform policies and procedures for approval of Tax Increment Financing plans to ensure that consistent protocol is in place for the approval process and the various obligations of the parties and officials involved.

NOW THEREFORE, BE IT RESOLVED, by the Anderson County Board of Commissioners meeting in regular session this 18th day of July 2016 and the Anderson County Industrial Development Board meeting on July___2016 that we agree at separate meetings, but jointly adopt the Tax Increment Financing Policies and Procedures as set forth follows:

Section 1. General Purpose and Objectives

The Industrial Development Board of Anderson County (the "Board") is committed to improving the economy in Anderson County, Tennessee (the "County") and the City of Clinton, Tennessee (the "City"). In furtherance of this objective, the Board is ~~establishing a program~~ to evaluate requests from private entities to utilize tax increment financing in support of qualifying projects located in the City. This program is intended to provide an orderly process for

evaluating each request for tax increment financing and, if such request is determined by the Board to merit support, to outline the process for issuing the tax increment financing.

The Board is a public nonprofit corporation established pursuant to the Tennessee Industrial Development Corporation Act ("IDB Act"), Tenn. Code Ann. §§7-53-101 et seq. The Board's statutory purposes include promoting industry, commerce and trade in Tennessee and in particular, the County. In furtherance of these purposes, the IDB Act authorizes the Board pursuant to Section 7-53-312 of the IDB Act to issue tax increment debt to finance costs of qualifying projects. Such debt would be secured solely by incremental taxes generated by the qualifying project and would otherwise be non-recourse to the Board.

The Uniformity in Tax Increment Financing Act of 2012 (the "Tax Increment Act"), codified at Tenn. Code Ann. §§9-23-101 et seq., also contains statutory provisions relating to the use of tax increment incentives by the Board. Section 9-23-107 of the Tax Increment Act specifically authorizes the City, the County and the Board to agree upon and approve policies and procedures for allocating and calculating tax increment revenues and implementing the IDB Act and Tax Increment Act. These Policies and Procedures, upon their approval by the County, the City and the Board, shall be deemed to be adopted pursuant to Section 9-23-107 of the Tax Increment Act.

Notwithstanding the adoption of these Policies and Procedures, the approval of any tax increment incentive is within the discretion of the Board acting within the parameters of these Policies and Procedures. In no event shall these Policies and Procedures be construed to create any contractual right or other entitlement in a Person or limit the Board's discretion to decline to approve any tax increment incentive.

These Policies and Procedures only apply to any tax increment financing requested by a private party. If the City, the County or another governmental entity requests the Board to incur tax increment debt, the Board shall follow such procedures as the Board, the County and the City deem appropriate under the circumstances; provided, however, that the Board, the City and the County shall comply with all requirements of the IDB Act and the Tax Increment Act.

These Policies and Procedures are in addition to any other rules and procedures applicable to the Board. From time to time, these Policies and Procedures may be amended by the Board, and new policies may also be adopted by the Board.

Section 2. Tax Increment Financing

Tax increment financing is a financing tool that is used in many states to provide public assistance to economic development projects. Through tax increment financing, incremental taxes from a designated area are allocated to pay debt service on debt incurred to pay for

qualifying improvements that are made in connection with a particular project. In some states, the incremental tax revenues that may be utilized to pay the debt service on tax increment financing include property tax revenues, sales tax revenues and other tax sources. Under the IDB Act in Tennessee, only incremental property tax revenues, and not sales tax or other tax revenues, may be used to pay debt service on tax increment financing.

The IDB Act establishes certain requirements relating to the Board's use of tax increment financing. Under the IDB Act, the Board initiates the process of issuing tax increment debt by preparing a document known as an economic impact plan. The economic impact plan must identify the area from which the incremental tax revenues will be derived, identify the qualifying project that will be located in the area, discuss the benefits of the project to the municipality in which the project will be located, including anticipated tax receipts and job creation, and specifically provide for the allocation of the incremental property taxes within the Plan Area to the Board. The incremental property taxes that may be allocated to the Board include both real and personal property taxes.

