

NOTICE OF PUBLIC HEARING. In accordance with Tennessee Code Annotated Section 13-7-105, the Board of County Commissioners of Blount County, Tennessee, will convene in a called meeting and hold public hearing on October 12, 2010 at 6:30 P.M., at the Blount County Courthouse Commission Meeting Room for the following proposed amendments to the Zoning Resolution of Blount County, Tennessee, being Resolution 00-06-010.

A RESOLUTION TO AMEND THE ZONING RESOLUTION OF BLOUNT COUNTY, TENNESSEE, BY AMENDING SECTIONS 7.15-C-3 AND SECTION 9.10-J TO MAKE THE DESING REQUIREMENTS IN BOTH THE COMMERCIAL ZONE AND THE RURAL ARTERIAL COMMERCIAL ZONE CONSISTANT BETWEEN THE TWO ZONES.

Section 7.15-C-3. Exterior walls visible from public roads shall be constructed of at least 50 percent nonmetal building materials. Exterior glass shall compose a minimum of five (5) percent of the façade of the building, unless the building is an open-air structure such as a produce market.

Section 9.10-J. Additional design requirements: All site plans shall be accompanied by a storm water drainage plan prepared by a qualified engineer, and shall address the need for detention, if necessary, and pollution control. All uses permitted under this Section shall provide a vegetative landscape buffer, to be determined by the Planning Commission during site plan review, between the use/buildings on the commercial site, and any parcel or lot zoned other than RAC or C. Such buffering shall apply to rear lot lines of the commercial site, and also to side lot lines behind the minimum front building setback lines, except where there is an immediately adjacent residential use that would require screening within the minimum front building setback line. ***All uses permitted under this Section shall provide a front building elevation that meets the design requirements in Section 7.15-C-3.*** All external lighting shall be directed away from or screened from land zoned other than RAC or C, and away from any public right-of-way. Where noise is determined to be a probable off-site impact of a proposed use, a noise mitigation barrier of solid structure or earth berm, in addition to vegetative buffer, shall be designed as part of the site plan and constructed.

APPROVED:

Kenneth Melton

Commission Chairman
Ed Mitchell
County Mayor

ATTEST:

Roy Crawford, Jr.

County Clerk

RESOLUTION No. 10-10-011

Sponsored by Commissioners Gary Farmer and Brad Harrison.

A RESOLUTION TO AMEND THE ZONING RESOLUTION OF BLOUNT COUNTY, TENNESSEE, SECTION 7.15-C-3 DESIGN REQUIREMENTS FOR COMMERCIAL AND INDUSTRIAL DEVELOPMENTS(design requirements for exterior walls facing public right-of-ways) AND SECTION 9.10-J ARTERIAL COMMERCIAL DISTRICT(additional design requirements).

BE IT RESOLVED, by the Board of Commissioners of Blount County, Tennessee, in session assembled this 21st day of October, 2010:

WHEREAS, the Legislature of the State of Tennessee has enabled Blount County to adopt and amend zoning regulations in Tennessee Code Annotated Sections 13-7-101, *et seq.*, and

WHEREAS, the Board of Commissioners of Blount County, Tennessee adopted zoning regulations in Resolution 00-06-010 **A RESOLUTION ADOPTING ZONING IN BLOUNT COUNTY PURSUANT TO SECTIONS 13-7-101, *et seq.*, OF THE TENNESSEE CODE ANNOTATED**, and

WHEREAS, it is desired to amend such Resolution to provide consistency in the design requirements within the Commercial Zone and Rural Arterial Commercial Zone,

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF BLOUNT COUNTY, TENNESSEE, to adopt the following:

That Section 7.15-C-3 be amended to read as follows:

Section 7.15-C-3. Exterior walls visible from public roads shall be constructed of at least 50 percent nonmetal building materials. Exterior glass shall compose a minimum of five (5) percent of the façade of the building, unless the building is an open-air structure such as a produce market.

That Section 9.10-J be amended to read as follows:

Section 9.10-J. Additional design requirements: All site plans shall be accompanied by a storm water drainage plan prepared by a qualified engineer, and shall address the need for detention, if necessary, and pollution control. All uses permitted under this Section shall provide a vegetative landscape buffer, to be determined by the Planning Commission during site plan review, between the use/buildings on the commercial site, and any parcel or lot zoned other than RAC or C. Such buffering shall apply to rear lot lines of the commercial site, and also to side lot lines behind the minimum front building setback lines, except where there is an immediately adjacent residential use that would require screening within the minimum front building setback line. *All uses permitted under this Section shall provide a front building elevation that meets the design requirements in Section 7.15-C-3.* All external lighting shall be directed away from or screened from land zoned other than RAC or C, and away from any public right-of-way. Where noise is determined to be a probable off-site impact of a proposed use, a noise mitigation barrier of solid structure or earth berm, in addition to vegetative buffer, shall be designed as part of the site plan and constructed.

**BE IT FURTHER RESOLVED THAT THIS RESOLUTION SHALL BE IN FORCE AND
BECOME EFFECTIVE UPON ITS ADOPTION, THE PUBLIC WELFARE
REQUIRING IT.**

CERTIFICATION OF ACTION

ATTEST

Commission Chairman

County Clerk

Approved: _____

Vetoed: _____

County Mayor

Date

Memo

To: Blount County Planning Commission
From: Building Commissioner
CC: Other commission members and staff
Date: April 12, 2010
Re: Design requirements in the RAC

Background:

Last month we discussed ways to match up the design requirements in Section 7.15-C-3 and Section 9.10-J. We discussed the changes reflected below and you will find that this will establish one set of regulations for commercial design requirements for both the commercial zone and the RAC zone. Before we had one set of requirements in our design standards and a different requirement in the RAC zone. By making the changes below, the requirements found in the RAC zone simply direct you back to the commercial design requirements.

Proposed changes

Section 7.15-C-3. Exterior walls visible from public roads shall be constructed of at least 50 percent nonmetal building materials. Exterior glass shall compose a minimum of five (5) percent of the façade of the building, unless the building is an open-air structure such as a produce market.

Section 9.10-J. Additional design requirements: All site plans shall be accompanied by a storm water drainage plan prepared by a qualified engineer, and shall address the need for detention, if necessary, and pollution control. All uses permitted under this Section shall provide a

vegetative landscape buffer, to be determined by the Planning Commission during site plan review, between the use/buildings on the commercial site, and any parcel or lot zoned other than RAC or C. Such buffering shall apply to rear lot lines of the commercial site, and also to side lot lines behind the minimum front building setback lines, except where there is an immediately adjacent residential use that would require screening within the minimum front building setback line. *All uses permitted under this Section shall provide a front building elevation that meets the design requirements in Section 7.15-C-3.* All external lighting shall be directed away from or screened from land zoned other than RAC or C, and away from any public right-of-way. Where noise is determined to be a probable off-site impact of a proposed use, a noise mitigation barrier of solid structure or earth berm, in addition to vegetative buffer, shall be designed as part of the site plan and constructed.

As it reads currently

7.15-C-3. Exterior walls visible from public roads may not be comprised of aluminum or flat-faced concrete block. Exterior glass shall compose a minimum of five (5) percent of the façade of the building, unless the building is an open-air structure such as a produce market.

9.10-J. Additional design requirements: All site plans shall be accompanied by a storm water drainage plan prepared by a qualified engineer, and shall address the need for detention, if necessary, and pollution control. All uses permitted under this Section shall provide a vegetative landscape buffer, to be determined by the Planning Commission during site plan review, between the use/buildings on the commercial site, and any parcel or lot zoned other than RAC or C. Such buffering shall apply to rear lot lines of the commercial site, and also to side lot lines behind the minimum front building setback lines, except where there is an immediately adjacent residential use that would require screening within the minimum front building setback line. *All uses permitted under this Section shall have a front building elevation, along all fronting roads, constructed of at least 50 percent nonmetal building materials.* All external lighting shall be directed

away from or screened from land zoned other than RAC or C, and away from any public right-of-way. Where noise is determined to be a probable off-site impact of a proposed use, a noise mitigation barrier of solid structure or earth berm, in addition to vegetative buffer, shall be designed as part of the site plan and constructed.

AGENDA
BOARD OF COMMISSIONERS AGENDA COMMITTEE MEETING
Tuesday, October 12, 2010, 6:30 p.m.
Room 430, Blount County Courthouse

A. ROLL CALL.

B. PUBLIC INPUT ON ITEMS ON THE AGENDA.

C. APPROVAL OF AGENDA COMMITTEE MINUTES

1. September 7, 2010 meeting.

D. SETTING OF AGENDA.

E. ITEMS FOR CONSENT AGENDA.

1. Resolutions for special recognitions.
2. Appointments/reappointments.
 - a. Appointment - Industrial Development Board - Ed Mitchell. (Commission)
 - b. Appointments (1) - Board of Zoning Appeals Alternate. (Commission)
 - c. Appointments – Planning Commission – (2). (County Mayor)
 - d. Appointment – Education Committee (2) (Commission)
 - e. Appointment - Board of Health – Sharon Bailey. (Micky Roberts)
 - f. Reappointments (2) – Smoky Mountain Convention & Visitors Bureau Board of Directors - Bryan Cable and Jewell Overton and appointment (1) - Jane Groff. (County Mayor)
 - g. Fort Loudon Regional Library Board – Mary Beth West (County Mayor)
 - h. Ad Hoc Committee to Study Rules Regulating the Procedures of the Blount County Board of Commissioners. (Monika Murrell)
 - i. Modification regarding term of office concerning Board of Zoning Appeals appointment. (Scott Helton)
 - j. Appointment – South Blount Utility District – Tom Abbott. (County Mayor) (Information Only)

F. UNFINISHED BUSINESS:

1. Resolutions regarding use of County Roads for organized events. (Bill Dunlap)
2. Parking of vehicles on County Roads. (Scott Helton)

G. NEW BUSINESS:

1. Budget Transfers.
2. Budget Increases.
3. Other Budget Items.
4. Resolution increasing the informal bid limit to \$3,000.00 on purchases for the County General Fund of Blount County, Tennessee. (Purchasing Commission)
5. Resolution to amend the Intergovernmental Agreement, in which the Cities of Maryville and Alcoa share in the cost of the lease-purchase and installation of a new county-wide Motorola Communications System. (Finance Department)
6. Petition for traffic calming devices. (Bill Dunlap)
7. Discussion regarding amendment to traffic calming devices policies. (Brad Harrison)
8. Presentation regarding Blount County Energy Efficiency & Greening Program. (Dana West)
9. Resolution to opt out of Planning Commission and Board of Zoning Appeals education requirements Contained in T.C.A. 13-3-101(j) and 13-7-106(b) (Planning Commission)
10. Setting of Public Hearing. (Planning Commission)
 - a. Proposed amendment to Section 9.10-F to the RAC regulations. (Planning Commission)
11. Appointment to fill the vacancy in the office of County Commissioner, District 1 – Seat B.
12. Submission of resumes by applicants applying for appointments approved by County Commission. (Richard Carver)
13. Resolution to amend the Zoning Resolution of Blount County, Tennessee, Section 7.15-C-3 Design Requirements for commercial and industrial developments (design requirements for exterior walls facing public right-of-ways and Section 9.10-J Arterial Commercial District (additional design requirements.)

H. PUBLIC INPUT ON ITEMS NOT ON AGENDA.

I. ADJOURNMENT.

**STATE OF TENNESSEE
COUNTY OF BLOUNT**

BE IT REMEMBERED, that an Agenda Committee of the Blount County Board of County Commissioners meeting was held on Tuesday, September 7, 2010, at 6:30 pm at the courthouse in Maryville, Tennessee.

Roll call was taken by Roy Crawford, Jr., County Clerk:

Tonya Burchfield – absent	Roy Gamble – absent	Peggy Lambert – present
Shawn Carter, Sr. – absent	Tom Greene – present	Mike Lewis – absent
Richard Carver – present	Brad Harrison – absent	Kenneth Melton – present
Mike Caylor – present	Mark Hasty – present	Jerome Moon – present
Gary Farmer – present	Scott Helton – present	Monika Murrell – present
Jim Folts – present	Gerald Kirby – present	Steve Samples – present
Ron French – present	Holden Lail – present	Gordon Wright, Sr. – present

There were 16 present and 5 absent. Chairman Melton declared a quorum to exist. Commissioner Burchfield arrived after the roll was taken. The following proceedings were held to-wit:

IN RE: ELECTION OF AGENDA COMMITTEE CHAIRMAN.

Commissioner Helton nominated Commissioner Farmer as chairman. Commissioner French seconded the nomination.

A roll call vote was taken:

Burchfield – absent	French – yes	Kirby – yes	Murrell – yes
Carter – absent	Gamble – absent	Lail – yes	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – absent	Lewis – absent	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – yes	Helton – yes	Moon – yes	

There were 16 voting yes, and 5 absent. Chairman Melton declared Commissioner Farmer to be elected.

IN RE: ELECTION OF AGENDA COMMITTEE VICE CHAIRMAN.

Commissioner Lambert nominated Commissioner Lail as vice chairman. Commissioner French seconded the nomination.

A roll call vote was taken:

Burchfield – absent	French – yes	Kirby – yes	Murrell – yes
Carter – absent	Gamble – absent	Lail – abstain	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – absent	Lewis – absent	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – yes	Helton – yes	Moon – yes	

There were 15 voting yes, 1 abstaining, and 5 absent. Chairman Melton declared Commissioner Lail to be elected.

IN RE: APPROVAL OF MINUTES OF AUGUST 10, 2010 AGENDA COMMITTEE MEETING.

Commissioner Kirby made a motion to approve the minutes of the meeting. Commissioner Lail seconded the motion.

A roll call vote was taken:

Burchfield – yes	French – yes	Kirby – yes	Murrell – yes
Carter – absent	Gamble – absent	Lail – yes	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – absent	Lewis – absent	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – yes	Helton – yes	Moon – yes	

There were 17 voting yes, and 4 absent. Chairman Pro Tem Farmer declared the motion to have passed.

IN RE: SETTING OF AGENDA.

Commissioner Helton made a motion to set the agenda. Commissioner Lambert seconded the motion.

A roll call vote was taken on the motion:

Burchfield – yes	French – yes	Kirby – yes	Murrell – yes
Carter – absent	Gamble – absent	Lail – yes	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – absent	Lewis – absent	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – yes	Helton – yes	Moon – yes	

There were 17 voting yes, and 4 absent. Chairman Pro Tem Farmer declared the motion to have passed.

IN RE: APPROVAL OF RESULTS OF AUGUST 5, 2010 ELECTION.

Commissioner Lambert made a motion to send the item to the consent agenda of the September County Commission meeting. Commissioner Hasty seconded the motion.

A roll call vote was taken on the motion:

Burchfield – yes	French – yes	Kirby – yes	Murrell – yes
Carter – absent	Gamble – absent	Lail – yes	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – absent	Lewis – absent	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – yes	Helton – yes	Moon – yes	

There were 17 voting yes, and 4 absent. Chairman Pro Tem Farmer declared the motion to have passed.

IN RE: APPOINTMENT OF DR. ROBERT POTTER AS BLOUNT COUNTY MEDICAL EXAMINER and APPOINTMENT TO PLANNING COMMISSION – JAMES HOPPA and REAPPOINTMENT OF DAVID BLACK TO THE BOARD OF THE TELlico RESERVOIR DEVELOPMENT AGENCY FOR A SIX YEAR TERM, ENDING AUGUST 31, 2016 and REAPPOINTMENTS TO BOARD OF CONSTRUCTION APPEALS – DOUG MCCLANAHAN AND DONALD ADSIT and APPOINTMENT TO BLOUNT COUNTY LIBRARY BOARD – ROBERT AUSTIN AND BILL BEATY and APPOINTMENT TO FORT LOUDON REGIONAL LIBRARY BOARD – WENDY PITTS REEVES AND MICHELLE L. HANKES.

Commissioner Helton made a motion to send the items to the agenda of the September County Commission meeting. Commissioner Melton seconded the motion.

Commissioner Folts made a motion to amend to require information on the experience and qualifications of each nominee that we will be asked to vote on at the upcoming commission meeting. Commissioner Murrell seconded the motion.

A roll call vote was taken on the motion to amend:

Burchfield – no	French – no	Kirby – no	Murrell – yes
Carter – absent	Gamble – absent	Lail – no	Samples – no
Carver – no	Greene – no	Lambert – no	Wright – no
Caylor – no	Harrison – absent	Lewis – absent	
Farmer – no	Hasty – no	Melton – no	
Folts – yes	Helton – no	Moon – no	

There were 2 voting yes, 15 voting no, and 4 absent. Chairman Pro Tem Farmer declared the motion to amend to have failed.

A roll call vote was taken on the original motion:

Burchfield – yes	French – yes	Kirby – yes	Murrell – yes
Carter – absent	Gamble – absent	Lail – yes	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – absent	Lewis – absent	

Farmer – yes Hasty – yes Melton – yes
Folts – no Helton – yes Moon – yes

There were 16 voting yes, 1 voting no, and 4 absent. Chairman Pro Tem Farmer declared the motion to have passed.

**IN RE: HUMAN RESOURCES/INSURANCE COMMITTEE and
PARKS AND RECREATION BOARD and
SMOKY MOUNTAIN CONVENTION AND VISITOR'S BUREAU and
RECORDS COMMISSION and
PLANNING COMMISSION and
ANIMAL CENTER ADVISORY BOARD and
BLOUNT COUNTY CHILDREN'S HOME and
GREAT SMOKY MOUNTAIN HERITAGE CENTER APPOINTMENTS.**

Commissioner Helton made a motion to move the appointments to the September Agenda Committee meeting. Commissioner French seconded the motion.

A roll call vote was taken on the motion:

Burchfield – yes	French – yes	Kirby – yes	Murrell – yes
Carter – absent	Gamble – absent	Lail – yes	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – absent	Lewis – absent	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – yes	Helton – yes	Moon – yes	

There were 17 voting yes, and 4 absent. Chairman Pro Tem Farmer declared the motion to have passed.

IN RE: BUDGET COMMITTEE.

Commissioner Helton made a motion to send the item to the September County Commission meeting. Commissioner Moon seconded the motion.

A roll call vote was taken on the motion:

Burchfield – yes	French – yes	Kirby – yes	Murrell – yes
Carter – absent	Gamble – absent	Lail – yes	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – absent	Lewis – absent	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – no	Helton – yes	Moon – yes	

There were 16 voting yes, 1 voting no, and 4 absent. Chairman Pro Tem Farmer declared the motion to have passed.

IN RE: PURCHASING COMMISSION.

Commissioner Helton made a motion to move the item to the September County Commission meeting. Commissioner Lambert seconded the motion.

A roll call vote was taken on the motion:

Burchfield – yes	French – yes	Kirby – yes	Murrell – yes
Carter – absent	Gamble – absent	Lail – yes	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – absent	Lewis – absent	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – no	Helton – yes	Moon – yes	

There were 16 voting yes, 1 voting no, and 4 absent. Chairman Pro Tem Farmer declared the motion to have passed.

IN RE: BOARD OF ZONING APPEALS.

Commissioner Helton made a motion to send the appointment of Andy Allen and Jim Melton as members and Bruce Damrow and Jerry Roddy as alternates of the Board of Zoning Appeals to the agenda of the September County Commission meeting. Commissioner Samples seconded the motion.

Commissioner Folts made a motion to amend to forward all four names to the commission for a vote. Chairman Pro Tem Farmer declared that the motion to amend died for a lack of a second.