Pursuant to the IDB Act, the Board must hold a public hearing on any economic impact plan. Notice of such public hearing must be published in the local newspaper at least two weeks before the public hearing. In addition to giving details regarding the time and location of the public hearing, the notice must inform the public where a map of the proposed Plan Area can be reviewed.

After a public hearing is held with respect to an economic impact plan, the Board may then submit the plan to the City Council of the City (the "City Council") for approval and the County Commission of the County (the "County Commission") for approval. The City Council and the County Commission may approve an economic impact plan at one reading by resolution, notwithstanding any local charter provision to the contrary.

Pursuant to the IDB Act and the Tax Increment Act, incremental tax revenues may be allocated to the Board with respect to any parcel of property for a period not in excess of twenty (20) years; provided, that a longer period, not to exceed thirty (30) years, is permitted if both the Comptroller of the State of Tennessee and the Commissioner of Economic and Community Development have made a written determination that such longer period is in the best interest of the State of Tennessee. However, if the Board determines that a lesser allocation period is sufficient to make a Project feasible, the plan may provide for a shorter allocation period. During the allocation period, the City's finance department and the County trustee, as applicable are required to pay the incremental taxes from the Plan Area to a separate fund created by the Board for that purpose. A separate fund is usually established for each tax increment financing, and that fund is usually held by or for the benefit of the holder(s) of the tax increment debt.

Under the Tax Increment Act, a plan may permit the allocation of tax increment revenues with respect to a parcel or group of parcels within a Plan Area to begin in different years. This

facilitates the staggering of allocation periods for a single Project, which can provide a more efficient leveraging of the tax increment revenues in a multi-phase Project.

The Plan Area must include a Project within the meaning of the IDB Act. For purposes of the IDB Act, the term Project includes the types of facilities that are typical economic development projects, such as manufacturing and warehousing facilities. Qualifying Projects under the IDB Act also include, however, commercial facilities, such as retail shopping facilities, office buildings and multi-family housing facilities for persons of low and moderate income. Pollution control facilities, including wastewater facilities, are also eligible Projects.

In addition to the area on which the qualifying project is located, the Plan Area may also include any other property that the Board determines will be directly improved or benefited due to the undertaking of the qualifying project. For example, if a retail shopping center is the qualifying project for purposes of an economic impact plan, and, as a part of the construction of the retail shopping center, a new public road provides access to other properties, those other properties would directly benefit from the project.

Once an economic impact plan is approved, the property taxes imposed on property within the Plan Area are divided between the Board, the City and the County. The base tax amount is allocated to the City and the County. The base tax amount is equal to the amount of taxes payable with respect to the property in the Plan Area for the year prior to the date the economic impact plan was improved. Therefore, if an economic impact plan was approved in 2016, the tax year for determining the base tax amount would be 2015. Any excess over the base tax amount generally is allocated to the Board. However, taxes levied by a taxing authority to pay debt service on bonds or other obligations of the City or the County are not subject to allocation to the Board. Also, an economic impact plan may provide for a lesser amount of the incremental property tax revenues from the Plan Area to be allocated to the Board.

Once the economic impact plan has been approved by the City Council and County Commission, the Board can proceed to issue tax increment debt secured by the incremental property tax revenues from the Plan Area. In most cases, the Applicant, in consultation with the Board's representatives, will negotiate the terms of the tax increment financing with a lender or bond underwriter. However, all documents relating to the tax increment financing are subject to the Board's approval.