A roll call vote was taken on the original motion:

Burchfield – yes	French – yes	Kirby – yes	Murrell – yes
Carter – absent	Gamble – absent	Lail – yes	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – absent	Lewis – absent	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – no	Helton – yes	Moon – yes	

There were 16 voting yes, 1 voting no, and 4 absent. Chairman Pro Tem Farmer declared the motion to have passed.

IN RE: AGRICULTURE EXTENSION COMMITTEE.

Commissioner French made a motion to send the appointment of Tonya Burchfield and Roy Gamble to the agenda of the September County Commission meeting. Commissioner Murrell seconded the motion.

A roll call vote was taken on the motion:

Burchfield – abstain	French – yes	Kirby – yes	Murrell – yes
Carter – absent	Gamble – absent	Lail – yes	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – absent	Lewis – absent	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – yes	Helton – yes	Moon – yes	

There were 16 voting yes, 1 abstaining, and 4 absent. Chairman Pro Tem Farmer declared the motion to have passed.

IN RE: BEER BOARD.

Commissioner Lail made a motion to send the appointment of Peggy Lambert, Steve Samples, Gerald Kirby, Scott Helton, Ron French, Roy Gamble, Holden Lail, Tonya Burchfield, Gary Farmer, and Richard Carver to the Beer Board to the agenda of the September County Commission meeting. Commissioner Hasty seconded the motion.

A roll call vote was taken on the motion:

Burchfield – yes	French – yes	Kirby – yes	Murrell – yes
Carter – absent	Gamble – absent	Lail – yes	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – absent	Lewis – absent	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – yes	Helton – yes	Moon – yes	

There were 17 voting yes, and 4 absent. Chairman Pro Tem Farmer declared the motion to have passed.

IN RE: EDUCATION COMMITTEE.

Commissioner Helton made a motion to increase the committee to six members and send the appointment of Gerald Kirby, Jim Folts, Mike Caylor, Ron French, Roy Gamble, and Tom Greene to the Education Committee to the agenda of the September County Commission meeting. Commissioner Lail seconded the motion.

A roll call vote was taken on the motion:

Burchfield – yes	French – yes	Kirby – yes	Murrell – yes
Carter – absent	Gamble – absent	Lail – yes	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – absent	Lewis – absent	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – yes	Helton – yes	Moon – yes	

There were 17 voting yes, and 4 absent. Chairman Pro Tem Farmer declared the motion to have passed.

IN RE: HUMAN RESOURCES/INSURANCE COMMITTEE.

Commissioner Helton made a motion to send the appointment of Ron French, Gary Farmer, Holden Lail, Tonya Burchfield, and Mike Lewis to the Human Resources/Insurance Committee to the agenda of the September County Commission meeting. Commissioner Murrell seconded the motion.

A roll call vote was taken on the motion:

Burchfield – yes	French – yes	Kirby – yes	Murrell – yes
Carter – absent	Gamble – absent	Lail – yes	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – absent	Lewis – absent	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – yes	Helton – yes	Moon – yes	

There were 17 voting yes, and 4 absent. Chairman Pro Tem Farmer declared the motion to have passed.

IN RE: INFORMATION TECHNOLOGY COMMITTEE.

Commissioner Melton made a motion to send the appointment of Steve Samples, Roy Gamble, and Scott Helton to the Information Technology Committee to the agenda of the September County Commission meeting. Commissioner Lambert seconded the motion.

A roll call vote was taken on the motion:

Burchfield – yes	French – yes	Kirby – yes	Murrell – yes
Carter – absent	Gamble – absent	Lail – yes	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – absent	Lewis – absent	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – yes	Helton – yes	Moon – yes	

There were 17 voting yes, and 4 absent. Chairman Pro Tem Farmer declared the motion to have passed.

IN RE: VETERAN'S COMMITTEE.

Commissioner Helton made a motion to send the appointment of Jerome Moon to the Veteran's Committee to the agenda of the September County Commission meeting. Commissioner Hasty seconded the motion.

A roll call vote was taken on the motion:

Burchfield – yes	French – yes	Kirby – yes	Murrell – yes
Carter – absent	Gamble – absent	Lail – yes	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – absent	Lewis – absent	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – yes	Helton – yes	Moon – abstain	

There were 16 voting yes, 1 abstaining, and 4 absent. Chairman Pro Tem Farmer declared the motion to have passed.

IN RE: RESOLUTION TO AMEND GENERAL COUNTY FUND BUDGET - \$42,000.00.

Commissioner Samples made a motion to send the items to the agenda of the September County Commission meeting. Commissioner Melton seconded the motion.

A roll call vote was taken on the motion:

Burchfield – yes	French – yes	Kirby – yes	Murrell – yes
Carter – absent	Gamble – absent	Lail – yes	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – absent	Lewis – absent	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – yes	Helton – yes	Moon – yes	

There were 17 voting yes, and 4 absent. Chairman Pro Tem Farmer declared the motion to have passed.

IN RE: PARKING AREA AT BLOUNT COUNTY JUSTICE CENTER.

Commissioner Hasty made a motion to send the item to the Budget Committee. Commissioner Lambert seconded the motion.

A roll call vote was taken on the motion:

Burchfield – yes	French – yes	Kirby – yes	Murrell – yes
Carter – absent	Gamble – absent	Lail – yes	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – absent	Lewis – absent	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – yes	Helton – yes	Moon – yes	

There were 17 voting yes, and 4 absent. Chairman Pro Tem Farmer declared the motion to have passed.

IN RE: PETITION FOR TRAFFIC CALMING DEVICES.

Commissioner Helton made a motion to defer the item until next month's meeting. Commissioner French seconded the motion.

A roll call vote was taken on the motion:

Burchfield – yes	French – yes	Kirby – yes	Murrell – yes
Carter – absent	Gamble – absent	Lail – yes	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – absent	Lewis – absent	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – yes	Helton – yes	Moon – yes	

There were 17 voting yes, and 4 absent. Chairman Pro Tem Farmer declared the motion to have passed.

IN RE: RESIGNATION OF COMMISSIONER SHAWN CARTER, SR.

Commissioner Helton made a motion to send the item to the agenda of the September County Commission meeting. Commissioner Hasty seconded the motion.

A roll call vote was taken on the motion:

Burchfield – yes	French – yes	Kirby – yes	Murrell – yes
Carter – absent	Gamble – absent	Lail – yes	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – absent	Lewis – absent	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – yes	Helton – yes	Moon – yes	

There were 17 voting yes, and 4 absent. Chairman Pro Tem Farmer declared the motion to have passed.

IN RE: REQUEST TO TENNESSEE DEPARTMENT OF TRANSPORTATION REGARDING THE DELAY OF THE ENFORCEMENT OF ENCROACHMENT ORDERS CONCERNING BUSINESSES AND INDIVIDUALS IN TOWNSEND, TENNESSEE.

Commissioner Melton made a motion to send the item to the agenda of the September County Commission meeting. Commissioner Helton seconded the motion.

A roll call vote was taken on the motion:

Burchfield – yes	French – yes	Kirby – yes	Murrell – yes
Carter – absent	Gamble – absent	Lail – yes	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – absent	Lewis – absent	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – yes	Helton – yes	Moon – yes	

There were 17 voting yes, and 4 absent. Chairman Pro Tem Farmer declared the motion to have passed.

IN RE: DELEGATION OF COUNTY COMMISSION AUTHORITY FOR SPACE ALLOCATION.

Commissioner Melton made a motion to send the item to the agenda of the September County Commission meeting. Commissioner Lail seconded the motion.

A roll call vote was taken on the motion:

Burchfield – yes	French – yes	Kirby – yes	Murrell – yes
Carter – absent	Gamble – absent	Lail – yes	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – absent	Lewis – absent	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – yes	Helton – yes	Moon – yes	

There were 17 voting yes, and 4 absent. Chairman Pro Tem Farmer declared the motion to have passed.

IN RE: ADJOURNMENT.

Chairman Pro Tem Farmer declared the meeting to be adjourned.

**A RESOLUTION TO APPOINT MARK JOHNSON, GREG MCCLAIN
AND ED MITCHELL TO THE INDUSTRIAL DEVELOPMENT BOARD
OF BLOUNT COUNTY AND THE CITIES OF ALCOA & MARYVILLE,
TENNESSEE**

WHEREAS, The Industrial Development Board has voting representatives from the Cities of Alcoa, Maryville and Blount County; and

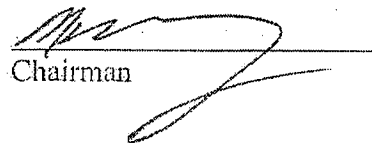
WHEREAS, The voting representative for the City of Alcoa has been Mark Johnson; and

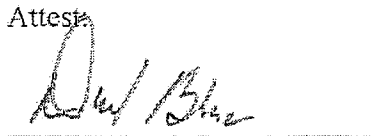
WHEREAS, The voting representative for the City of Maryville has been Greg McClain; and

WHEREAS, The citizens of Blount County elected a new County Mayor, Ed Mitchell, who takes office on September 1, 2010.

NOW, THEREFORE BE IT RESOLVED that the Industrial Development Board of Blount County and the Cities of Alcoa & Maryville, Tennessee requests that Mark Johnson, Greg McClain and Ed Mitchell be appointed as voting representatives to the Board of Directors of the Industrial Development Board of Blount County and the Cities of Alcoa & Maryville, Tennessee.

Adopted and approved this 18th day of August, 2010.


Chairman

Attest:

Secretary

BOARD OF ZONING APPEALS
(TERMS - 5 YEARS)
Blount County Article 11.1 and T.C.A.13-7-106

Name/Address	Phone	Term Expires
Jim Melton 521 Arthur Avenue Maryville, TN 37804	977-0801 (APPT. 9/16/10)	9/16/14
Rob Walker - Chairman 237 Meadow Road Friendsville, TN 37737	995-2564	8/20/14
Stanley Headrick 3806 E. Lamar Alexander Pkwy. Maryville, TN 37804	681-1846	8/31/13
Andy Allen 232 Littlebrook Circle Rockford, TN 37853	380-0996 (APPT. 9/16/10 -GORDON WRIGHT <u>RESIGNED 9/1/2010</u>)	8/16/12
Harold Brown 1014 N. Heritage Drive Maryville, TN 37803	982-5988	8/31/11

Associates:

Joe Everett (Appointed 02/21/08) Term expires 2/21/13
Bruce Damrow (Appointed 9/16/10) Term expires 9/16/15
Vacancy

13-7-106. Creation of county board of zoning appeals — Appointment of members — Terms — Vacancies — Training and continuing education. —

(a) The legislative body of any county which enacts zoning regulations under the authority of this part shall create a county board of zoning appeals of three (3) or five (5) members. In any county which has adopted a charter form of government as provided in the Constitution of Tennessee, art. VII, § 1, and by § 5-1-201, and which has a population of less than six hundred thousand (600,000) according to the 1980 federal census or any subsequent federal census, the legislative body of any such county which enacts zoning regulations under the authority of this part shall create a county board of zoning appeals of five (5), seven (7) or nine (9) members. The county legislative body shall be the appointing power of the members of such board of appeals and may fix their compensation and their terms, which terms shall be of such length and so arranged that the term of one (1) member will expire each year. In any county which has adopted a charter form of government as provided in the Constitution of Tennessee, art. VII, § 1, and by § 5-1-201, and which has a population of less than six hundred thousand (600,000) according to the 1980 federal census or any subsequent federal census, the county legislative body shall arrange their terms in any fashion so long as no member's term exceeds five (5) years in length. The county legislative body may remove any member for cause upon written charges and after a public hearing. Vacancies shall be filled for unexpired terms in the same manner as in the case of original appointments. The county legislative body may appoint associate members of the board, and, in the event that any regular member be temporarily unable to act owing to absence from the county, illness, interest in a case before the board, or other cause, such associate member's place may be taken during such temporary disability by an associate member designated for the purpose by the county legislative body. The county legislative bodies of two (2) or more counties may, by ordinances enacted by both or all of them, arrange and provide for a joint or common board of zoning appeals.

(b) (1) Each board of zoning appeals member shall, within one (1) year of initial appointment and each calendar year thereafter, attend a minimum of four (4) hours of training and continuing education in one (1) or more of the subjects listed in subdivision (b)(5).

(2) Each full-time or contract building commissioner or professional planner or other administrative official whose duties include advising the board of zoning appeals shall, each calendar year, attend a minimum of eight (8) hours of training and continuing education in one (1) or more of the subjects listed in subdivision (b)(5). A professional planner who is a member of the American Institute of Certified Planners shall be exempt from this requirement.

(3) Each of the individuals listed in subdivisions (b)(1) and (2) shall certify by December 31 of each calendar year such individual's attendance by a written statement filed with the secretary of such individual's respective board of zoning appeals. Each statement shall identify the date of each program attended, its subject matter, location, sponsors, and the time spent in each program.

(4) The legislative body of the county shall be responsible for paying the training and continuing education course registration and travel expenses for each board of zoning appeals member and full-time building commissioner or other administrative official whose duties include advising the board of zoning appeals.

(5) The subjects for the training and continuing education required by subdivisions (b)(1) and (2) shall include, but not be limited to, the following: land use planning; zoning; flood plain management; transportation; community facilities; ethics; public utilities; wireless telecommunications facilities;

parliamentary procedure; public hearing procedure; land use law; natural resources and agricultural land conservation; economic development; housing; public buildings; land subdivision; and powers and duties of the board of zoning appeals. Other topics reasonably related to the duties of the board of zoning appeals and the building commissioner or other administrative official whose duties include advising the board of zoning appeals may be approved by majority vote of the board of zoning appeals prior to December 31 of the year for which credit is sought.

(6) Each local board of zoning appeals shall keep in its official public record originals of all statements and the written documentation of attendance required to comply with these provisions for three (3) years after the calendar year in which each statement and appurtenant written documentation is filed.

(7) Each board of zoning appeals member and each building commissioner or other administrative official whose duties include advising the board of zoning appeals shall be responsible for obtaining written documentation signed by a representative of the sponsor of any training and continuing education course for which credit is claimed, acknowledging the fact that the individual attended the program for which credit is claimed.

(8) If a board of zoning appeals member fails to complete the requisite number of hours of training and continuing education within the time allotted by this subsection (b) or fails to file the statement required by this subsection (b), then this shall constitute a cause for the removal of the board of zoning appeals member from the board of zoning appeals.

(9) The legislative body of the county may, at any time, opt out of the provisions of this subsection (b) by passage of a resolution. Further any such legislative body that has opted out may, at a later date, opt in by passage of a resolution.

[Acts 1935, ch. 33, § 6; C. Supp. 1950, § 10268.6; impl. am. Acts 1978, ch. 934, §§ 7, 36; T.C.A. (orig. ed.), § 13-406; Acts 1991, ch. 521, § 1; 1993, ch. 184, § 1; 2002, ch. 862, § 5; 2009, ch. 47, § 10.]

single family residential use that bounds a residential use or platted residential lot. In acting as an administrative review panel, the Planning Commission shall have all building permit powers of the Building Commissioner, such that an approval of a site plan shall constitute also an approval of a building permit for such site plan. The site plan shall be submitted to the Building Commissioner for forwarding to the Planning Commission at least fifteen calendar days prior to consideration at a regular or special called meeting of the Planning Commission. The Building Commissioner shall review any site plan before the Planning Commission and shall make recommendation for approval or denial with analysis and reasons for such recommendation. The decisions of the Planning Commission shall be by majority vote of the quorum present. The decisions of the Planning Commission shall be entered in the minutes of the Commission, and any denial of a site plan shall state the reasons for denial.

Article 11. BOARD OF ZONING APPEALS.

Section 11.1. Creation and Membership. In accordance with Tennessee Code Annotated 13-7-106, the Blount County Board of Zoning Appeals, referred to elsewhere in this Resolution as Board of Zoning Appeals or Board, is hereby created with five regular members. The County Legislative Body shall appoint regular members of the Board. The terms of each regular member shall be five years, provided that the first appointments upon adoption of this Resolution shall be for staggered terms of one, two, three, four, and five years such that the term of one regular member shall expire each year thereafter. Regular members may be appointed for successive terms. Vacancies for regular members shall be filled for unexpired terms in the same manner as in the case of original appointments. The County Legislative Body may appoint and designate associate members of the Board. Such associate members are authorized to sit and act in the stead for any regular member who is temporarily unable to act owing to absence from the county, illness, interest in a case before the Board, or other cause. The term of such associate members shall be for the specific time period that a regular member is temporarily unable to act. The County Legislative Body may remove any member of the Board for cause upon written charges and after a public hearing, causes to include but not limited to absence from any three consecutive meetings of the Board, or absence from more than five meetings of the Board within any twelve calendar months.

Section 11.2. Rules and Procedures. The Board of Zoning Appeals shall elect a Chairman and a Secretary from among the regular members, such Chairman and Secretary to serve for one year terms, and may be elected to successive terms. The Chairman is authorized to call a meeting of the Board for action as needed. All meetings of the Board shall be open to the public. In the absence of the Chairman, a quorum of the Board may elect a temporary Chairman to conduct business. A quorum of the Board shall consist of no less than three regular or associate members. Minutes of meetings shall be kept, reporting the members in attendance, reporting records and evidence and testimony used in determining a decision, and reporting the vote of each member for each action. The Secretary shall certify minutes and actions of the Board. The Building Commissioner shall maintain minutes and records for the Board. The Board may adopt By-Laws being such other supplemental rules of procedure necessary for proper functioning of the Board, not inconsistent with other provisions in this Resolution and not inconsistent with state statutes.

Section 11.3. Powers of the Board of Zoning Appeals. In accordance with Tennessee Code Annotated 13-7-107 and 109, the Board has the following powers:

RESUME
LARRY J CHESNEY
SEPTEMBER 8, 2010

Name: Larry J Chesney
Address: 350 Martin Valley Road, Walland, TN 37886
Home Phone: 865-980-0824,
E-Mail: martinvalley1@comcast.net

Education: University of Tennessee - 1964 BS degree in Mechanical Engineering
Marital Status: 1968 married Hilda Martin of Walland, TN
Children: Chad of Austin, TX and Mandy of Pittsburgh, PA
Church Affiliation: Maryville First United Methodist Church
Retired: Jan 1, 2010 from Alcoa, Inc. (after 45 years)

Employment history with Alcoa, Inc.

1964 - 1979: Tennessee Operations, Alcoa, TN
Performed in a variety of technical and supervisor positions in all 3 (West, North, South) of the Alcoa Tennessee Operation plants. These assignments included supervisory responsibilities in mechanical engineering, planning and scheduling, maintenance and construction.

1979 - 1987: Rockdale Works, Rockdale, TX
From 1979 to 1981 was the Project Manager for the rebuild of the Rockdale aluminum powder atomizer plant. Aluminum powder is a very explosive material and one use is the fuel for the US space rockets. From 1981 to 1987 was the Chief Mechanical Engineer which included the supervision of the location mechanical engineers and the management of the Rockdale Works capital budget and expenditures.

1987 - 1998: Alcoa Technical Center (ATC), Pittsburgh, PA
Engineering Manager at ATC. These responsibilities included the supervision of all engineering functions (mechanical, electrical, civil), maintenance, construction, buildings and grounds, security and the site capital budget and expenditures. These responsibilities included the management of 100 Alcoa employees plus 100 contract employees.

RESUME - page 2
LARRY J CHESNEY
SEPTEMBER 8, 2010

1998 - 2010: Alcoa Primary Metals, Knoxville, TN
Project Engineering Manager for a variety of engineering and construction projects in the Primary Metals Business Unit. A major focus was a research and development project to provide a longer lasting anode for Alcoa's smelting process. These responsibilities included providing facilities and prototype manufacturing equipment to produce anodes and facilities and equipment to conduct plant size testing in an Alcoa smelting location.