Section 3. Procedures for Tax Increment Financing

3.1. Application. An Applicant may request the Board to issue tax increment debt to pay eligible costs incurred in connection with a Project. To initiate such a request, the Applicant should submit a completed Application in the form attached to these Policies and Procedures as Exhibit A together with all exhibits, schedules and documents required by the Application. The

Applicant shall also tender a non-refundable application fee to the Board in an amount set forth in Section 5 of these Policies and Procedures. No action will be taken with respect to an Application until the Board's staff determines that the Application is complete. **Acceptance of the Application does not imply, evidence or confirm the Board's support for, or recommendation of, the request for tax increment financing.**

3.2. Initial Review by Application Review Committee. The Board shall appoint a committee of Board members (the "Application Review Committee") to undertake the functions described in these Policies and Procedures for such committee. Before an Application is presented to the Board, the Application Review Committee will review the Application and make a recommendation to the Board whether an economic impact plan should be prepared for presentation to the Board for the area described in the Application. The Application Review Committee will not recommend that an economic impact plan be prepared unless the Committee determines that the Project described in the Application will (i) substantially benefit and enhance the economy of the City and the County and (ii) the Project would not be acquired, constructed and/or installed unless tax increment financing was made available to finance a portion of the eligible Project costs.

3.3. Initial Resolution by the Board. After review of the Application by the Application Review Committee, the Board as a whole will consider such Application. After such consideration, the Board will vote on whether an economic impact plan should be prepared for the area that is the subject of the Application. The Board will not approve the preparation of a plan unless the Board makes the same findings as are required above for the Application Review Committee, and in reviewing an Application, the Board will give deference to the recommendations of the Application Review Committee. If the Board votes to cause an economic impact plan to be prepared, the Board will also decide whether the plan will be prepared by the Applicant (or a third party retained by the Applicant) or whether the plan will be prepared by the Board (or a third party retained by the Board). If the plan is to be prepared by a third-party consultant retained by the Applicant or the Board such consultant shall be subject to the reasonable approval of both the Applicant and the Board. The expenses of the Board in connection with the preparation of the plan shall be paid by the Applicant as provided in Section 5.2 below.

3.4. Economic Impact Plan. If the Board approves the preparation of an economic impact plan, the Applicant or the Board, as the case may be, will cause a proposed economic impact plan to be prepared and submitted to the Application Review Committee. The plan shall contain the information required by Section 7-53-312(b) of the IDB Act and such other information as the Board deems necessary, including but not limited to:

- (1) Identification of the boundaries of the area subject to the plan;
- (2) Identification of the project located within the area subject to the plan;

(3) Discussion of the expected benefits to the City and the County from the development of the area subject to the plan, including anticipated tax receipts and jobs created; and

(4) A provision providing that the property taxes imposed on the property, including the personal property (if applicable), located within the area subject to the plan will be distributable among the City, the Board and the County, as applicable, in accordance with the IDB Act.

If the Applicant is responsible for preparing the initial draft of the economic impact plan, the Applicant shall submit such draft to the Board's staff no later than sixty (60) days after the Board adopts an initial resolution requesting the plan. If the Applicant does not submit the proposed plan within that period, the Board will take no further action with respect to the Application. The Board will consider any requests of the Applicant after the 60-day period as a new request requiring a new Application, and the payment of another application fee. If the Board assumes responsibility for preparing the initial draft of a plan, such draft shall be submitted to the Application Review Committee within sixty (60) days after the Board adopts an initial resolution requesting the plan.

If the Applicant prepares the initial draft of an economic impact plan, the Board's staff will review such draft and will advise the Applicant of any recommended changes to the plan, and the Applicant may cause the draft plan to be amended accordingly. The Applicant shall then submit the plan to the Application Review Committee.

3.5. Review of Plan by Application Review Committee. The Application Review Committee will review each proposed economic impact plan. The Application Review Committee will make a determination whether the economic impact plan (a) complies with the IDB Act, the Tax Increment Act and these Policies and Procedures and (b) should be submitted to the City Council and the County Commission for approval. The Application Review Committee's determinations will be summarized in writing for the Board. The Application Review Committee will then establish a proposed date for the Board to hold a public hearing relating to the plan and a meeting to determine whether to submit the economic impact plan to the City Council and the County Commission for approval.