BLOUNT COUNTY MAYOR

Ed Mitchell

341 Court Street, Maryville, TN 37804-5906

Phone: (865) 273-5700

Fax: (865) 273-5705

Email: emitchell@blounttn.org



TO: Blount County Board of Commissioners

FROM: Ed Mitchell, County Mayor

RE: Recommendation for the Planning Commission

DATE: October 5, 2010

For the consideration of the full commission, I am submitting my recommendation of the following name for appointment on the Blount County Planning Commission due to the resignation of Lamar Dunn:

Jerry Roddy

Please see the attached resume.

Jerry L. Roddy
327 Fence Rail Gap Road
Walland TN. 37886
865-984-9647 e-mail - rockytop2@hughes.net

Education:

- B.S. Industrial Engineering, University Of Tennessee, 1968
- Maryville High School , 1962

Work Experience:

Alcoa, Inc:

Global Primary Metals - Knoxville Office

- August, 2007 - Retired
- 1998 - 2007 - Director, Technology, Global Primary Metals System
 - Responsible for leading and directing the process technical support, research and development, and process control systems for the twenty - eight (28) plant global system.
 - Responsible for managing a \$55 million annual budget and 125 engineers and scientists.
 - 2003 recipient of the Irving W. Wilson Award for "outstanding leadership in the management of science and technology throughout Alcoa".
- 1994-1998 - Manager, Process Technology
 - Responsible for providing technical support for the Potroom and Electrode areas.
 - Responsible for leading due diligence efforts of possible acquisitions.
 - Responsible for leading integration efforts of new acquisitions.
- 1990-1994- Chief Process Engineer - Potroom
 - Responsible for giving technical support to plants in the Potroom area.
 - Responsible for coordinating process technical training for new process engineers.

Rockdale Texas Operations

- 1981-1990 - Potroom Superintendent
 - Responsible for managing Alcoa's largest Potrooms at the time.

Pittsburgh Office

- 1979-1981- Corporate Safety Engineer
 - Helped develop corporate safety training program.

Rockdale Texas Operations

- 1977-1979 - Electrode Superintendent
 - Responsible for producing anodes for the potrooms.
- 1975-1977 - Chief Industrial Engineer
 - Responsible for managing the Industrial Engineering Department.

Alcoa Tennessee Operations

- 1972-1975 - Potroom Services Supervisor
 - Responsible for managing the Services Department.
- 1970-1972- Senior Production Engineer
- 1968-1970 - Industrial Engineer
- 1967 - Summer Engineering Intern

Hobbies and Interests

- Avid U.T. sports fan
- Avid hiker
- Volunteer at the Great Smoky Mountain Heritage Center
- 2010 class member of Experience Your Smokies
- Avid reader
- President of Fence Rail Gap Home Owners' Association



BLOUNT COUNTY MAYOR

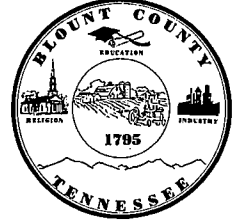
Ed Mitchell

341 Court Street, Maryville, TN 37804-5906

Phone: (865) 273-5700

Fax: (865) 273-5705

Email: emitchell@blounttn.org



TO: Blount County Board of Commissioners

FROM: Ed Mitchell,  County Mayor

RE: Recommendation for the Planning Commission

DATE: October 5, 2010

For the consideration of the full commission, I am submitting my recommendation of the following name for appointment on the Blount County Planning Commission due to the resignation of Charles Cameron:

David Caldwell

Please see the attached resume.

602 Chillhowee View Rd.
P.O.Box 5563
Maryville,TN.37802

Phone 865-389-4813
Fax 865-977-6732
E-mail davfence@bellsouth.net

David J. Caldwell

Objective

My objective is to serve the Blount County Planning Commission to the best of my ability.

Functional summary

I believe that my experience and knowledge from being a life long resident and businessman in the great County of Blount will more than qualify me to serve in this position. With the except of attending college in Murfreesboro ,I was born and raised in Blount County. Upon the death of my father,Roger C.Caldwell,I was thrown into the business world at a very young age.This experience has been invaluable in dealing with people and situations that require making difficult decisions.I also believe that it is a duty and honor to serve the people of Blount County.

Employment

March 1986-present Caldwell Fence Erection Co.,Inc. Maryville,TN.
Vice-President
• Manager of all business operations.

Education

Maryville High School -1986

Middle Tennessee State University 1986-1991
Studies in Business Management

References

Mark Russell-Owner

Cate-Russell Insurance Inc.

415 High St.

Maryville,TN.37804

865-982-4111

Steve Garner-President

Blount Excavating Inc.

3700 Garner Circle

Maryville TN.37803

865-4060

Kent Everett- Owner

Castone

119 Cimarron St.

Maryville, TN. 37801

865-983-5000

Accreditations	Certified Fence Professional-American Fence Association, Inc. Since 1994
Professional memberships	American Fence Association
Volunteer experience	F.O.P. Lodge Shop with a Cop program University of Tennessee OUTLIVE Cancer program Former Board member-Maryville-Alcoa Home Builders Association Former Associate State Director representing MAHBA to the Tennessee State Home Builders Association
Awards received	1998 Associate of the Year-Maryville Alcoa Home Builders Association

BLOUNT COUNTY PLANNING COMMISSION
MEMBERS
(Revised 9-10)

Ernest Blankenship
1905 E Westwood Drive
Maryville, TN 37803
Phone: 681-8959 (H)
09-10

Charles H. Cameron
1543 Boyle Street
Alcoa, TN 37701
Phone: 982-0213 (H)
02-14 (Resigned 10/5/10)

Gary Farmer
111 Firefly Lane
Maryville, TN 37803
Phone: 983-4778 (H)
Co-Term

Brad Harrison
1541 Aberdeen Drive
Alcoa, TN 37701
Phone: 984-2794 (H)
Co-Term

Tom Hodge
1356 Forest Hill Road
Maryville, TN 37803
Phone: 982-1405
12-12

Gerald Kirby
956 Scarlett Oak Road
Maryville, TN 37801
Phone: 984-3806 (H);
Co-Term

Bruce McClellan
P. O. Box 5960
Maryville, TN 37802-5960
Phone: 577-1244 (W)
10-11

Monika Murrell
4710 N. Wildwood Road
Maryville, TN 37804
Phone: 984-8629 (H)
Co-Term

Ed Stucky
460 Boat Gunnel Rd.
Townsend, TN 37882
Phone: 448-1203 (H)
10-13

Clifford Walker
211 Roosevelt St.
Maryville, TN 37801
Phone: 983-1805 (H)
11-12

Gordon Wright, Sr.
6268 E. Lamar Alexander Pkwy.
Walland, TN 37886
Phone: 983-7413 (H)
Co-Term

Vacancy -- (Lamar Dunn resigned 7/15/10)

EDUCATION COMMITTEE
APPOINTED 09/16/10 – Terms end annually in September
Meets the Tuesday One Week Prior to the 3rd Thursday at 12:00 at Designated
School or Schools Central Office

Mike Caylor
1200 Karina Circle
Maryville, TN 37804

865-323-3143

Jim Folts
664 Watershaw Drive
Friendsville, TN 37737

865-995-9476

Ron French
813 Burnett Station Road
Seymour, TN 37865

865-577-8393

Roy Gamble
4012 Davis Ford Road
Maryville, TN 37804

865-983-0584

Vacancy

Vacancy

Blount County Commission Office
359 S. Court Street, Maryville, TN 37804
Telephone 865-273-5830 FAX 865-273-5832

From: Micky Roberts
Sent: Thursday, September 09, 2010 11:42 AM
To: Rhonda Pitts
Subject: Fwd: Board of Health - Nurse position

See attached.

Micky Roberts
County Health Director
Blount County Health Department
301 McGhee Stree
Maryville, TN 37801
p983-4582

>>> Micky Roberts 9/8/2010 12:25 PM >>>

Rhonda: Is it too late for this nurse to approved by the Commission for the Board of Health? As you will see she has been nominated by the District Nurses Assn. Thanks, Micky

Mr. Roberts

I do apologize for the length of time that this entire process has taken. Many of the TNA members are nurse educators and contact during the summer break is always delayed. The TNA District 2 Board of Directors firmly believe that the person appointed needs to be an advanced practice nurse with experience with the Blount Co. health care system. The recommendation is that Sharon Bailey be appointed.

Mary Gunther, PhD, RN, NE-BC
Associate Professor
Chair, MSN Program
College of Nursing
University of Tennessee
1200 Volunteer Blvd
Knoxville, TN 37996

Micky Roberts
County Health Director
Blount County Health Department
301 McGhee Stree
Maryville, TN 37801
p983-4582

Sharon Annette Pusey Bailey
1410 Cottage Glen Lane
Maryville, Tennessee 37801
865-983-8194

Education:

<u>Institution</u>	<u>Degree and Date</u>	<u>Major</u>
University of Tennessee College of Nursing Knoxville, Tennessee	Doctoral courses PhD in Nursing 1988-1989	Nursing
University of Tennessee College of Nursing Knoxville, Tennessee	Masters of Science -1984	Nursing
University of Tennessee Center for Health Sciences Memphis, Tennessee	Bachelors of Science -1972	Nursing
Western Pennsylvania Hospital Pittsburgh, Pennsylvania	Diploma -1970	Nursing
Maryville College Maryville, Tennessee	Non-degree- 1965-1967, 1970	Music

I play the organ, piano and French Horn and am a member of the New Providence Presbyterian Church Chancel Choir. I take organ lessons: I have an Allen organ at home for personal usage and play the pipe organ at NPPC. I take lessons from Peggy Rogers who is active in AGO and is available for verification of my organ playing at her home e-mail address which is

Licensure: I am licensed as a Registered Nurse and also as an Advanced Practice Nurse in the state of Tennessee (license copies available on request).

Professional Experience:

Tennessee Wesleyan College-FSS Athens and Knoxville, Tennessee
Assistant professor Full-time nursing faculty starting in January 2006

Blount Memorial Hospital Maryville, Tennessee
Employed from July 1981 to January 2006 in multiple positions.

St. Mary's Medical Center-School of Nursing Knoxville, Tennessee
Faculty Full-time faculty starting August 1972-1981

Current position: Instructor for Community Health Nursing Course and Nursing Synthesis course with senior students and Nursing Role Synthesis course with the junior students. Clinical instructor for Adult Health II, Management-Leadership and Critical Care with students placed at Parkwest Medical Center.

Previous responsibilities:

Special Projects coordinator and Clinical nurse educator
Responsibilities – Adjunct position with the LMU /Blount Memorial associate degree nursing program doing both classroom and clinical, development of projects as designated by administration, staff development within the hospital system, and served as a clinical resource for ongoing nursing programs. Responsibility included preparation for the Joint Commission Survey process of the hospital.

Vice Chief Nurse Executive/ Associate Nurse Executive (July 2000- June 2005)
Some of the responsibilities with this job included Management Director of Emergency Services where I facilitated a construction expansion project and re-engineered the patient care delivery services of the multidisciplinary team. Budgeting and capital purchases, disaster preparedness, staff development/ education and day-to day staffing and customer services work were included. In the absence of the Chief nurse, I made decisions influencing the nursing division. I served as a mentor preparing patient care coordinators to become clinical directors. I participated on multiple hospital committees including the hospital risk committee and several computer development and implementation projects.

Management Director of Home Services 1989-2000

Had the financial and operational responsibility for the home care programs of the hospital including Home Health, Hospice, Life Line, Home Infusion and Home Life Services. Developed several of these programs and acquired appropriate Medicare certification. Implemented a Home Services information system. Responsible for resource management -- financial and human, development of new programs, clinical practice, information systems management, managed care and regulatory compliance issues.

Clinical Director of Critical Care 1986-1989

Medical-Surgical Clinical Nurse Specialist 1982-1986

Taught oncology course, worked with staff development and patient education including diabetic management program. Developed the Better Breather's program for outpatients with respiratory problems and the COPD teaching packet. Adjunct Clinical Instructor U.T. College of Nursing and Maryville College

Hospice Care Coordinator

Developed the program in 1981, have consistently been involved with the development of palliative care programs in the hospital system and applied for and received Medicare certification for the program. Taught hospice volunteers and did extensive community education on the hospice concept. Participated in the development of Family Support Services and Advanced Illness Assistance Team.

Medical-Surgical Nursing Instructor (1972-1981)
St. Mary's Medical Center School of Nursing
Knoxville, Tennessee

Taught Respiratory Nursing, Oncology Nursing, Nursing Leadership and Management and Critical Care Nursing. Involved with development of new curriculum.

Staff Nurse 1971-1972
Veteran's Administration Hospital
Memphis, Tennessee
Cardiac Rehabilitation and Critical Care

Worked with the Cardiac Rehab program teaching classes and developing patient education tools.

Blount Memorial Hospital
Staff Nurse-Medical-Surgical Nursing 1970-1971

Professional Organizations:

American Nurses Association
TNA District II President -- 1996 - 1999, participation on TNA State Board of Directors; TNA Treasurer- 2004- present (re-elected in 2006)
Tennessee Home Care Alliance
Oncology Nursing Society

Sigma Theta Tau Nursing Honor Society- University of Tennessee and Tennessee
Wesleyan

Tennessee Organization of Nurse Executives
Tennessee Nursing Foundation Board of Directors
National League for Nursing

Community Involvement:

American Cancer Society -- Tennessee Division; local chapter Relay for Life
American Diabetes Association -- Blount County
Habitat for Humanity -- Blount County
Elder and Clerk of Session-- New Providence Presbyterian Church
Recycling Program -- Blount Memorial Hospital and Community
Girl Scouts -- Troop Leader
Band and Choir Booster -- William Blount High School
Maryville College National Alumni board
Maryville Community Chorus
Chancel Choir-New Providence Presbyterian Church

Honors

Stephen Bufton Memorial Scholarship - 1980
American Business Women's Association
Maryville, Tennessee

Tennessee Nurses Association
Council on Nursing Management Award - 1993

Tennessee Nurses Association District II
Leadership Award - 1988

Outstanding Alumnus University Tennessee of Knoxville
Nursing Performance in Management Administration and Community Services
1998
Tennessee Hospital Association Nurses of Distinction Award
October 1999

Tennessee Nurses Association District II
Clinical Award- 2006

Nursing Clinical Excellence award- May 2006

Certification:

Oncology Certified Nurse -- Oncology Nursing Society from 1983-2003

Medical-Surgical Clinical Nurse Specialist Certified -- American Nurses Association
since 1984 (now known as adult health clinical specialist)

BOARD OF HEALTH

(4 YEAR TERMS)

	<u>Member's Name</u>		<u>Position on the Board</u>
1.	Ed Mitchell	-	County Mayor
2.	Rob Britt	-	Director of Schools (Appointed July 16, 2009)
3.	Dr. Richard Evans, M.D.	-	Physician (Appointed July 16, 2009)
4.	Vacancy	-	Physician
5.	Dr. Robert Ramsey, DDS	-	Dentist (Appointed July 16, 2009)
6.	Steve Myers DPH	-	Pharmacist (Appointed July 16, 2009)
7.	Vacancy	-	Registered Nurse (Appointed July 16, 2009)
8.	Dr. Sam Meisler, DVM	-	Veterinarian (Appointed July 16, 2009)
	<u>Ex-Officio</u>		
	Micky Roberts	-	County Health Director/Secretary
	Dr. Tara Sturdivant, M.D.	-	County Health Officer



BLOUNT COUNTY MAYOR

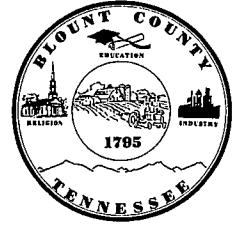
Ed Mitchell

341 Court Street, Maryville, TN 37804-5906

Phone: (865) 273-5700

Fax: (865) 273-5705

Email: emitchell@blounttn.org



TO: Blount County Board of Commissioners

FROM: Ed Mitchell, County Mayor

RE: Recommendation for Smoky Mountain Convention & Visitors Bureau

DATE: October 5, 2010

For the consideration of the full commission, I am submitting my recommendation of the following names for re-appointment to serve on the Board of the Smoky Mountain Convention & Visitors Bureau to a three-year term:

Bryan Cable, Hilton Knoxville Airport
Jewell Overton, Courtyard by Marriott

In addition, for the consideration of the full commission, I am submitting my recommendation of the following name for appointment to serve on the Board of the Smoky Mountain Convention & Visitors Bureau as the Chamber representative for a three-year term replacing Tommy Enos:

Jane Groff, City of Maryville

September 8, 2010

Mr. Ed Mitchell, Mayor
Blount County Government
341 Court Street
Maryville, TN 37804-5906

Re: Appointments to the Smoky Mountain Convention & Visitors Bureau Board of Directors

Dear Mayor Mitchell:

As per your request and as previously discussed, we would like to recommend the following individuals for re-appointment to a three-year term to the Board of Directors:

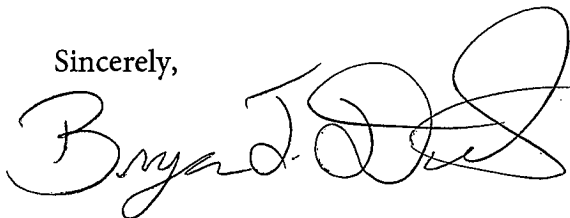
Bryan Cable, Hilton Knoxville Airport
Jewell Overton, Courtyard by Marriott

Also, we would like to request that the following individual be appointed as the Chamber representative for a three-year term replacing Tommy Enos:

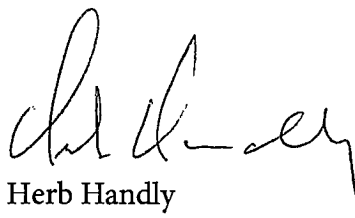
Jane Groff, City of Maryville

We appreciate your consideration of these requests. If you have any questions, or if we can be of further assistance, please feel free to contact us.

Sincerely,



Bryan T. Daniels, CECD, CCE, IOM
Interim President/CEO



Herb Handly
Executive Vice President of Tourism

/bsf



BLOUNT COUNTY MAYOR

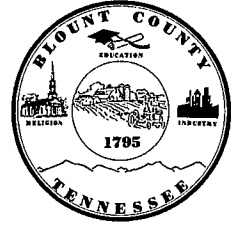
Ed Mitchell

341 Court Street, Maryville, TN 37804-5906

Phone: (865) 273-5700

Fax: (865) 273-5705

Email: emitchell@blounttn.org



TO: Blount County Board of Commissioners

FROM: Ed Mitchell, County Mayor

RE: Recommendation for Representative to the Fort Loudon Regional Library Board

DATE: October 5, 2010

For the consideration of the full commission, I am submitting my recommendation of the following name to serve as Blount County Representatives to the Fort Loudon Regional Library Board:

Mary Beth West

Please see the attached resume.



**BLOUNT COUNTY
PUBLIC LIBRARY**

508 North Cusick Street
Maryville, TN 37804

TO: Ed Mitchell, County Mayor
✓ Members of the Blount County Commission
FROM: Kathryn E. Pagles, Library Director
DATE: September 24, 2010
RE: Appointment to Fort Loudoun Regional Library Board

At their regular monthly meeting on September 21, 2010, the Board of Trustees of the Blount County Public Library voted unanimously to recommend Mary Beth West as representative to the Fort Loudoun Regional Library Board. The FLRL board is an advisory board to the Regional Director of the Fort Loudoun Region, who administers services made available to nine counties from the Tennessee State Library and Archives.

Ms. West is a businesswoman with her own very successful PR firm. She is part of a well known family whose members historically have served Blount County very well and in many ways. She is the wife of Charles West and the daughter-in-law of Steve and Ruth West.

Ms. West's complete resume is attached. It is our hope that Ms. West's appointment can be expedited as the next regional board meeting is scheduled for November 10.

Mary Beth West, APR

205 Duncan Drive

Maryville, TN 37803

865.984.1920

mb@marybethwest.com

PROFESSIONAL EXPERIENCE

March 2003 – Present. Principal, Mary Beth West Consulting, LLC, Maryville, Tenn.

www.marybethwest.com; www.facebook.com/marybethwestconsulting

Manage a public relations firm providing strategic marketing communications and reputation management services to corporations, government agencies and non-profit organizations. Oversee all new business development, account service and financial management of the firm. Launched as an independent consulting practice in 2003. Grew client portfolio by 2007 with annual billings at nearly three times the national industry average for solo public relations consultancies in the U.S. Expanded the business model to a full-service public relations firm in 2008. Achieved rank in 2009 and 2010 as third in size in the Greater Knoxville market among public relations firms in *The Knoxville News-Sentinel's* Book of Lists. Became the largest agency recipient of Volunteer Chapter Public Relations Society of America "Award of Excellence" recognitions in 2010 for work developing effective client communications products and programs.

December 2009 – Present. Co-Founder, Interactive Springboard, Knoxville, Tenn.

www.interactivespringboard.com; www.facebook.com/interactivespringboard

Co-founded and serve as a principal strategist for this joint venture between two separate but equally focused companies – Knoxville-based Blue Media Boutique and Mary Beth West Consulting, LLC – with a combined team that brings depth of expertise in research, online strategy, reputation management and evaluation for web, interactive and social media programs. Interactive Springboard produced award-winning work for an education non-profit in 2009, with other current projects in progress including a national multifamily housing company and a government-owned scientific research facility.

May 1999 – May 2002. Union Planters Corporation (NYSE: UPC), Memphis, Tenn.

August 2001 – May 2002. Vice President, Regional Marketing – East Tennessee and Southeastern Kentucky, Knoxville, Tenn.

Managed all advertising, marketing, public relations and corporate giving programs/budget for Union Planters' East Tennessee region – a \$1.3 billion, 35-branch banking group of a \$34.2 billion financial institution – the largest based in Tennessee at that time. Worked with seven local-level bank presidents throughout East Tennessee and Southeastern Kentucky to devise and manage campaigns for the region. Served on the marketing committee of the Bank's five-state Central Banking Group, the largest within Union Planters Corporation, to plan consistent implementation of research projects, communications programs, product development, promotional campaigns and results tracking. Acted as bank spokesperson within the region. Reported jointly to the East Tennessee regional CEO and to the Central Banking Group marketing director based in Memphis.

May 1999 – August 2001. Vice President/Marketing, Union Planters Bank, Knoxville, Tenn.

Oversaw all advertising, marketing, public relations and corporate giving programs/budget for Union Planters' Knoxville-area bank – a \$350 million, 15-branch affiliate of Union Planters Bank. Worked with local senior management in crafting the bank's annual strategic plan and performance measurement standards. Managed contractual relationships and budgets with vendors such as advertising/public relations agencies, printers and local media outlets. Managed sales and promotional efforts of bank products through product knowledge and skill development training/coaching of a 45-employee branch sales force. Oversaw marketing internship program. Reported directly to the chief executive officer of UP-Knoxville.

Spring 2001-02. Adjunct Instructor, University of Tennessee College of Communication & Information

Taught semester-long undergraduate courses, "Public Relations Writing" and "Public Relations Case Studies," focusing on the effective use of communication and media for purposes of persuasion and attitudinal / behavioral change.

March 1998—May 1999. Asst. Vice President/Marketing, BankFirst (NASDAQ: BKFR), Knoxville, Tenn.

Assisted in strategic planning, development and implementation of advertising, public relations and promotional programs in the Marketing Department of this 23-branch, \$550 million community bank serving five East Tennessee counties. Managed advertising budgets for print, electronic and outdoor advertising in the East Tennessee area and a \$250,000 budget for corporate giving. Generated media relations opportunities and served as a key media contact for BankFirst. Created an award-winning employee communications program. Assisted with communications strategies for BankFirst Corporation's 1998 IPO. Reported directly to the Senior Vice President of Marketing, Sales and Training.

February 1996—January 1998. Director, Community Relations, Corrections Corporation of America (NYSE: CXW), Nashville, Tenn.

Created and implemented internal/external communications programs to achieve business development and financial objectives for CCA, the international industry leader in private sector corrections. Developed strategic plans for establishing positive relationships with governmental entities and communities nationwide where CCA facilities were either located or sited for future construction. Directed CCA's communications start-up programs for new facilities and assisted in managing local corporate identity roll-outs, employee recruitment support and facility warden/administrator crisis training. Wrote and assembled an award-winning crisis communications / preparedness program covering CCA's 50-plus correctional facilities in the United States, Puerto Rico, Australia and the United Kingdom. Reported directly to the Vice President of Communications and served as department head in her absence.

June 1994—February 1996. Acct. Executive, Frontline Marketing, Nashville, Tenn.

Managed advertising and public relations services for various manufacturing, financial services, technology and retail accounts in Tennessee. Hired and managed agency interns.

September—December 1993. Intern, Ackermann Public Relations and Marketing, Knoxville, Tenn.

Assisted agency account executives in implementing public relations programs for several Knoxville-based accounts, including community relations and media relations projects for Rohm and Haas and Goody's Family Clothing.

June—August, 1993. Intern, Cohn & Wolfe / Burson-Marsteller, New York, NY

Assisted in account service in the Health Care Unit of Cohn & Wolfe for several international pharmaceutical companies and health care associations. Participated in the Harold Burson Summer Internship Program, a 10-week training program in agency account service.

PROFESSIONAL / COMMUNITY AFFILIATIONS

- **Public Relations Society of America (PRSA)** – *The 21,000-member national society of the public relations profession, based in New York.* Senior Counsel for Advocacy to the PRSA National Board, 2008. Chair, National Advocacy Advisory Board, 2007-08. PRSA National Crisis Training Team invited to present ethics training at the Federal Emergency Management Agency (FEMA) Headquarters, Washington, D.C. (2007). Director At-Large, National Board of Directors (term: 2002-03). MBA Task Force, 2006-07. PRSSA (student society) national professional adviser, 2004-05. Volunteer Chapter board (Assembly delegate), 2004-05. Co-founder and start-up committee co-chair, National New Professionals Group, 2003-04. Author, "Crisis Management's Real-Time Frontier: Using New Technology to Secure Critical Data," *The Strategist*, Summer 2003. President (2000) of the 125-member Volunteer Chapter, Knoxville, Tenn. National Co-Chair of the Student-to-Professional Task Force (2001). Past board member, educational relations chair and newsletter editor for the 130-member Nashville Chapter (1994-98). Guest lecturer in public relations at UT-Knoxville and Martin, University of Florida at Gainesville, Maryville College, Middle Tennessee State University, Lipscomb University, Lee University, Murray State University and Southeast Missouri State University, as well as at one PRSA International Conference (2008) and three PRSSA national conferences, 1996-2005.
- **PRSA Counselors Academy** (national network of agency owners) – Member, 2008-Present.

- **University of Tennessee College of Communication & Information**, Board of Visitors, 2001-Present. Chair/Co-Chair, UT Public Relations Day Committee (2000, 2002, 2004). Founding donor of an annual \$1,000 scholarship for the College's public relations students (1999-2009). Founding donor of the College's Dwayne Summar Essay Contest and scholarship program for public relations students (2005-Present).
- **Maryville City Schools Foundation**, Board of Directors (2007-2009). Brand and Website Development Taskforce, 2008. Personal contributor and coordinator of a West Family gift to the Foundation that fully funded interactive learning technology equipment for all Maryville City Schools system special-needs student classrooms.
- **Blount County Chamber of Commerce**, member (2003-Present). Board member-elect (2011-13 term)
- **Oak Ridge Chamber of Commerce**, member (2008-Present)
- **Maury Alliance**, member (2010).
- **Girl Scouts of Tanasi (now Appalachian) Council**, 2006 Blount County Fund-Raising Breakfast Chair; Council Board of Directors, 2006-08. First Vice Chair, 2007. Troop Co-Leader – Blount County Brownie Troop # 20113 (2010-11)
- **Blount County Education Foundation**, Board of Directors, 2002-2004 (term), Maryville, Tenn. "Run for Education" fund-raising event co-chair (2003)
- **UT Professional & Personal Development Program**, speaker on integrated marketing, Spring 2001, Spring 2006
- **National Investor Relations Institute**, member, 1998-Present; National Programs Committee, 2005-06; Virtual Chapter Board, 2007-2008.
- **Southeast Missouri State University, Dept. of Mass Communication**, Professional Advisory Council, 1998-2006; adjunct instructor for "Corporate Communications" undergraduate mini-seminar, 2004
- **United Way of Greater Knoxville**, Campaign Cabinet – business team leader, 2000-01, Knoxville, Tenn.
- **Second Harvest Food Bank of East Tennessee**, Board of Governors, 2001-2005 (term), Knoxville, Tenn.
- **Midway Rehabilitation Center**, Board of Directors, 2000-04 (term), Knoxville, Tenn.
- **Maryville-Alcoa Community Orchestra Board**, Board of Governors, 1999-2001 (term), Maryville, Tenn.
- **The Creative Exchange**, steering committee and publicity chair, 1999, Knoxville, Tenn.
- **Alpha Omicron Pi**, Nashville Alumnae Chapter, 1994-98; Knoxville Alumnae Chapter, 1998-Present – President, 2001-02; \$4.5 million building development campaign committee member / communications leader, 2003-2005
- **Wesley Day School** (pre-school) Board of Directors, 2004-06
- **Young Leaders Council** (non-profit leadership training association), Spring 1997 class, Nashville, Tenn.
- **CrimeStoppers**, Nashville Program, Board of Directors, 1996-98

EDUCATION

- Bachelor's degree in Communications, University of Tennessee—Knoxville, *cum laude*, 3.57/4.0 GPA; 3.80/4.0 GPA in major
- Accredited in Public Relations (APR) – earned designation from the Public Relations Society of America through five years' public relations experience and successful completion of written and oral examinations administered through PRSA's Universal Accreditation Board
- Graduate, *Southeastern School of Sales Leadership*, sponsored by the Tennessee Bankers Association, April 2000.
- State of Tennessee life insurance/annuity license, 1999-2001 (held during tenure at Union Planters)

COLLEGIATE EXTRACURRICULAR

- Public Relations Student Society of America (PRSSA) – National Public Relations Director, 1993-94 (first national leader to serve from the University of Tennessee); UT Chapter Secretary, 1992-93; Vice President, 1991-92
- Alpha Omicron Pi / Omicron Chapter – Vice President, 1993-94; Public Relations Director, 1992-93; Social Secretary, 1991-92
- Public Relations Concepts (student-managed firm) – President, 1993; Account Executive, 1992
- College of Communications Dean's Advisory Council, 1993-94

HONORS AND AWARDS

- PRSA National David Ferguson Award (for contributions to public relations education) – To be presented at the 2010 PRSA International Conference / Washington D.C. (October 2010)
- Volunteer Chapter/PRSA Harvey I. Cobert Award (for professional contributions in East Tennessee), 2006
- Alpha Omicron Pi / Knoxville Chapter Alumna of the Year, 2005
- PRSA National President's Citations, 2003 and 2004
- Honoree – Outstanding Contributions to the UT / Sammie Lynn Puett Chapter of PRSSA, 2000
- PRSSA National Hall of Fame Award (for contributions to public relations students), 1997
- University of Tennessee Chancellor's Citation For Extraordinary Campus Leadership and Service, 1994
- Sammie Lynn Puett Public Relations Student of the Year Award, UT College of Communications, 1994
- PRSSA National Golden Key Award and President's Citation, 1994
- PRSA Volunteer Chapter Student of the Year, 1993
- J. Carroll Bateman Award (for outstanding management of the UT student public relations firm), 1993
- Alpha Omicron Pi International Award for Collegiate Chapter Public Relations, 1993
- PRSSA National Schiano Scholarship, 1993
- Kappa Tau Alpha Honor Society, 1993
- Order of Omega, 1993
- Omicron Delta Kappa Honor Society, 1993
- Golden Key National Honor Society, 1993
- Journalism Faculty Scholarship, 1992
- Gamma Beta Phi Honor Society, 1992
- John M. Lain Public Relations Scholarship, 1991
- University of Tennessee Alumni Scholarship, 1990

PERSONAL

- Married to Charles E. West, President, West Chevrolet
- Children: Elizabeth, 7; Maggie, 5; Rachel, 8 months
- First United Methodist Church of Maryville, member (1999-Present)

BOARD OF ZONING APPEALS
(TERMS - 5 YEARS)
Blount County Article 11.1 and T.C.A.13-7-106

Name/Address	Phone	Term Expires
Jim Melton 521 Arthur Avenue Maryville, TN 37804	977-0801 (APPT. 9/16/10)	9/16/14
Rob Walker - Chairman 237 Meadow Road Friendsville, TN 37737	995-2564	8/20/14
Stanley Headrick 3806 E. Lamar Alexander Pkwy. Maryville, TN 37804	681-1846	8/31/13
Andy Allen 232 Littlebrook Circle Rockford, TN 37853	380-0996 (APPT. 9/16/10 -GORDON WRIGHT <u>RESIGNED 9/1/2010</u>)	8/16/12
Harold Brown 1014 N. Heritage Drive Maryville, TN 37803	982-5988	8/31/11

Associates:

Joe Everett (Appointed 02/21/08) Term expires 2/21/13
Bruce Damrow (Appointed 9/16/10) Term expires 9/16/15
Vacancy

13-7-106. Creation of county board of zoning appeals — Appointment of members — Terms — Vacancies — Training and continuing education. —

(a) The legislative body of any county which enacts zoning regulations under the authority of this part shall create a county board of zoning appeals of three (3) or five (5) members. In any county which has adopted a charter form of government as provided in the Constitution of Tennessee, art. VII, § 1, and by § 5-1-201, and which has a population of less than six hundred thousand (600,000) according to the 1980 federal census or any subsequent federal census, the legislative body of any such county which enacts zoning regulations under the authority of this part shall create a county board of zoning appeals of five (5), seven (7) or nine (9) members. The county legislative body shall be the appointing power of the members of such board of appeals and may fix their compensation and their terms, which terms shall be of such length and so arranged that the term of one (1) member will expire each year. In any county which has adopted a charter form of government as provided in the Constitution of Tennessee, art. VII, § 1, and by § 5-1-201, and which has a population of less than six hundred thousand (600,000) according to the 1980 federal census or any subsequent federal census, the county legislative body shall arrange their terms in any fashion so long as no member's term exceeds five (5) years in length. The county legislative body may remove any member for cause upon written charges and after a public hearing. Vacancies shall be filled for unexpired terms in the same manner as in the case of original appointments. The county legislative body may appoint associate members of the board, and, in the event that any regular member be temporarily unable to act owing to absence from the county, illness, interest in a case before the board, or other cause, such associate member's place may be taken during such temporary disability by an associate member designated for the purpose by the county legislative body. The county legislative bodies of two (2) or more counties may, by ordinances enacted by both or all of them, arrange and provide for a joint or common board of zoning appeals.

(b) (1) Each board of zoning appeals member shall, within one (1) year of initial appointment and each calendar year thereafter, attend a minimum of four (4) hours of training and continuing education in one (1) or more of the subjects listed in subdivision (b)(5).

(2) Each full-time or contract building commissioner or professional planner or other administrative official whose duties include advising the board of zoning appeals shall, each calendar year, attend a minimum of eight (8) hours of training and continuing education in one (1) or more of the subjects listed in subdivision (b)(5). A professional planner who is a member of the American Institute of Certified Planners shall be exempt from this requirement.

(3) Each of the individuals listed in subdivisions (b)(1) and (2) shall certify by December 31 of each calendar year such individual's attendance by a written statement filed with the secretary of such individual's respective board of zoning appeals. Each statement shall identify the date of each program attended, its subject matter, location, sponsors, and the time spent in each program.

(4) The legislative body of the county shall be responsible for paying the training and continuing education course registration and travel expenses for each board of zoning appeals member and full-time building commissioner or other administrative official whose duties include advising the board of zoning appeals.

(5) The subjects for the training and continuing education required by subdivisions (b)(1) and (2) shall include, but not be limited to, the following: land use planning; zoning; flood plain management; transportation; community facilities; ethics; public utilities; wireless telecommunications facilities;

parliamentary procedure; public hearing procedure; land use law; natural resources and agricultural land conservation; economic development; housing; public buildings; land subdivision; and powers and duties of the board of zoning appeals. Other topics reasonably related to the duties of the board of zoning appeals and the building commissioner or other administrative official whose duties include advising the board of zoning appeals may be approved by majority vote of the board of zoning appeals prior to December 31 of the year for which credit is sought.

(6) Each local board of zoning appeals shall keep in its official public record originals of all statements and the written documentation of attendance required to comply with these provisions for three (3) years after the calendar year in which each statement and appurtenant written documentation is filed.

(7) Each board of zoning appeals member and each building commissioner or other administrative official whose duties include advising the board of zoning appeals shall be responsible for obtaining written documentation signed by a representative of the sponsor of any training and continuing education course for which credit is claimed, acknowledging the fact that the individual attended the program for which credit is claimed.

(8) If a board of zoning appeals member fails to complete the requisite number of hours of training and continuing education within the time allotted by this subsection (b) or fails to file the statement required by this subsection (b), then this shall constitute a cause for the removal of the board of zoning appeals member from the board of zoning appeals.

(9) The legislative body of the county may, at any time, opt out of the provisions of this subsection (b) by passage of a resolution. Further any such legislative body that has opted out may, at a later date, opt in by passage of a resolution.

[Acts 1935, ch. 33, § 6; C. Supp. 1950, § 10268.6; impl. am. Acts 1978, ch. 934, §§ 7, 36; T.C.A. (orig. ed.), § 13-406; Acts 1991, ch. 521, § 1; 1993, ch. 184, § 1; 2002, ch. 862, § 5; 2009, ch. 47, § 10.]

single family residential use that bounds a residential use or platted residential lot. In acting as an administrative review panel, the Planning Commission shall have all building permit powers of the Building Commissioner, such that an approval of a site plan shall constitute also an approval of a building permit for such site plan. The site plan shall be submitted to the Building Commissioner for forwarding to the Planning Commission at least fifteen calendar days prior to consideration at a regular or special called meeting of the Planning Commission. The Building Commissioner shall review any site plan before the Planning Commission and shall make recommendation for approval or denial with analysis and reasons for such recommendation. The decisions of the Planning Commission shall be by majority vote of the quorum present. The decisions of the Planning Commission shall be entered in the minutes of the Commission, and any denial of a site plan shall state the reasons for denial.

Article 11. BOARD OF ZONING APPEALS.