3.6. Public Hearing and Approval by Board. After review by the Application Review Committee, the Board will hold a public hearing relative to the proposed plan at a regular or special meeting. Notice of the public hearing shall be published in a newspaper of general circulation in the City at least two weeks prior to the date of the public hearing, as required by Section 7-53-312(g) of the IDB Act. After such public hearing, if the Board determines that the economic impact plan substantially complies with the IDB Act and these Policies and Procedures, it will submit the economic impact plan to the City Council and the County Commission for consideration and approval. The submission shall include a summary of any

comments from the public hearing on the proposed plan and any additional information that the Board deems relevant.

3.7. Approval by Taxing Authorities. Upon approval of an economic impact plan by the Board, the plan will be promptly submitted to the City Council and the County Commission for consideration. If the City Council approves the plan but the County Commission is requested to approve the plan and fails to do so or vice versa, the Board will not proceed with tax increment financing unless a revised plan is approved by the Board that only allocates the approving governmental body's incremental property tax revenues and such revised plan is again approved by such approving governmental body. Furthermore, if the City Council approves the plan but the County Commission is requested to approve the plan and approves revisions to the plan or vice versa, the Board will not proceed with tax increment financing unless the revised plan is approved by the Board and such revised plan is approved by both the City Council and County Commission.

3.8. Financing Documents. Upon approval of the plan in accordance with Section 3.7, the Applicant and the Board will use their best efforts to consummate the tax increment financing. In connection with any tax increment financing, the Applicant and the Board will enter into a Development and Financing Agreement. The Development and Financing Agreement will provide for the expenditure of the proceeds of the tax increment financing in compliance with the plan and provide for such other covenants as the Board deems necessary to protect the interests of the Board, the City and the County, as applicable. Any tax increment financing shall be non-recourse as to the Board and payable solely from incremental property tax revenues, and all financing documents shall be subject to the review and approval of the Board's counsel and bond counsel.

Any tax increment financing shall close within one (1) year after approval of the economic impact plan by City Council and County Commission. If the closing does not occur within such period, unless extended by the Board, the Applicant will be deemed to have withdrawn its Application, and all approvals by the Board will lapse and be of no further force or effect.

Section 4. Policies for Tax Increment Financing

The following policies shall apply with respect to the issuance of tax increment financing by the Board. The Board will not submit an economic impact plan to the City Council or County Commission that does not comply with these policies unless (a) the policy in question is waived by the Board at the time an initial resolution is adopted approving further action on an Application or (b) the Board is specifically directed to do so by the City Council and the County Commission.

4.1. Maximum Term. No allocation of tax increment revenues shall be made with respect to any parcel of property for a period of more than twenty (20) years, unless both the Comptroller of the State of Tennessee and the Commissioner of Economic and Community Development have made a written determination that a longer period (not to exceed thirty (30) years) is in the best interest of the State of Tennessee. If the Board determines that a lesser allocation period is sufficient to make a Project feasible, the Board may require a shorter allocation period. The maturity of any tax increment financing shall not exceed the maximum maturity permitted by the IDB Act for debt obligations of the Board.

4.2. Eligible Costs. Under the IDB Act, tax increment revenues may be applied by the Board to pay debt service on debt obligations issued to finance Project costs. The costs of a qualifying Project include the cost of any land, real property and personal property that are deemed necessary by the Board to be incurred in connection with a qualifying Project. An Applicant may request that incremental tax revenues be applied to pay debt service on financing for any Project cost that is eligible under the IDB Act.

However, Applicants should note that, other than for land, improvements, or equipment utilized for public infrastructure, as defined in the Tax Increment Act, tax increment revenues may not be used to pay for or to pay debt service relating to debt incurred by the Board to finance privately-owned land, improvements, or equipment, or for other purposes authorized by Tenn. Code Ann. § 7-53-101, et seq., but not specified in Tenn. Code Ann. § 9-23-108, unless both the Comptroller of the State of Tennessee and the Commissioner of Economic and Community Development have made a written determination that the use of tax increment revenues for such purposes is in the best interest of the State of Tennessee.