Section 11.1. Creation and Membership. In accordance with Tennessee Code Annotated 13-7-106, the Blount County Board of Zoning Appeals, referred to elsewhere in this Resolution as Board of Zoning Appeals or Board, is hereby created with five regular members. The County Legislative Body shall appoint regular members of the Board. The terms of each regular member shall be five years, provided that the first appointments upon adoption of this Resolution shall be for staggered terms of one, two, three, four, and five years such that the term of one regular member shall expire each year thereafter. Regular members may be appointed for successive terms. Vacancies for regular members shall be filled for unexpired terms in the same manner as in the case of original appointments. The County Legislative Body may appoint and designate associate members of the Board. Such associate members are authorized to sit and act in the stead for any regular member who is temporarily unable to act owing to absence from the county, illness, interest in a case before the Board, or other cause. The term of such associate members shall be for the specific time period that a regular member is temporarily unable to act. The County Legislative Body may remove any member of the Board for cause upon written charges and after a public hearing, causes to include but not limited to absence from any three consecutive meetings of the Board, or absence from more than five meetings of the Board within any twelve calendar months.

Section 11.2. Rules and Procedures. The Board of Zoning Appeals shall elect a Chairman and a Secretary from among the regular members, such Chairman and Secretary to serve for one year terms, and may be elected to successive terms. The Chairman is authorized to call a meeting of the Board for action as needed. All meetings of the Board shall be open to the public. In the absence of the Chairman, a quorum of the Board may elect a temporary Chairman to conduct business. A quorum of the Board shall consist of no less than three regular or associate members. Minutes of meetings shall be kept, reporting the members in attendance, reporting records and evidence and testimony used in determining a decision, and reporting the vote of each member for each action. The Secretary shall certify minutes and actions of the Board. The Building Commissioner shall maintain minutes and records for the Board. The Board may adopt By-Laws being such other supplemental rules of procedure necessary for proper functioning of the Board, not inconsistent with other provisions in this Resolution and not inconsistent with state statutes.

Section 11.3. Powers of the Board of Zoning Appeals. In accordance with Tennessee Code Annotated 13-7-107 and 109, the Board has the following powers:



BLOUNT COUNTY MAYOR

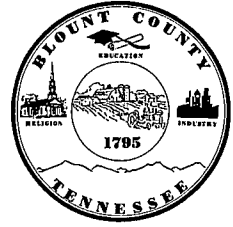
Ed Mitchell

341 Court Street, Maryville, TN 37804-5906

Phone: (865) 273-5700

Fax: (865) 273-5705

Email: emitchell@blounttn.org



TO: Blount County Board of Commissioners

FROM: Ed Mitchell,  County Mayor

RE: Recommendation for South Blount Utility District

DATE: September 10, 2010

For your information, I have re-appointed Mr. Tom Abbott to the Board of the South Blount County Utility District for a four year term from October 2010 to October 2014.

RESOLUTION NO. 10-10-009

SPONSORED BY COMMISSIONERS HOLDEN LAIL AND SCOTT HELTON

**A RESOLUTION AMENDING RESOLUTION NO. 02-02-004 ENTITLED
“A RESOLUTION ADOPTING REGULATIONS FOR THE UNINCORPORATED
AREAS OF BLOUNT COUNTY PURSUANT TO THE AUTHORITY OF
T.C.A. SECTIONS 5-1-118(c) AND 6-2-201(22)”**

WHEREAS, on February 21, 2002, the Board of County Commissioners of Blount County, Tennessee, adopted Resolution No. 02-02-004 entitled “A Resolution Adopting Regulations for the Unincorporated Areas of Blount County Pursuant to the Authority of Tennessee Code Annotated Sections 5-1-118(c) and 6-2-201(22);” and

WHEREAS, on May 16, 2002, the Board of County Commissioners of Blount County, Tennessee, amended said Resolution No. 02-02-004, by adopting Resolution No. 02-05-011, which amendment, among other things, added Regulations Nos. 46 and 47 thereto; and

WHEREAS, on October 17, 2002, the Board of County Commissioners of Blount County, Tennessee, amended said Resolution No. 02-02-004 by adopting Resolution No. 02-10-011; and

WHEREAS, on September 20, 2007, the Board of County Commissioners of Blount County, Tennessee, adopted said Resolution No. 02-02-004 by the adopting of Resolution No. 07-09-010; and

WHEREAS, it has been determined that it is necessary and proper to amend said Resolution No. 02-02-004 by adding Regulations Nos. 48 and 49.

Regulation No. 48

“Permit Required for Organized Special Events”

1. It shall be unlawful to conduct an organized special event within the County without obtaining a permit from the Blount County Clerk, or his designee, to conduct said event. Applications for permits may be obtained at the Blount County Clerk’s Office or at www.blounttn.org.

2. It shall be unlawful to conduct an organized special event, except in accordance with the permit issued by the Blount County Clerk, or his designee, in accordance with Paragraph 1.

3. An organized special event shall be defined as any march, procession, motorcade, run, walk, bike race or any similar type event, unless specifically excluded, consisting of people, animals, vehicles or bicycles, or a combination thereof upon the streets, highway, sidewalks or other public rights of way within the County which has a substantial likelihood of interfering with the normal flow or regulation of pedestrians or vehicular traffic.

4. The provisions of this section shall not apply to:

- a. Unorganized coming together of persons for family or recreational activities;
- b. Funeral services;
- c. Special events conducted by the United States Armed Forces and/or the military forces of the state.

5. An application for a permit pursuant to this Regulation shall be made in writing on the forms provided for this purpose and filed with the Blount County Clerk, or his designee,

at least thirty (30) days before the date of the special event. The Blount County Clerk, or his designee, shall have the authority to consider and act upon an application filed less than thirty (30) days before the proposed special event if, in his judgment, time and resources permit such consideration in accordance with the provisions of this Regulation.

6. A nonrefundable fee in the amount of \$100.00, payable to the Blount County Clerk, must be paid with the submission of the application for permit.

7. The Blount County Clerk, or his designee, shall issue or deny a permit within fifteen (15) days of the filing of an application for permit. Nothing in this Regulation shall permit the Blount County Clerk, or his designee, to base his decision on the conduct of any speech, message, or viewpoint to be expressed in the proposed special event.

8. A permit shall be issued if the Blount County Clerk, or his designee, determines that:

- a. All applicable provisions of this Regulation and the application process have been met;
- b. Adequate traffic and crowd control can be provided for the special event to protect the health, safety and welfare of the public;
- c. The special event will not violate state law or regulation;
- d. The special event will not interfere with a previously permitted special event;
- e. All information on application completed and verified, including proof of liability insurance in the amount of one million dollars (\$1,000,000.00);
- f. Any special event that requires Sheriff's Deputies presence, at the Sheriff's discretion, will incur additional expense, which amount will be provided with the permit and must be paid at the time the permit issues.

Failure to meet one or more of the preceding criteria would be basis for denial of a permit.

9. The Blount County Clerk, or his designee, may issue a permit with restrictions or other modifications to the proposed special event as he deems advisable to protect the health, safety and welfare of the public.

10. Should a permit be denied, the Blount County Clerk, or his designee, shall notify the applicant and state the grounds for denial within fifteen (15) days of the filing of the application for permit.

11. This Regulation is enacted for the purpose of protecting the health, safety and welfare of the public and County citizens, insuring the free and safe passage of pedestrians and vehicles on the streets and highways of the County and encouraging the exercise of rights to free speech and assembly.

12. A violation of this Regulation shall be punishable in the same manner as set forth in Resolution No. 02-02-004, Sections 3 and 4, as amended.

13. Nothing in this Regulation limits the right of the County to pursue other lawful, criminal, civil or equitable remedies to abate, discontinue, correct or discourage unlawful acts under or in violation of this Regulation.

Regulation No. 49

“No Solicitation on County Roadways”

1. It shall be unlawful to solicit money, funds or donations on any County roadway or right-of-way.

2. This Regulation is enacted for the purpose of protecting the health, safety, and welfare of the public and County citizens, insuring the free and safe passage of vehicular traffic on the streets and highways of the County.

3. A violation of this Regulation shall be punishable in the same manner as set forth in Resolution No. 02-02-004, Sections 3 and 4, as amended.

These Regulations shall take effect upon their adoption, the public welfare requiring it.

Adopted this 21st day of October, 2010.

CERTIFICATION OF ACTION

ATTEST

Chairman

County Clerk

Approved: _____

Vetoed: _____

County Mayor

Date

IN RE: RESOLUTION ADOPTING REGULATIONS FOR THE UNINCORPORATED AREAS OF BLOUNT COUNTY PURSUANT TO THE AUTHORITY OF TENNESSEE CODE ANNOTATED SECTIONS 5-1-118 AND 6-2-201(22).

Commissioner Morton made a motion to approve the resolution. Commissioner Evans seconded the motion.

A voice vote was taken with Chairman Samples declaring the motion to have passed.

RESOLUTION SPONSORS: _____

RESOLUTION NO. 02-02-004

A RESOLUTION ADOPTING REGULATIONS FOR THE UNINCORPORATED AREAS OF BLOUNT COUNTY PURSUANT TO THE AUTHORITY OF TENNESSEE CODE ANNOTATED SECTIONS 5-1-118(c) AND 6-2-201(22).

WHEREAS, the Tennessee General Assembly enacted Chapter No. 969 of the Public Acts of 2000 of the State of Tennessee ("Public Chapter 969"), effective June 21, 2000, which amends Tennessee Code Annotated Section 5-1-118 by adding subsections (b) and (c) thereto relative to county powers shared with municipalities; and

WHEREAS, said new subsection (c) of Tennessee Code Annotated Section 5-1-118 authorizes certain counties, including Blount County, to exercise those powers granted to municipalities by subsections (22) and (23) of Tennessee Code Annotated section 6-2-201, with specified exceptions, provided that any county authorized by subsection (c) to exercise such powers must first approve Public Chapter 969 by the adoption of a resolution by two-thirds (2/3) vote of its legislative body; and

WHEREAS, on September 21, 2000, the Board of County Commissioners of Blount County, Tennessee, by a vote of 20-0 with 1 absent, adopted Resolution No. 00-09-01 approving Public Chapter No. 969 and authorizing Blount County to exercise the powers granted thereunder; and

WHEREAS, upon the adoption of such resolution and pursuant to the provisions of said subsection (22) of Tennessee Code Annotated section 6-2-201, Blount County is authorized to define, prohibit, abate, suppress, prevent and regulate all acts, practices, conduct, businesses, occupations, callings, trades, uses of property and all other things whatsoever detrimental, or liable to be detrimental, to the health, morals, comfort, safety, convenience or welfare of the inhabitants of the unincorporated areas of the county, and to exercise general police powers; and

WHEREAS, Blount County desires to adopt regulations for the unincorporated areas of the county pursuant to the authority of Tennessee Code Annotated sections 5-1-118(c) and 6-2-201(22).

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Blount County, Tennessee, meeting in regular session assembled this 21st day of February, 2002, as follows:

SECTION 1. Traffic regulations. The following traffic regulations are hereby adopted for the unincorporated areas of Blount County, to wit:

Regulation No. 1. Motor vehicle requirements. No person shall operate a motor vehicle unless such vehicle (1) is equipped with a properly operating muffler, lights, brakes, horn, safety belts and such other equipment as prescribed and required by chapter 9, title 55 of the Tennessee Code Annotated and (2) is registered and/or has a proper certificate of title as described and required by chapters 1, 3 and 4, title 55 of the Tennessee Code Annotated. The provisions of this regulation are deemed conditions precedent to the operation of a motor vehicle upon the highways, streets, roads and public ways of the unincorporated areas of Blount County.

Regulation No. 2. Operators of motor vehicles to be licensed. No person shall operate a motor vehicle unless such person shall have a valid license as an operator or chauffeur under the provisions of and as required by chapter 7, title 55 of the Tennessee Code Annotated. This regulation is deemed a condition precedent to the operation of a motor vehicle upon the highways, streets, roads and public ways of the unincorporated areas of Blount County.

Regulation No. 3. Speed limits generally. No person operating a motor vehicle shall drive upon any highway, street, road or public way at a rate of speed in excess of forty-five (45) miles per hour except where official signs have been posted indicating other speed limits, in which cases the posted speed limits shall apply.

Regulation No. 4. Speed limit in school zones. No person operating a motor vehicle shall drive within a posted school zone at a rate of speed in excess of fifteen (15) miles per hour when passing a school during recess or while children are going to or leaving school during its opening or closing hours.

Regulation No. 5. Reckless driving. Irrespective of the posted speed limit, no person, including persons operating emergency vehicles, shall operate a vehicle in willful or wanton disregard for the safety of persons or property.

Regulation No. 6. Miscellaneous traffic-control signals, signs, markings or devices; officer's directions. No person operating a vehicle shall violate or fail to comply with any official traffic-control signal, sign, marking or device unless otherwise directed by a law enforcement officer. No person operating a vehicle shall willfully disobey the reasonable directions of any law enforcement officer.

Regulation No. 7. Traffic-control signals generally. Traffic-control signals exhibiting different colored lights successively one at a time, or with arrows, shall apply to persons operating vehicles and pedestrians as follows:

- (1) Green alone, or "Go":
 - (a) Persons operating vehicles facing the signal may proceed straight through at the intersection or turn right or left unless a sign prohibits such turn. Persons operating

vehicles, including those turning right or left, shall yield the right of way to other vehicles within the intersection and to pedestrians in an adjacent crosswalk at the time such signal is exhibited.

(b) Pedestrians facing such signal may proceed across the highway, street, road or public way within any marked or unmarked crosswalk.

(2) Steady yellow alone or "Caution":

(a) Persons operating vehicles facing the signal are thereby warned that the red or "Stop" signal will be exhibited immediately thereafter, and such persons shall not enter or be crossing the intersection when the red or "Stop" signal is exhibited.

(b) Pedestrians facing such signal shall not proceed across the highway, street, road or public way unless authorized to do so by a pedestrian or "Walk" signal or sign.

(3) Steady red alone or "Stop":

(a) Persons operating vehicles facing the signal shall stop before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection and shall remain stopped until the green or "Go" signal is exhibited.

(b) Pedestrians facing such signal shall not proceed across the highway, street, road or public way unless authorized to do so by a pedestrian or "Walk" signal or sign.

(4) Steady red with green arrow:

(a) Persons operating vehicles facing such signal may cautiously enter the intersection only to make the turning movement indicated by such arrow but shall yield the right of way to other vehicles within the intersection and to pedestrians in an adjacent crosswalk at the time such signal is exhibited.

(b) Pedestrians facing such signal shall not proceed across the highway, street, road or public way unless authorized to do so by a pedestrian or "Walk" signal or sign.

(5) In the event an official traffic-control signal is erected and maintained at a place other than an intersection, this regulation shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop is to be made, but in the absence of any such sign or marking, the stop shall be made a vehicle length short of the signal.

Regulation No. 8. At flashing traffic-control signals.

(1) Whenever an illuminated flashing red or yellow light is used in a traffic signal, persons operating vehicles shall:

(a) When a red lens is illuminated with intermittent flashes, persons operating vehicles shall stop before entering the nearest crosswalk at an intersection or at a limit line when marked, or if none, then before entering the intersection and shall thereafter proceed subject to the rules applicable after making a stop at a stop signal or sign.

(b) When a yellow lens is illuminated with intermittent flashes, persons operating vehicles may proceed through the intersection or pass such signal only with caution.

(2) This regulation shall not apply at railroad crossings. The conduct of persons operating vehicles approaching railroad crossings shall be governed by the provisions of Regulation No. 13 hereinafter.

Regulation No. 9. At "stop" signs. A person operating a vehicle approaching a "stop" sign at an intersection shall bring such vehicle to a complete stop immediately before entering the crosswalk on the near side of the intersection or, if there is no crosswalk, then immediately before entering the intersection and shall remain stopped until he/she can proceed through the intersection in safety.

Regulation No. 10. At "yield" signs. A person operating a vehicle shall yield the right of way to approaching vehicles before proceeding at all places where "yield" signs have been posted.

Regulation No. 11. Stops to be signaled. No person operating a motor vehicle shall stop such vehicle, whether in obedience to a traffic signal or sign or otherwise, without first signaling his/her intention in accordance with the requirements of section 143 of chapter 8, title 55 of the Tennessee Code Annotated, except in an emergency.

Regulation No. 12. To prevent obstructing an intersection. No person operating a vehicle shall enter any intersection or marked crosswalk unless there is sufficient space on the other side of such intersection or crosswalk to accommodate the vehicle he/she is operating without obstructing the passage of vehicles in or upon the intersecting street or crosswalk. This regulation shall be effective notwithstanding any traffic-control signal indication to proceed.

Regulation No. 13. Stopping at railroad crossings. A person operating a vehicle approaching a railroad crossing shall stop within not less than fifteen (15) feet from the nearest rail of the railroad and shall not proceed farther while any of the following conditions exist:

- (1) A clearly visible electrical or mechanical signal device gives warning of the approach of a railroad train.
- (2) A crossing gate is lowered or a flagman signals the approach of a railroad train.
- (3) A railroad train is approaching within one thousand five hundred (1,500) feet of the railroad crossing and is emitting an audible signal indicating its approach.
- (4) An approaching railroad train is visible and is in hazardous proximity to the railroad crossing.

Regulation No. 14. Stopping when emerging from alleys, etc. A person operating a vehicle emerging from any alley, parking lot, driveway or building shall stop such vehicle immediately prior to driving upon any sidewalk, highway, road or public way and shall remain stopped until he/she can safely proceed without colliding or interfering with approaching pedestrians or vehicles.

Regulation No. 15. Turning movements generally. No person operating a motor vehicle shall make any turning movement which might affect the operation of any other vehicle or any pedestrian without first ascertaining that such movement can be made in safety and signaling

his/her intention in accordance with the requirements of section 143 of chapter 8, title 55 of the Tennessee Code Annotated.

Regulation No. 16. Right turns. A person operating a motor vehicle shall approach for a right turn and make a right turn as close as practicable to the right hand curb or edge of the highway, street, road or public way.

Regulation No. 17. Left turns on two-way streets. At any intersection where vehicular traffic is permitted to move in both directions on each of the intersecting highways, streets, roads or public ways, a person operating a motor vehicle shall approach for a left turn at the intersection in that portion of the right half of the highway, street, road or public way nearest the centerline thereof and by passing to the right of the intersection of the centerlines of the intersecting highways, streets, roads or public ways.

Regulation No. 18. Left turns on other than two-way streets. At any intersection where vehicular traffic is restricted to one direction on one or more of the intersecting highways, streets, roads, or public ways, a person operating a motor vehicle shall approach for a left turn at the intersection in the extreme left hand lane lawfully available to vehicles moving in the direction of travel of such vehicle and after entering the intersection, the left turn shall be made so as to leave the intersection, as nearly as practicable, in the left hand lane lawfully available to vehicles moving in such direction upon the highway, street, road or public way being entered.

Regulation No. 19. U-turns. No person operating a motor vehicle shall make a U-turn upon any highway, street, road or public way.

Regulation No. 20. One-way streets. No person operating a vehicle shall drive upon any highway, street, road or public way designated for one-way traffic with posted signs except in the indicated direction of travel.

Regulation No. 21. Unlaned streets.

(1) A person operating a vehicle shall drive in the right half of any unlaned highway, street, road or public way except:

- (a) When lawfully overtaking and passing another vehicle proceeding in the same direction;
- (b) When the right half of the highway, street, road or public way is closed to vehicle traffic while under construction or repair; or
- (c) Upon a highway, street, road or public way designated and sign posted or marked for one-way traffic.

(2) A person operating a vehicle at less than the normal speed of vehicular traffic at the time and place and under the conditions then existing, shall drive as close as practicable to the right hand curb or edge of the highway, street, road or public way, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn.

Regulation No. 22. Laned streets. On highways, streets, roads or public ways marked with traffic lanes, no person operating a vehicle shall fail or refuse to keep such vehicle within the boundaries of the proper lane for his/her direction of travel, except when lawfully passing another vehicle or preparatory to making a lawful turning movement. On highways, streets, roads or public ways with two (2) and three (3) lanes, the proper lane for travel shall be the right hand lane unless otherwise clearly marked. On highways, streets, roads or public ways with four (4) or more lanes, either of the right hand lanes shall be proper for travel except that any person operating a vehicle at less than the normal rate of speed shall use the extreme right hand lane. On one-way highways, streets, roads or public ways with more than one (1) lane, any lane is proper for travel in the absence of marking to the contrary.

Regulation No. 23. Passing.

(1) Except when overtaking and passing on the right is permitted, a person operating a vehicle passing another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the highway, street, road, or public way until safely clear of the overtaken vehicle. The person operating the overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of his/her vehicle until completely passed by the overtaking vehicle.

(2) When the highway, street, road or public way is wide enough, a person operating a vehicle may overtake and pass another vehicle on the right which is making or about to make a left turn.

(3) A person operating a vehicle may overtake and pass another vehicle proceeding in the same direction either on the left or the right upon a highway, street, road or public way with four (4) or more lanes when such movement can be made in safety.

(4) No person operating a vehicle shall drive off the pavement or upon the shoulder of any highway, street, road, or public way in overtaking or passing on the right.

(5) No person operating a vehicle shall overtake and pass another vehicle which is stopped at a marked crosswalk or at an intersection to permit a pedestrian to cross any highway, street, road or public way.

(6) No person operating a vehicle shall attempt to pass another vehicle proceeding in the same direction unless he/she can see that the highway, street, road or public way ahead is sufficiently clear and unobstructed to enable him/her to make the movement in safety.

Regulation No. 24. Yellow lines. On highways, streets, roads or public ways with a yellow line placed to the right of any lane line or centerline, such yellow line shall designate a no-passing zone, and no person shall operate a vehicle or any part thereof across or to the left of such yellow line except when necessary to make a lawful left turn from such highway, street, road or public way.

Regulation No. 25. Authorized emergency vehicles defined. Authorized emergency vehicles shall be the vehicles of any law enforcement agency, the vehicles of any fire department and such ambulance and other emergency vehicles as are designated by the sheriff.

Regulation No. 26. Stopping upon approach of authorized emergency vehicles. Upon the immediate approach of any authorized emergency vehicle making use of audible and/or visual signals as required by state law, a person operating any other vehicle shall immediately drive to a position parallel to, and as close as possible to, the right hand edge or curb of the highway, street, road or public way clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a law enforcement officer.

Regulation No. 27. Following emergency vehicles. No person operating a vehicle shall follow within five hundred (500) feet of any authorized emergency vehicle traveling in response to an emergency call and making use of audible and/or visual signals as required by state law.

Regulation No. 28. Following too closely. No person operating a vehicle shall follow another vehicle more closely than is reasonable and prudent having due regard for the speed of such vehicles and the vehicular traffic on and the condition of the highway, street, road or public way upon which such vehicles are being operated.

Regulation No. 29. Backing vehicles. No person operating a vehicle shall back the same unless such movement can be made with reasonable safety and without interfering with other vehicles.

Regulation No. 30. Causing unnecessary noise. No person operating a motor vehicle shall cause unnecessary noise by sounding the horn, "racing" the motor or causing the "screeching" or "squealing" of the tires thereof.

Regulation No. 31. Driving on streets closed for repairs or other lawful purpose. Except for necessary access to property abutting thereon, no person operating a motor vehicle shall drive upon any highway, street, road or public way that is barricaded or closed for repairs or other lawful purpose.

Regulation No. 32. Driving through funerals or other processions. Except when otherwise directed by a law enforcement officer, no person operating a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while such vehicles are in motion and when such vehicles are conspicuously designated.

Regulation No. 33. Running over fire hoses or fire fighting equipment. No person operating a motor vehicle shall drive over any fire hose line or other fire fighting equipment of any fire department except in obedience to the direction of fire fighting personnel and/or law enforcement personnel.

Regulation No. 34. Damaging pavements. No person shall operate any vehicle, motor propelled or otherwise, which by reason of its weight or the character of its wheels or track is likely to damage the surface or foundation of any highway, street, road or public way.

Regulation No. 35. Clinging to vehicles in motion. No person operating or traveling upon any bicycle, motorcycle, coaster, sled, roller skates or any other vehicle shall cling to, or attach himself/herself or such vehicle to any other vehicle moving upon any highway, street, road or public way.

Regulation No. 36. Riding on outside of vehicles. No person shall ride, and no owner or operator shall permit any person to ride, on the outside of any vehicle being operated upon any highway, street, road or public way. This regulation shall not apply to persons engaged in the necessary discharge of lawful duties or to persons riding in the load-carrying space of trucks.

Regulation No. 37. Projections from rear of vehicles. Whenever the load or any projecting portion of any vehicle shall extend beyond the rear of the bed or body thereof, any person operating such vehicle shall display at the end of any such load or projection a red flag not less than twelve (12) inches square in such position as to be clearly visible from the rear of such vehicle. Between one-half (1/2) hour after sunset and one-half (1/2) before sunrise, there shall be displayed in place of the flag a red light plainly visible under normal atmospheric conditions at least two hundred (200) feet from the rear of such vehicle.

Regulation No. 38. Bicycles, motorcycles and motorscooters.

(1) Any person operating a bicycle, motorcycle or motorscooter shall be subject to the provisions of all traffic regulations and rules of Blount County applicable to the driver or operator of other vehicles except as to those provisions which by their nature can have no application to bicycles, motorcycles or motorscooters.

(2) No person operating a bicycle, motorcycle or motorscooter shall ride other than upon or astride the permanent and regular seat attached thereto nor shall such operator carry any other person upon such vehicle other than upon a firmly attached and regular seat thereon.

(3) No person operating a bicycle, motorcycle or motorscooter shall carry more persons at one time than the number for which such bicycle, motorcycle or motorscooter is designed and equipped.

(4) No person operating a bicycle, motorcycle or motorscooter shall carry any package, bundle or article which prevents such person from keeping both hands upon the handlebars thereof.

(5) A person operating a motorcycle or motorscooter and any passenger thereon shall wear a crash helmet of a type approved by the state's commissioner of safety.

(6) No parent or guardian shall permit any minor for whom he/she is responsible to operate a motorcycle or motorscooter in violation of this regulation.

SECTION 2. Miscellaneous regulations. The following miscellaneous regulations are hereby adopted for the unincorporated areas of Blount County, to wit:

Regulation No. 39. Disturbing the peace.

(1) No person shall disturb the peace of others by conduct or language calculated to provoke violence or a violation of the law, and no person shall knowingly permit such conduct or language upon any premises owned or possessed by him/her or under his/her control.

(2) The language prohibited by this regulation is that language which by its common acceptance causes or tends to cause or incite an immediate breach of the peace.

Regulation No. 40. Loitering.

(1) No person shall loiter, wander, stand or remain idle either alone and/or in consort with others in a public place in such a manner as to:

(a) Obstruct any public street, public highway, public sidewalk or any public place or building by hindering or impeding or tending to hinder or impede the free and uninterrupted passage of vehicles, traffic or pedestrians; or

(b) Commit in or upon any public street, public highway, public sidewalk or any public place or building any act or thing which is an obstruction or interference to the free and uninterrupted use of property or with any business lawfully conducted by anyone in or upon or facing or fronting on any such public street, public highway, public sidewalk or any public place of building, all of which prevents the free and uninterrupted ingress, egress and regress therein, thereon and thereto.

(2) For purpose of this regulation "loitering" means to be idle in essentially one location and includes the concepts of spending time idly, being dilatory, lingering, staying, moving slowly and standing around. "Public place" means any place to which the general public has access and a right to resort for business, entertainment or other lawful purposes, but does not necessarily mean a place devoted solely to the uses of the public, and includes, but is not limited to, streets; highways; places of business; the common areas of schools, hospitals, apartment houses, office buildings, transport facilities and shops; the front or immediate area of any store, shop, restaurant or other place of business; and public grounds, areas or parks.

Regulation No. 41. Prowling.

(1) No person shall prowl in the day or night upon or about the grounds of any dwelling or business house, outbuilding, school or other building when he/she has no right to occupy the same.

(2) For the purpose of this regulation, "prowling" shall mean roaming about in a secretive or furtive manner.

Regulation No. 42. Resisting or interfering with official duties. No person shall knowingly resist or in any way interfere with or attempt to interfere with any law enforcement officer

or employee of the county while such law enforcement officer or employee is performing or attempting to perform his/her official duties.

Regulation No. 43. Unauthorized depositing of sand, gravel, asphalt and other loose material on streets.

(1) No person shall operate, drive or move any truck, trailer or other vehicle upon any highway, street, road or public way that is so constructed or loaded as to allow the contents thereof to drop, sift, leak or otherwise escape therefrom.

(2) Any such vehicle hauling sand, gravel, asphalt or any other loose material shall be loaded so that any such material transported therein remains at least four (4) inches below the walls of such vehicle's bed as measured at the front, back and sidewalls, but such load may be piled higher in the center of the bed such vehicle. Loose material shall include any substance which could spill, drop off or blow away from the bed when the vehicle is in operation.

(3) This regulation shall not apply to the Blount County Highway Department or its employees when depositing sand, salt or other material necessary for snow and ice removal or when spraying water on the highways, streets, roads or public ways of the county for purposes of sanitation.

Regulation No. 44. Possessing an open container of or consuming any alcoholic beverage or beer on certain property prohibited.

(1) No person shall possess an open container of or consume any alcoholic beverage or beer as defined by state law on the premises of any business selling alcoholic beverages or beer at retail which does not have a by-the-drink and/or on-premises permit; on any public street, sidewalk, playground, school property, public park or recreational facility or parking lot; and on any privately owned parking lot held open to use by the public.

(2) For the purposes of this regulation, an "open container" is one which has an opening through which its contents may pass in order to be consumed by any person.

Regulation No. 45. Antinoise regulations. No person shall create or cause any noise of such character, intensity or duration as to be detrimental to the life or health of any individual or in disturbance of the public peace and welfare.

(1) The following noises are declared to be in violation of this regulation, but this enumeration shall not be deemed to be exclusive, to wit:

(a) Blowing horns. The sounding of any horn or audible signal device on any motor vehicle while such motor vehicle is not in motion, except as a danger signal if another vehicle is approaching, apparently out of control, or if in motion, only as a danger signal after or as brakes are being applied and deceleration of such motor vehicle is intended; the creation by means of any horn or audible signal device on any motor vehicle of any unreasonably loud or harsh sound; and the sounding of any horn or audible signal device on any motor vehicle for an unnecessary and unreasonable period of time.

(b) Radios, phonographs, etc. The playing of any radio, phonograph, tape recorder or player or any musical instrument or sound device, including but not limited to loudspeakers or other devices for reproduction or amplification of sound, either independently or in connection with motion pictures, radio or television, in such a manner or with such volume, particularly during the hours of 11:00 p.m. and 7:00 a.m., as to annoy or disturb the quiet, comfort or repose of any person in any office or hospital, or of any person in any dwelling, hotel or other type of residence, or of any person in the vicinity.

(c) Yelling, shouting, hooting, etc. Yelling, shouting, hooting, whistling or singing on any highway, street, road or public way, particularly between the hours of 11:00 p.m. and 7:00 a.m., or at any time or place so as to annoy or disturb the quiet, comfort or repose of any person in any office or hospital, or of any person in any dwelling, hotel or other type of residence, or of any person in the vicinity.

(d) Pets. The keeping of any animal, bird or fowl which by causing frequent or long continued noise shall disturb the quiet, comfort or repose of any person in the vicinity.

(e) Use of vehicle. The use of any motor vehicle so out of repair, so loaded or in any manner as to cause loud and unnecessary grating, grinding, rattling or other noise.

(f) Exhaust discharge. The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motor vehicle or boat engine, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.

(g) Noises near schools, hospitals, churches, etc. The creation of any loud and excessive noise on any street adjacent to any hospital or adjacent to any school, institution of learning, church or court while the same is in session.

(h) Noises to attract attention. The use of any drum(s), loudspeaker or other instrument or device emitting noise for the purpose of attracting attention to any performance, show or sale or display of merchandise.

(i) Loudspeakers or amplifiers on vehicles. The use of loudspeakers or amplifiers on motor vehicles, either moving or standing, for advertising or other purposes.

(2) None of the terms or prohibitions hereof shall apply to or be enforced against:

(a) Government vehicles and authorized emergency vehicles. Any vehicle of any government while engaged in necessary public business and any authorized emergency vehicle.

(b) Repair of streets, etc. Excavations or repairs of bridges, highways, streets, roads or public ways by or on behalf of any government.

(c) Noncommercial and nonprofit use of loudspeakers or amplifiers. The reasonable use of loudspeakers or amplifiers in the course of noncommercial public addresses and in the course of noncommercial functions of nonprofit organizations.

SECTION 3. Jurisdiction. The General Sessions Court for Blount County, Tennessee, shall have jurisdiction to enforce the provisions of this resolution and the regulations herein contained by assessing the monetary penalty hereinafter provided.

SECTION 4. Penalty. A violation of any provision of this resolution or any regulation herein contained is punishable by a civil penalty of not less than fifty dollars (\$50.00) or more than five hundred dollars (\$500.00); provided, that Blount County carries the burden of proof of such violation by a preponderance of the evidence.

SECTION 5. Initiation of proceedings.

(1) All proceedings for the violation of any provision of this resolution or any regulation herein contained shall be initiated by the issuance of a citation by a law enforcement officer. The citation shall:

- (a) State the name and address of the person cited, the name of the issuing officer and the violation charged;
- (b) Demand the person cited to appear in court at a stated time; and
- (c) Give notice to the person that failure to appear as ordered is punishable as contempt of court.

(2) The citation shall be executed in triplicate, the original to be delivered to the court specified therein, and one (1) copy to be given to the person cited and one (1) copy to be retained by the officer issuing the citation. The original citation delivered to the court shall be sworn to by the issuing officer.

(3) The person cited shall signify the acceptance of the citation and the agreement to appear in court as directed by signing the citation.

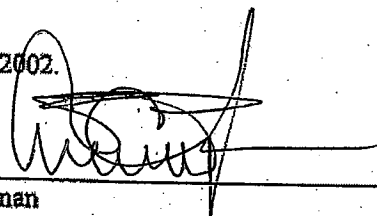
(4) Whenever a citation has been prepared, accepted and the original delivered to the court as herein provided, the original citation delivered to the court shall constitute a complaint to which the person cited must answer and the officer issuing the citation shall not be required to file any other affidavit of complaint with the court.

(5) Prior to the time set for the person cited to appear in court to answer the violation charged, the person cited may elect not to contest the charge and may, in lieu of appearance in court, submit the fine and costs to the clerk of the court. The submission to fine must be with the approval of the court.

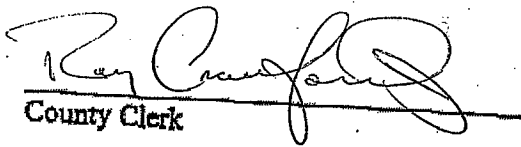
(6) If the person cited has not paid the citation upon submission to fine as herein provided, and the person cited fails to appear in court at the time specified, or such later date as may be fixed by the court, the court may declare a judgment of forfeiture for the violation charged and assess a civil penalty within the limits provided in this resolution and court costs which may be collected in the same manner as a judgment in a civil action.

SECTION 6. Effective date. This resolution shall take effect upon its adoption, the public welfare requiring it.

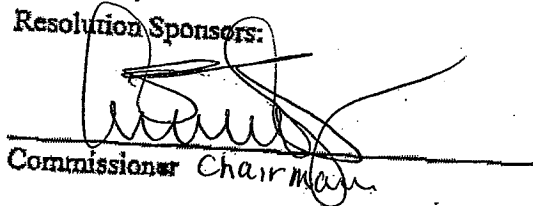
ADOPTED this 21st day of February, 2002.


Chairman

Attest:


County Clerk

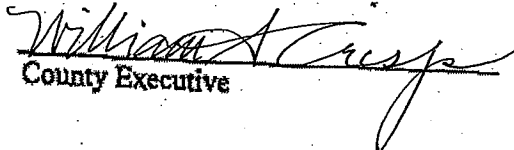
Resolution Sponsors:


Commissioner Chairman

Commissioner

Approved: ☒

Vetoed: _____


County Executive

25 Feb. 02
Date

IN RE: RESOLUTION APPROVING THE EXECUTION OF AN AGREEMENT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION TO ALLOW CERTAIN IMPROVEMENTS TO BE MADE AT THE INTERSECTION OF SR - 335 (WILLIAM BLOUNT DRIVE) WITH BIG SPRINGS ROAD, BLOUNT COUNTY, TENNESSEE.

Commissioner Franklin made a motion to approve the resolution. Commissioner Hill seconded the motion.

A voice vote was taken with Chairman Samples declaring the motion to have passed.

Center under the terms of this agreement. Union County shall pay Blount County for such services within thirty (30) days after being billed therefor. Blount County shall have the right to refuse to provide services at the Blount County Center to Union County if Union County fails to pay for such services within thirty (30) days after being billed therefor.

6. Either party may terminate this agreement by given the other party sixty (60) days written notice thereof, such notice to be sent by first class U.S. Mail, postage prepaid, to the other party's county executive.

7. This agreement has been approved by the county legislative body of each party, and the undersigned representatives have been authorized to execute this agreement on behalf of the respective parties.

8. This agreement shall remain in full force and effect until terminated as provided herein.

IN WITNESS WHEREOF, the parties have executed duplicate counterparts of this agreement, each of which may be deemed an original, as of the 8th day of April, 2002.

BLOUNT COUNTY, Tennessee

By: William A. Crisp
County Executive

Attest: Ray
County Clerk

COUNTY, Tennessee

By: Sperry Ray
County Executive

Attest: Jim Houston
County Clerk

IN RE: RESOLUTION AMENDING RESOLUTION NO. 02-02-004 ENTITLED "A RESOLUTION ADOPTING REGULATIONS FOR THE UNINCORPORATED AREAS OF BLOUNT COUNTY PURSUANT TO THE AUTHORITY OF TENNESSEE CODE ANNOTATED SECTIONS 5-1-118(C) AND 6-2-201(22)".

Commissioner Brock made a motion to approve the resolution. Commissioner Melton seconded the motion.

A voice vote was taken with Chairman Samples declaring the motion to have passed.

RESOLUTION No. 02-05-011

Sponsored by Commissioners Steve Hargis and Kenneth Melton

A RESOLUTION AMENDING RESOLUTION NO. 02-02-004 ENTITLED "A RESOLUTION ADOPTING REGULATIONS FOR THE UNINCORPORATED AREAS OF BLOUNT COUNTY PURSUANT TO THE AUTHORITY OF TENNESSEE CODE ANNOTATED SECTIONS 5-1-118© AND 6-2-201(22)."

WHEREAS, on February 21, 2002, the Board of County Commissioners of Blount County, Tennessee, adopted Resolution No. 02-02-004 entitled "A Resolution Adopting Regulations for the Unincorporated Areas of Blount County Pursuant to the Authority of Tennessee Code Annotated Sections 5-1-118 (c) and 6-2-201(22)"; and

WHEREAS, it has been determined that it is necessary and proper to amend said Resolution No. 02-02-004 as hereinafter provided.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of Blount County, Tennessee, meeting in regular session assembled this 16th day of May, 2002 as follows:

SECTION 1. Miscellaneous regulations. The following miscellaneous regulations are hereby added to Section 2 of Resolution No. 02-02-004 and adopted for the unincorporated areas of Blount County, to wit:

Regulation No. 46. No sale or distribution of beer without identification. No person shall sell or distribute beer pursuant to a permit issued by the Blount County Beer Committee unless that person shall have had produced to him/her a facially valid picture identification document issued by a state or the Federal government, or an agency thereof, showing that the prospective purchaser or distributee of the beer is not less than twenty-one (21) years of age. This regulation shall be mandatory for every sale or distribution of beer and shall apply in all cases regardless of the apparent age of the prospective purchaser or distributee.