Applicants should obtain their own legal and accounting advice relating to the tax consequences of receiving any tax increment financing, and the Board will make no representations relating thereto.

4.3. Minimum Percentage of Cost and Minimum Size. The amount of the tax increment financing shall not exceed 20% of the total Project cost. The Applicant must also reasonably anticipate an investment of at least \$5,000,000 in capital expenditures with respect to the Project, without taking into account any costs financed with tax increment financing.

4.4. Necessity of Tax Increment Financing. The approval, size and term of allocation with respect to any tax increment financing shall be conditioned upon the Applicant demonstrating the necessity of the availability of the tax increment financing in order to make a Project economically feasible such that the owner of the Project can receive a reasonable return on investment. An Applicant shall permit a designated representative of the Board to meet with its designated representatives in order to determine the necessity of the requested tax increment financing and will permit such designated representative of the Board to review such budgets and projections as are reasonably necessary to make such determination.

4.5. Designated Parcels and Commencement of Allocation Period. In its Application, the Applicant shall identify the specific parcel or parcels within the Plan Area from which tax increment revenues shall be allocated in order to provide the tax increment financing for the Applicant's Project. If any of such parcels are subdivided or combined after an Application is submitted or while a tax increment financing is ongoing, the Applicant shall give notice of such circumstance to the Board.

In its Application, the Applicant shall also identify the year in which the Applicant requests the allocation period to commence with respect to each parcel in the Plan Area. Pursuant to the Tax Increment Act, a plan may permit the allocation of tax increment revenues with respect to a parcel or group of parcels within a Plan Area to begin in different years. For a multi-phase Project, in which the phases of the Project are expected to be completed in different years, the Applicant may request the allocation period for different parcels in the Plan Area to commence in different years.

4.6. Calculation of Increment. The Board, in its discretion, shall determine whether to make calculations of tax increment revenues on the basis of each parcel within the Plan Area or on an aggregate basis as permitted by the IDB Act and the Tax Increment Act and shall make such determination prior to the closing of the tax increment financing.

4.7. Payment Dates. The incremental tax revenues to be allocated to the Board for any tax increment financing shall be paid by the County and the City, as applicable, each year no later than sixty (60) days from the last day that such tax revenues are not overdue. Delinquent taxes to be allocated to the Board shall be paid by the County no later than sixty (60) days after each date such delinquent taxes are collected, together with interest thereon to the extent required by the Tax Increment Act.

4.8. Deductions from Tax Increment. Prior to any allocation to the Board of incremental tax revenues, the County and the City, as applicable, shall each deduct therefrom any taxes levied to pay debt service on its respective debt obligations as required by the IDB Act and the Tax Increment Act.

4.9. Non-Recourse Obligations. The liability of the Board for any obligations under any debt obligation relating to a tax increment financing or any other contractual obligation shall be limited solely to its interest in incremental tax revenues allocated to the Board in connection with such tax increment financing, and no other assets of the Board shall be subject to levy, garnishment or otherwise to satisfy any obligation of the Board as to a tax increment financing. Neither the City nor the County shall have any obligations or liabilities with respect to any tax increment financing other than to allocate incremental tax revenues to the Board as required by the Plan, the IDB Act and the Tax Increment Act.

4.10. Payment of Incremental Tax Revenues. Incremental tax revenues to be applied to any tax increment financing shall be allocated by the City and the County, as applicable, into a

separate account of the IDB created with respect to each Project for such purpose. Such payment may be made by wire transfer or by check, at the City and the County's election.

4.11. Calculation of Allocated Increment. Not later than forty-five (45) days after the last day that property taxes are due, the County Trustee for the County and the City Recorder for the City, as applicable, shall calculate the tax increment revenues to be allocated to the Board under the Plan. The City and the County shall give notice of such calculation to the Board and each approved Applicant that so requests such information.