Regulation No. 47. Signs required. No person shall engage in selling or distributing beer pursuant to a permit issued by the Blount County Beer Committee unless signs not less than six (6) inches in height and ten (10) inches in width are prominently displayed at the entrance to or on the front door of the location or building where such sale or distribution of beer will take place and at the point within such location or building where the beer is displayed for sale or distribution, which provide as follows:

Any person less than twenty-one (21) years of age attempting to purchase or obtain beer will be prosecuted to the fullest extent of the law.

SECTION 2. Penalty The wording "fifty dollars (\$50.00)" is hereby deleted from Section 4 of Resolution No. 02-02-004, and the wording "ten dollars (\$10.00)" is substituted in lieu thereof.

SECTION 3. Initiation of Proceedings. A new subsection (6) is added to Section 5 of Resolution 02-02-004 as follows:

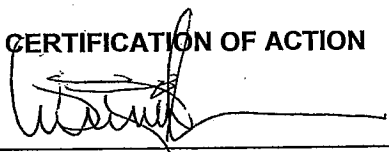
(6) The fine for a first offender shall be ten dollars (\$10.00). A first offender may, with the approval of the court, submit such fine to the clerk of the court prior to the time set for the first offender to appear to answer the violation charged, and in such event, the costs may be suspended by the court.

Old subsection (6) of said Section 5 of Resolution No. 02-02-004 is renumbered as new subsection (7).

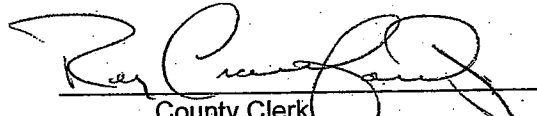
SECTION 4. Effective date. This resolution shall take effect upon its adoption, the public welfare requiring it.

ADOPTED this 16th day of May, 2002.

CERTIFICATION OF ACTION

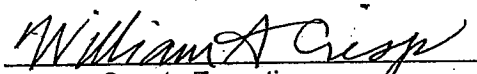

Commission Chairman

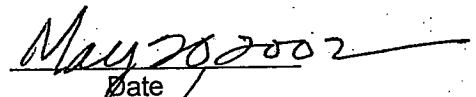
ATTEST


County Clerk

Approved: ☒

Vetoed: ☐


County Executive


Date

IN RE: COMMISSIONER WILLIAMS' STATEMENT.

Commissioner Williams requested that the following statement be included in the minutes:

I came here tonight in hopes of doing the County's business, not monkey business. The people of the County elected me, and when they get tired of me they will send me home. And when that day comes, and this is in some instances, I will thank them and thank my Supreme Being for the opportunity of serving. I will pick up my hat and graciously walk out of here. I will not sit idly by and gouge other commissioners, nor the County. I would look in a mirror at myself and see if there's a problem with me. Should there be any pride or dignity left, I will walk away like a gentleman and find a friend if there's any left and some front porch to look to the East for the beautiful sun to rise over the majestic Smoky Mountains. I want the record to reflect that and thank you. I will take this document and show it to all the people of Blount County just to show them how I've been treated.

IN RE: ADJOURNMENT.

Chairman Samples declared the meeting to be adjourned.

CRAWFORD, CRAWFORD & NEWTON

ATTORNEYS AT LAW

FIRST TENNESSEE BANK BUILDING

P.O. BOX 4338

MARTINVILLE, TENNESSEE 37004

TELEPHONE (665) 982-54
TELECOMER (665) 984-83

JOHN C. CRAWFORD (1875-1949)
JOHN C. CRAWFORD, JR. (1900-1981)

DUNCAN V. CRAWFORD
NORMAN H. NEWTON
STEPHEN S. OGLE

MEMORANDUM

TO: Judy Hackney
Purchasing Agent

FROM: Norman H. Newton *NHN*

DATE: October 7, 2002

SUBJECT: Sewage lift station

You have asked me to review a request from the City of Alcoa for the county to grant the city an easement for the installation and operation of a new sewage lift station on certain real property owned by the county which fronts on Currie Avenue.

I have reviewed the letter dated September 30, 2002, from the city's Engineering & Public Works Director and the plan for the new lift station prepared by the city's consulting engineers. The city is requesting an easement from the county that will be 55 ft. wide and approximately 39 ft. deep.

As the owner of this property, the county is authorized to grant this easement if approved by the county commission. The city will prepare all documents in connection with the easement at its expense. If the county commission approves this request, please provide me with copies of the easement documents for review before they are executed by the County Executive.

mdg

RESOLUTION

Sponsored by Commissioners David Graham and Bob Kidd

A RESOLUTION AMENDING REGULATION NO. 46 OF RESOLUTION NO. 02-02-004 ENTITLED "A RESOLUTION ADOPTING REGULATIONS FOR THE UNINCORPORATED AREAS OF BLOUNT COUNTY PURSUANT TO THE AUTHORITY OF TENNESSEE CODE ANNOTATED SECTIONS 5-1-118(c) AND 6-2-201(22)."

WHEREAS, on February 21, 2002, the Board of County Commissioners of Blount County, Tennessee, adopted Resolution No. 02-02-004 entitled "A Resolution Adopting Regulations for the Unincorporated Areas of Blount County Pursuant to the Authority of Tennessee Code Annotated Sections 5-1-118(c) and 6-2-201(22)."; and

WHEREAS, on May 16, 2002, the Board of County Commissioners of Blount County, Tennessee, amended said Resolution No. 02-02-004, which amendment, among other things, added Regulations Nos. 46 and 47 thereto; and

WHEREAS, it has been determined that it is necessary and proper to amend Regulation No. 46 of said Resolution No. 02-02-004 as hereinafter provided.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Blount County, Tennessee, meeting in regular session assembled this 17th day of October, 2002 as follows:

SECTION 1. Regulation No. 46. A semicolon (;) is substituted for the period (.) at the end of the first sentence of Regulation No. 46, and the following language is added at the end of such sentence, to wit:

provided, however, any such prospective purchaser or distributee who is sixty (60) years of age or older may produce a valid identification document issued by a state or the Federal government, or an agency thereof, which verifies his/her age but does not have a picture of the person or distributee thereon.

SECTION 2. Effective date. This resolution shall take effect upon its adoption, the public welfare requiring it.

ADOPTED this 17th day of October, 2002.

CERTIFICATION OF ACTION

Robert Brumsey

ATTEST

Ray Crawford

Commission Chairman

County Clerk

Approved: ✓

Vetoed: _____

Beverly D. Woodruff
County Executive

10/23/02
Date

in re: use of the former Blount County Public Library Building by the

IN RE: ORDINANCE OF THE COMMISSION OF BLOUNT COUNTY, TENNESSEE, RATIFYING HOUSE BILL 1055 OF THE ACTS OF 1999 AND ESTABLISHING AN ADDITIONAL \$1.00 LITIGATION TAX TO PROVIDE REVENUE TO SUPPORT A VICTIM OFFENDER MEDIATION CENTER.

Commissioner Walker made a motion to table the resolution until a legal opinion is received by the County Commission. Commissioner Evans seconded the motion. A voice vote was taken with Chairman Ramsey declaring the motion to have passed.

ORDINANCE

AN ORDINANCE OF THE COMMISSION
OF BLOUNT COUNTY, TENNESSEE,
RATIFYING HOUSE BILL 1055 OF THE
ACTS OF 1999 AND ESTABLISHING AN
ADDITIONAL \$1.00 LITIGATION TAX TO
PROVIDE REVENUE TO SUPPORT A VICTIM
OFFENDER MEDIATION CENTER.

ORDINANCE NO.: _____

REQUESTED BY: _____

PREPARED BY: _____

APPROVED AS TO FORM
AND CORRECTNESS: _____

DIRECTOR OF LAW

APPROVED: _____

DATE

VETOED: _____

DATE

VETO
OVERRIDE: _____

DATE

MINUTE
BOOK _____ PAGE _____

WHEREAS, the Tennessee State Legislature has enacted House Bill No. 1055 which allows any County by a two-thirds vote of its legislative body to levy a \$1.00 litigation tax per case in matters before the General Sessions and Juvenile Courts, the proceeds of which are to be used exclusively for the support of a victim-offender mediation center as contemplated by Chapter 20, Title 16 of the Tennessee Code; and

WHEREAS, the Intergovernmental Committee and the Finance Committee recommend ratification of House Bill No. 1055 and the levy of a \$1.00 litigation tax on all cases before the General Sessions and Juvenile Courts for the support of a victim-offender mediation center in Blount County.

RESOLUTION No. 07-09-009

Sponsored by: John Keeble and Steve Samples

A RESOLUTION TO AMEND THE HIGHWAY DEPARTMENT FUND BUDGET.

WHEREAS, Blount County would like to amend the Highway Department Fund Budget to appropriate funds due to the receipt of a Retro Filter grant from the state of Tennessee which is reimbursed at 100%; and

WHEREAS, it is deemed to be in the best interest of Blount County to amend the Highway Department Fund Budget as requested.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of Blount County, Tennessee, assembled in regular session this 20th day of September 2007, that the Highway Department Fund Budget shall be amended as follows:

REVENUE:

131-000000-469800-00000 Other State Grants \$66,000.00

APPROPRIATION:

131-063000-500399-00000 Other Contracted Services..... \$66,000.00

Duly authorized and approved the 20th day of September 2007.

CERTIFICATION OF ACTION

ATTEST

Dr. Robert L. Ramsey
Commission Chairman

Ray C. [Signature]
County Clerk

Approved: ✓

Vetoed: _____

[Signature]
County Mayor

27 Sept 07
Date

IN RE: RESOLUTION AMENDING RESOLUTION 02-05-011 REGARDING ADOPTING REGULATIONS FOR THE UNINCORPORATED AREAS OF BLOUNT COUNTY PURSUANT TO THE AUTHORITY OF TENNESSEE CODE ANNOTATED 5-1-118(C) AND 6-2-201 (22).

Commissioner Walker made a motion to approve the resolution. Commissioner Farmer seconded the motion.

Commissioner Reeves made a motion to amend to approve the resolution as stated, but only to change section 4 to say that this resolution shall take effect upon its adoption with all money collected returning to the County General Fund. Commissioner Proffitt seconded the motion.

A voice vote was taken with Chairman Ramsey declaring the motion to amend to have failed.

A voice vote was taken on the original motion with Chairman Ramsey declaring the motion to have passed.

RESOLUTION NO. 07-09-010

Sponsored by: Commissioner Mike Walker

A RESOLUTION AMENDING RESOLUTION NO. 02-05-011 REGARDING ADOPTING REGULATIONS FOR THE UNINCORPORATED AREAS OF BLOUNT COUNTY PURSUANT TO THE AUTHORITY OF TENNESSEE CODE ANNOTATED SECTIONS 5-1-118© AND 6-2-201 (22).

WHEREAS, on May 16, 2002, the Board of County Commissioners of Blount County, Tennessee, adopted Resolution No. 02-05-011 which was an amendment to Resolution No. 02-02-004 which lowered the fine amount of first time offenders from "fifty dollars" (\$50.00) to "ten dollars" (\$10.00); and

WHEREAS, it has been determined that it is necessary and proper to amend said Resolution No. 02-05-011 increasing the ten dollar (\$10.00) fine to twenty dollars (\$20.00) and to designate such fine(s) collected for "Officer Training Programs".

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of Blount County, Tennessee, meeting in regular session assembled this 20th day of September, 2007 as follows:

SECTION 2. Penalty. The wording "ten dollars" (\$10.00) is hereby deleted from Section 4 of Resolution No. 02-05-011, and the wording "twenty dollars" (\$20.00) is substituted in lieu thereof.

SECTION 3. Initiation of Proceedings.

(7) The fine for a first offender shall be "twenty dollars" (\$20.00). A first offender may, with the approval of the court, submit such fine to the clerk of the court prior to the time set for the first offender to appear to answer the violation charged, and in such event, the costs may be suspended by the court.

SECTION 4. Effective date. This resolution shall take effect upon its adoption, with all monies collected funding Officer Training Programs as offered by the Sheriff's Department and as the public welfare requiring it.

ADOPTED this 20th day of September, 2007.

Certification of Action

Dr. Robert L. Ramsey
Commission Chairman

Attest
[Signature]
County Clerk

Approved: ✓

Vetoed: _____

[Signature]
County Mayor

27 Sept. 07
Date

IN RE: REPORTS.

Commissioner Walker made a motion to approve the reports. Commissioner Hargis seconded the motion.

A voice vote was taken on the motion with Chairman Ramsey declaring the motion to have passed.

Tennessee Traffic Laws Relating to Bicycles

A HANDBOOK FOR MOTORISTS & BICYCLISTS



About the Knoxville Regional Bicycle Program

The Knoxville Regional Transportation Planning Organization (TPO) coordinates a comprehensive, multi-modal transportation planning process for the Knoxville urban area. Members include: Cities of Alcoa, Knoxville and Maryville, Town of Farragut, Lenoir City, Blount, Knox, Loudon, and Sevier Counties, Tennessee Department of Transportation, and East Tennessee Development District.

As a component of the TPO, the Knoxville Regional Bicycle Program envisions a convenient, efficient transportation system where people can bike safely to all destinations.

Bicycling is a great way to get around town. It saves money, improves air quality and is good exercise. The purpose of the Bicycle Program is to integrate bicycling into the transportation system. The program works with all City and County departments within the TPO boundary to implement the Regional Bicycle Plan.

Nationwide, communities are realizing they cannot build their way out of congestion. They must look to other solutions, such as transit, carpooling and bicycling. A healthy transportation system provides safe, convenient choices. Improving bicycling conditions provides alternatives for the increasing numbers of citizens who can't afford, don't want to or are physically unable to drive motor vehicles.

Bicycling is the healthy transportation choice. Regular exercise helps prevent heart disease, osteoporosis, diabetes, colon cancer, depression and many more diseases. Obesity has increased at alarming rates, even in children. Bicycling to work, school or for errands is an easy way to make exercise a part of your daily life.

For more information, please visit our web site at www.knoxtrans.org

Introduction

Traffic rules exist to improve everyone's safety and are based on collective experience. Most crashes can be avoided if both bicyclists and motorists follow the rules of the road.

The Knoxville Regional Bicycle Program reminds both motorists and bicyclists to remember a few things when out on the roads.

MOTORISTS

Individual drivers can make the roads safer by driving at reasonable speeds, expecting and slowing for bicyclists and pedestrians, and leaving plenty of room when passing. Remember that if bicyclists and pedestrians were not out walking and riding, they would probably be out *driving*, creating more traffic congestion!

When you pass a bicyclist on the street, remember:

- **Bicyclists are, by state law, drivers of vehicles.**
Bicyclists have the same rights as other vehicle drivers to be on the road.
- **Giving 3 feet is the law in Tennessee,** but more than 3 feet is needed if speed limits are above 40 mph.
- If bicyclists squeeze over to the right, they endanger themselves. They end up facing debris on the road and bad storm drain grates. **Common sense and the law allow bicyclists to ride as far to the left of such roadside hazards as needed for safety.**
- If the lane is too narrow for the motorist to safely pass the bicyclist within the lane, while still allowing the cyclist a safe buffer-distance from both roadside hazards and the passing vehicle, **the law allows the bicyclist to take the entire lane.** This means the motorist has to wait behind for a safe chance to pass. Remember that it is easier to pass a person on a bicycle than that same person driving an automobile.

BICYCLISTS

For bicyclists, safety depends more on how you ride rather than where. Many studies show that bicyclists who practice “Vehicular Cycling,” following the rules of the road and using front and rear lights starting at dusk, are statistically as safe as motorists and up to twenty times safer than bicyclists who don’t follow road rules or use lights. Following these rules makes the streets safe for everyone:

- **Stop** and yield to cross traffic before entering a road from a driveway or sidewalk. Stop at stop signs. Stop when you have the red at traffic signals. Remember, you are the driver of a vehicle and have the same rights AND responsibilities as motorists.
- **Be predictable and visible.** A bicyclist should ride to the right so that other vehicles can pass, but the bicyclist should ride in a predictable straight line. Swerving left to avoid potholes, parked cars, broken glass and other hazards can surprise motorists who are attempting to pass. A bicyclist who stays too far to the right is less visible to drivers. Moving left when the lane is too narrow for a bicycle and another vehicle to share helps motorists who might otherwise misjudge passing space.
- **Ride with traffic.** A bicyclist who rides facing oncoming traffic increases his/her risk of being hit by a motorist. Drivers entering and exiting the roadway at side streets and driveways do not expect bicyclists to approach from the wrong direction.
- **Signal.** Use arm signals to communicate turning or merging movements to other drivers. If you communicate with motorists they will likely cooperate with you.
- **Wear a helmet.** Your helmet is a lot like a seat belt. Wear it all the time as “insurance,” but then drive so safely that you never need that insurance.
- **Lights on at dusk.** Use a white light on the front and we recommend a red light in the rear as well, whenever you ride at dusk or after dark. Reflectors are not enough. Motorists try to avoid hitting a cyclist they can see, but a bicycle without lights at night is nearly invisible. Headlights are not just used so that the bicyclist can see where he/she is going—the most important purpose of lights and reflectors is to let motorists know that the bicyclist is there.

Bicycling in cooperation with traffic and the law is an enjoyable experience with many health benefits.

Uniform Traffic Control Synopsis

For purposes of reducing high-risk behaviors, the most important sections of the Tennessee Code Title 55 are indicated below.

• Legal Status of Bicycles

A bicycle is defined as a vehicle and bicyclists are subject to the same rights and responsibilities of other drivers, except those provisions which by their nature can have no application to bicyclists (55-8-101, 55-8-172).

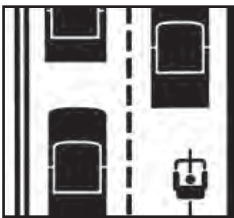


• Obedience to Any Required Traffic-Control Device

All drivers, including bicyclists, must obey all official traffic-control devices (55-8-109).

• Driving on Right Side of Roadway

Upon all roadways of sufficient width, a vehicle shall be driven upon the right half of the roadway, except:



- When passing another vehicle proceeding in the same direction (pass on the left)
- When the right half of a roadway is closed because of construction
- On a roadway divided into three marked lanes for traffic under the rules applicable thereon; or
- On a one-way street (55-8-115)

• Paved Shoulders

Since the definition of “roadway” excludes the shoulder (55-8-101), bicyclists are not required to ride on the shoulder, although they may prefer to do so. Shoulders are often filled with debris and broken glass, so they are not always good places to ride.