Section 5. Fees and Expenses of Board

5.1. Application Fee. The Applicant will submit the Application with an Application Fee in an amount equal to one half of one percent (.005) of the requested principal amount of the tax increment financing; provided, however, the Application Fee shall not exceed \$10,000.

5.2 Expenses relating to Preparation of the Plan. The Applicant shall pay all expenses, including attorney's fees, incurred by the Board in connection with the preparation of an economic impact plan, whether or not such plan is approved and whether or not the plan is prepared by or on behalf of the Board or the Applicant. The Board may require that these expenses be paid in advance.

5.3 Expenses and Indemnity Relating to Tax Increment Financing. The Applicant shall pay all expenses, including attorney's fees, incurred by the Board in connection with any proposed tax increment financing, whether or not such financing is closed. Such expenses shall include the cost, if any, of opening and maintaining any accounts necessary to receive and/or hold incremental tax revenues and the fees and expenses of bond counsel, to be selected by the Board, if the purchaser of such financing requires an opinion as to the legality of the tax increment financing. The Board may require that these expenses be paid in advance of any Board action with respect to a tax increment financing. Any Applicant, by submitting an Application, agrees to indemnify the Board for any liabilities, claims and expenses incurred by the Board in connection with considering, approving or implementing a tax increment financing.

5.4 Annual Administrative Fee. To reimburse the Board for its administrative expenses in connection with administering the tax increment financing, the Board shall retain an annual Administrative Fee in an amount equal to one quarter of one percent (.0025) of the principal amount of the tax increment financing from any tax increment revenues allocated to the Board pursuant to an economic impact plan.

5.5 Amendments. The Applicant will pay all expenses, including attorney's fees, incurred by the Board in connection with any amendments to an economic impact plan or to any

documents entered into in connection with a tax increment financing. The Board may require that these expenses be paid in advance of any Board action.

Section 6. Definitions

For purposes of this Program, including the Application, the following terms shall have the following meanings:

"Applicant" means the Person submitting the Application for tax increment financing. The Applicant shall be the Person that is expected to be an initial owner of all or a portion of the Project that is within a Plan Area.

"Application" means the Application submitted hereunder in the form designated by the Board and as amended from time to time. The initial form of the Application is attached hereto as *Exhibit A*.

"Application Review Committee" means a committee of members of the Board formed for the purpose of reviewing Applications, economic impact plans and related documents.

"Development and Financing Agreement" means the Development and Financing Agreement between the Board and the Applicant or similar agreement or contract providing for the expenditure of the proceeds of any tax increment financing and related matters.

"Person" means any individual, sole proprietorship, corporation, limited liability company, association, partnership (general, limited, or limited liability partnership), organization, business, trust, individual and governmental entity.

"Plan Area" means the area subject to an economic impact plan.

"Project" means a project within the meaning of Section 7-53-101(13) of the IDB Act that is within a Plan Area.

BE IT FURTHER RESOLVED that the City of Clinton, Tennessee will adopt the same policies and procedures as set forth above to provide a uniform comprehensive system for submission and approval of Tax Increment Financing Plans in the near future.

BE IT FINALLY RESOLVED this Joint Resolution between the listed entities will have no effect until all parties have separately approved this document, the public welfare requiring same.

FOR ANDERSON COUNTY, TENNESSEE:

RESOLVED AND DULY PASSED this 18th day of July 2016.

Veto

Terry Frank, County Mayor

Steve Emert

Steve Emert, Commission Chairman

APPROVED AS TO FORM AND LEGALITY:

ATTEST:

Jay Yeager, Law Director

Jeff Cole, Anderson County Clerk

FOR THE INDUSTRIAL DEVELOPMENT BOARD:

RESOLVED AND DULY PASSED this 18 day of July 2016.

ATTEST:

William "Bear" Stephenson

Phil Crye, Secretary

APPROVED AS TO FORM AND LEGALITY:

Phil Crye, IDB Counsel