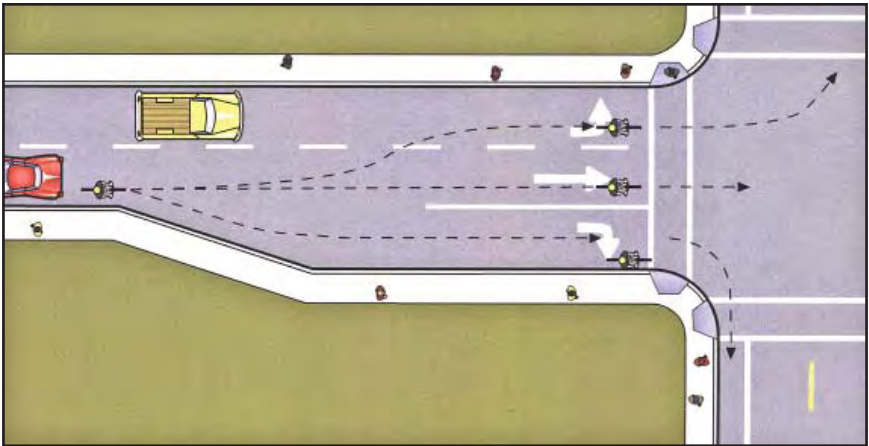
• Passing

The operator of a motor vehicle when overtaking and passing a bicycle proceeding in the same direction on the roadway, shall leave a safe distance between the motor vehicle and the bicycle of not less than three feet (3') and shall maintain such clearance until safely past the overtaken bicycle.

Bicyclists must pass stopped or slower vehicles on the left, just as motorists do. Passing on the right is only allowed when the vehicle overtaken is making or about to make a left turn, on a road with unobstructed pavement not occupied by parked vehicles of sufficient width for two or more lines of moving vehicles in each direction; and on a one-way street where the roadway is free from obstructions and of sufficient width for two or more lines of moving vehicles. The driver of a vehicle may overtake and pass another vehicle upon the right only under conditions permitting such movement in safety. In no event shall such movement be made by driving off the pavement or main-traveled portion of the roadway (55-8-117, 55-8-118).

We recommend that bicyclists *not* pass cars on the right, though it may be tempting. Motorists may suddenly turn right into a driveway, or pull out in front of you because they see a line of stopped cars, not you.

• Intersections and Turning Movements



Right Turns. The law specifies that both the approach to a right turn and the turn itself must be made “in the rightmost lane and as close as practicable to the curb or edge of road.” This is rarely a problem for bicyclists. However, motorists often fail to observe this rule. Passing a bicyclist and then immediately turning right is a violation of this rule. Drivers must pass at a safe distance to the left and not return to the right until safely passed.

Bicyclists intending to go straight ahead who overtake vehicles that are waiting to turn right are at high risk of collision. This is particularly a problem with trucks and buses that must necessarily begin the right turn from a distance away from the right curb. If the motorist is at the intersection first and is clearly indicating a right turn, it is the bicyclist who is at fault for passing on the right, since it is clearly unsafe to do so in such circumstances.

Left Turns. A bicyclist who cannot readily merge left in advance of turning left may turn at the next block or stop at the far side of the intersection, turn left and then proceed across the street after complying with right-of-way rules. But when operating normally on the roadway, bicyclists, like motorists, must move towards the middle of the road before turning left.

The bicyclist should turn left from the right side of a left-turn lane, or from the middle to left of a lane that also serves through traffic. Moving to the proper position for a left turn may require the bicyclist to begin moving left a block or more in advance of the turn, especially if there are several lanes to cross.

All drivers turning left must yield to traffic coming from the opposite direction. The duty to yield depends on who is turning and who is going straight, not the type of vehicle the operator is driving.

Straight Through. Drivers may have to change lane position in order to go straight through an intersection. If the right lane becomes a right-turn-only lane, bicyclists will need to merge left in order to go straight. If the rightmost lane permits both straight-through and right-turn movements, a bicyclist may merge towards the center of the lane to communicate to following motorists that the bicyclist does not intend to turn right, and to prevent the motorists from overtaking and turning at the same time. (55-8-140)

• Road Position for Bicyclists

Bicyclists moving more slowly than other traffic should ride as close as practicable to the right-hand curb or edge of the roadway, except:



- When overtaking and passing another vehicle proceeding in the same direction;
- When preparing for a left turn at an intersection or into a private road or driveway; or
- When reasonably necessary to avoid conditions including, but not limited to, parked vehicles, animals, surface hazards, or a lane that is too narrow for a bicycle and another vehicle to travel safely side by side within the lane (55-8-175).

• Riding Side-by-side

Bicyclists shall not ride more than two abreast, except on paths or parts of roadways set aside for the exclusive use of bicycles. Persons riding two abreast shall not impede the normal and reasonable movement of traffic and, on a laned roadway, shall ride within a single lane (55-8-175).

• Bicycle Lamps and Brakes



Every bicycle when used at night must be equipped with a front white headlight visible at a distance of 500 feet, and a red rear reflector visible at a distance of 50 feet. Bicycles must also be equipped with brakes that allow the bicyclist to stop within 25 feet at 10 mph on dry pavement (55-8-177).

• Carrying Articles on Bicycles

No bicyclist shall carry any package, bundle or article which prevents them from keeping at least one hand upon the handlebars (55-8-176).

• No Passengers

No one can ride a bicycle other than on a permanent seat. No bicycle shall be used to carry more persons than the number for which it is designed (55-8-173).

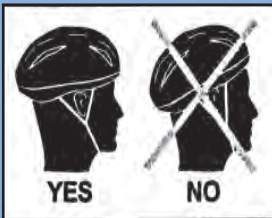
• Clinging to Vehicles

A bicyclist may not attach themselves or their bicycle to any other vehicle on a roadway (55-8-174).

• Helmet Law and Child Bicycle Safety

With regard to any bicycle operated on any highway, street or sidewalk, all bicyclists under the age of 16 must wear a protective bicycle helmet of good fit fastened securely upon the head with the straps of the helmet.

All passengers on bicycles must weigh less than 40 pounds or be less than 40 inches in height, and be properly seated in and adequately secured to a restraining seat (55-52-105).

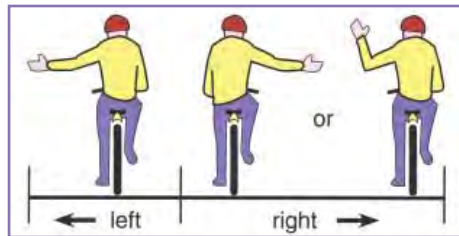


Bicycle helmets, properly fitted and secured, have been found effective at reducing the incidence and severity of head, brain and upper facial injuries. Head injuries account for about 30% of emergency room visits of injured bicyclists. We encourage anyone riding a bike to wear a helmet, no matter what age you are!

• Signals for Turns

Every driver who intends to start, stop or turn, or partly turn from a direct line, shall first see that such movement can be made in safety, and whenever the operation of any other vehicle may be affected by such movement, shall give a signal required in this section, plainly visible to the driver of such other vehicle of the intention to make such movement.

Whenever the signal is given by means of the hand and arm, the driver shall indicate the intention to start, stop, or turn, or partly turn, by extending the hand and arm from and beyond the left side of the vehicle, in the following manner:



- For left turn, or to pull to the left, the arm shall be extended in a horizontal position straight from and level with the shoulder;
- For right turn, or pull to the right, the arm shall be extended upward.
(You can also use your right arm, extended straight out. The law was written for drivers of motor vehicles, who cannot use their right arms for turn signals.)
- For slowing down or to stop, the arm shall be extended downward
(55-8-143)

• Sidewalk Riding

The City of Knoxville and Knox County allow bicycles to be operated on sidewalks and in crosswalks, but bicyclists must act like pedestrians instead of vehicles. Bicyclists must yield to pedestrians and give audible warnings before passing pedestrians. Bicyclists are not allowed on sidewalks where they are prohibited by official traffic control devices. Other jurisdictions, including Farragut, Maryville, Alcoa and Blount County, do not have ordinances related to bicycles on sidewalks. This typically is interpreted to mean that it is allowed, but bicyclists should yield to pedestrians and be respectful.



Although it is legal, bicycling on sidewalks is not recommended except for young children. Motorists are not looking for or expecting bicyclists on a sidewalk, which creates dangerous situations every time the bicyclist crosses a driveway or intersection. Many people assume riding on sidewalks is safer than on the road, but studies show that assumption to be false.

• Traffic Signals

At some signalized intersections, an electrical circuit with loops embedded in the pavement is used to detect vehicles waiting for a green light. The light will not turn green until the sensor detects metal, indicating the presence of a vehicle. Some sensors are not sensitive enough to detect the metal in a bicycle, and some bicycles are made of carbon fiber and do not contain enough metal to be detected. The most sensitive position for a bicycle to be detected is directly over the pavement cut. An unresponsive loop should be reported to the local traffic engineering office. A new state law has made it legal for motorcycles to proceed through a red light if the sensor does not detect them, but the law did not include bicycles. In the City of Knoxville, some detectors have three pavement cuts and bicyclists should position their bicycles over the center one - in the center of the travel lane.

• Aggressive Driving/Harassment

A few motorists verbally threaten bicyclists, or even throw objects at them. Bicyclists are often not clear on what to do in this situation. If you are physically threatened by a driver or passenger's actions, note the license plate number and a description of the vehicle and the harasser, and call the appropriate law enforcement agency as soon as possible.

• Assault

A person commits assault who: (1) Intentionally, knowingly or recklessly causes bodily injury to another; (2) intentionally or knowingly causes another to reasonably fear imminent bodily injury; or (3) intentionally or knowingly causes physical contact with another and a reasonable person would regard the contact as extremely offensive or provocative.

If the driver or passenger assaults you with an object, that would be simple assault. If they use the vehicle to try to run you off the road or hit you, that is considered aggravated assault because the vehicle is a weapon.

REFERENCES

- Tennessee Code, www.lexis.com (all citations in this document are from the Tennessee Code, as of January 2006)
- Florida Bicycle Law Enforcement Guide, June 2004
- <http://www.bicyclinginfo.org/ee/enforcement.htm>, December 2005



Suite 403, City County Building • 400 Main Street • Knoxville, Tennessee 37902
Telephone: 865 215-2500 • Fax: 865 215-2068 • E-mail: contacttpo@knoxtrans.org
Web Site: www.knoxtrans.org

Bill Summary

***HB 2653 by *Maggart, McDonald, Lynn. (SB 2638 by *Black.)**

Traffic Safety - As enacted, allows counties to regulate parking on roadways solely under their jurisdiction by resolution; a violation would be a Class C misdemeanor, with each day a motor vehicle is in violation being deemed a separate event and the county may remove a motor vehicle that is abandoned or disabled; authorizes local authorities in Davidson County having authority to enact ordinances or make regulations relating to traffic to permit parking of vehicles with the left-hand wheels adjacent to and within 18 inches of the left-hand curb of a roadway. - Amends TCA Title 55, Chapter 8.

Fiscal Summary

Increase Local Expenditures - Exceeds \$16,300/One-Time/Permissive

Bill Summary

Present law requires the department of safety, with respect to highways under its jurisdiction outside of the limits of municipalities, to place signs prohibiting or restricting the stopping, standing or parking of vehicles on any highway where, as designated by the department, stopping, standing or parking is dangerous to those using the highway or where the stopping, standing or parking of vehicles would unduly interfere with the free movement of traffic on those highways. Present law authorizes municipalities to adopt by ordinance any of the Rules of the Road. Subject to the same signage requirements that apply to the department under present law, this bill authorizes counties by resolution to prohibit parking on any roadway under their jurisdiction other than a federal aid or state highway when such parking is dangerous to those using the highway or interferes with the free movement of traffic.

ON MARCH 4, 2010, THE SENATE ADOPTED AMENDMENTS #1 AND #2 AND PASSED SENATE BILL 2638, AS AMENDED.

AMENDMENT #1 specifies that the primary responsibility for enforcing this bill would be on the county prohibiting parking on any roadway under its jurisdiction. This amendment further specifies that a violation of this bill would be a Class C misdemeanor, with each day a motor vehicle is in violation being deemed a separate event. This amendment authorizes a county to remove a motor vehicle that is abandoned or disabled.

AMENDMENT #2 clarifies that the resolution to regulate parking would be made by the county legislative body.

ON MAY 12, 2010, THE HOUSE SUBSTITUTED SENATE BILL 2638 FOR HOUSE BILL 2653, ADOPTED AMENDMENT #3, AND PASSED SENATE BILL 2638, AS AMENDED.

AMENDMENT #3 authorizes local authorities in Davidson County having authority to enact ordinances or make regulations relating to traffic to permit parking of vehicles with the left-hand wheels adjacent to and within 18 inches of the left-hand curb of a roadway. Present law authorizes all local authorities having authority to enact ordinances or make regulations relating to traffic to permit parking of vehicles with the left-hand wheels adjacent to and within 18 inches of the left-hand curb of a one-way roadway.

PUBLIC CHAPTER NO. 990

SENATE BILL NO. 2638

By Black

Substituted for: House Bill No. 2653

By Maggart, McDonald, Lynn

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 8, relative to parking regulations.

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

SECTION 1. Tennessee Code Annotated, Section 55-8-161, is amended by deleting subsection (d) in its entirety and substituting instead the following language:

(d) A county may, by resolution of the county legislative body, prohibit parking on any roadway under its jurisdiction other than a federal aid or state highway when such parking is dangerous to those using the highway or interferes with the free movement of traffic. The county, with respect to highways under its jurisdiction, shall place signs prohibiting or restricting the stopping, standing or parking of vehicles on any highway where, as designated by the county, stopping, standing or parking is dangerous to those using the highway or where the stopping, standing or parking of vehicles would unduly interfere with the free movement of traffic on those highways. Such signs shall be official signs and no person shall stop, stand or park any vehicle in violation of the restrictions stated on such signs. The primary responsibility for enforcing this subsection shall be on the county prohibiting parking on any roadway under its jurisdiction. A violation of this section shall be punishable as provided by Section 55-8-103. Each day a motor vehicle is in violation of this subsection shall be a separate event. In the interest of public safety a county may remove a motor vehicle that is abandoned or disabled.

(e) Except as provided in subsection (d), the department, with respect to highways under its jurisdiction outside of the limits of municipalities, shall place signs prohibiting or restricting the stopping, standing or parking of vehicles on any highway where, as designated by the department, stopping, standing or parking is dangerous to those using the highway or where the stopping, standing or parking of vehicles would unduly interfere with the free movement of traffic on those highways. Such signs shall be official signs and no person shall stop, stand or park any vehicle in violation of the restrictions stated on such signs.

SECTION 2. Tennessee Code Annotated, Section 55-8-161, is amended by deleting subsection (b) in its entirety and by substituting instead the following language:

(b)(1) Local authorities may by ordinance permit parking of vehicles with the left-hand wheels adjacent to and within eighteen inches (18") of the left-hand curb of a one-way roadway.

(2) Local authorities in any county having a metropolitan form of government with a population of more than five hundred thousand (500,000) according to the 2000 federal census or any subsequent federal census, upon determining that such parking would not interfere with the free movement of traffic nor cause an undue safety hazard, may by ordinance permit parking of vehicles with the left-hand wheels adjacent to and within eighteen inches (18") of the left-hand curb of a roadway.

SECTION 3. This act shall take effect July 1, 2010, the public welfare requiring it.

PASSED: May 24, 2010



RON RAMSEY
SPEAKER OF THE SENATE



KENT WILLIAMS, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 2nd day of June 2010



PHIL BREDESEN, GOVERNOR

BUDGET INCREASES/DECREASES

(COMMISSION ACTION NEEDED)

<u>FUND</u>	<u>AMOUNT</u>	<u>BUDGET COMMITTEE</u>	<u>VOTE</u>
101 – Gen County Circuit Court Clerk	\$ 60,000.00	Recommended	4 - yes 1 - absent
141 – GPSF Alternative Education	\$ 77,736.00	Recommended	4 - yes 1 - absent
141 – GPSF Early Childhood Edu.	\$ 10,322.00	Recommended	4 - yes 1 - absent
143 – Central Cafeteria Food Service	\$ 20,600.00	Recommended	4 - yes 1 - absent
101 – Gen County Other Gen. Admin.	\$ 44,393.00	Recommended	4 – yes 1 – absent

RESOLUTION NO. 10-10-002

Sponsored by Commissioners Kenneth Melton and Mike Lewis:

A RESOLUTION TO AMEND GENERAL COUNTY FUND BUDGET.

WHEREAS, Blount County would like to amend the General County Fund Budget to appropriate funds in order to enlarge the parking lot at the Justice Center to provide adequate parking for jurors.

WHEREAS, it is deemed to be in the best interest of Blount County to amend the General County Fund Budget as requested.

NOW THEREFORE, BE IT RESOLVED BY THE Board of Commissioners of Blount County, Tennessee assembled in regular session this 21st day of October, 2010 that the General County Fund Budget shall be amended as follows:

Revenue:

101-0-449904-0 Miscellaneous Revenues\$60,000.00

APPROPRIATION:

101-53120-500399-0 Other contracted Services\$60,000.00

Duly authorized and approved this 21st day of October, 2010.

CERTIFICATION OF ACTION

ATTEST

Commission Chairman

County Clerk

Approved: ____

Vetoed: ____

County Mayor

Date

Blount County, Tennessee
REQUEST FOR BUDGET INCREASE/DECREASE
Fiscal Year 2010-2011

Fund Number 101 Cost Center Number 053120
Fund Name Gen Co Cost Center Name Circuit Court Clerk

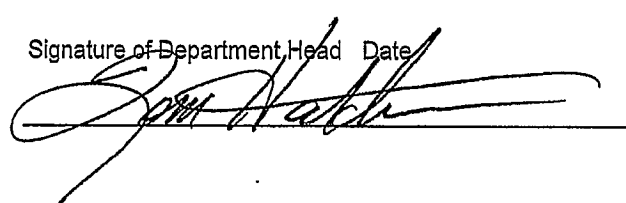
	ACCOUNT NUMBER	ACCOUNT NAME	AMOUNT
Appropriation:	101-53120-500399-0	Other Contracted Services	60,000.00
	Total Appropriation:		60,000.00

	ACCOUNT NUMBER	ACCOUNT NAME	AMOUNT
Estimated Revenue:	101-0-449904-0	miscellaneous revenues	60,000.00
	Total Estimated Revenue:		60,000.00

Reason for requested increase/decrease:

enlarge the parking lot at the Justice Center to provide adequate parking for Jurors

Note:
Total appropriation
must agree with total
estimated revenue.

Signature of Department Head  Date

From: Rhonda Pitts [mailto:rpitts@blounttn.org]
Sent: Thursday, September 09, 2010 3:18 PM
To: Julie Talbott
Subject: Budget Committee referral

Julie,

The item below was referred to the Budget Committee from the Agenda Committee Meeting on September 7, 2010.

IN RE: PARKING AREA AT BLOUNT COUNTY JUSTICE CENTER.

Commissioner Hasty made a motion to send the item to the Budget Committee. Commissioner Lambert seconded the motion.

A roll call vote was taken on the motion:

Burchfield – yes	French – yes	Kirby – yes	Murrell – yes
Carter – absent	Gamble – absent	Lall – yes	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – absent	Lewis – absent	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – yes	Helton – yes	Moon – yes	

There were 17 voting yes, and 4 absent. Chairman Pro Tem Farmer declared the motion to have passed.

Thanks,

*Rhonda Pitts CPS/CAP
Office Administrator
Blount County Commission
359 Court Street
Maryville, TN 37804
865-273-5830 - voice
865-273-5832 - fax*

RESOLUTION NO. 10-10-003

Sponsored by Commissioners Mike Lewis and Holden Lail :

A RESOLUTION TO AMEND GENERAL PURPOSE SCHOOL FUND BUDGET.

WHEREAS, Blount County would like to amend the General Purpose School Fund Budget to appropriate funds to establish School Nutrition Assistance Program (SNAP) School Supplies, ARRA Grant for 10-11.

WHEREAS, it is deemed to be in the best interest of Blount County to amend the General Purpose School Fund Budget as requested.

NOW THEREFORE, BE IT RESOLVED BY THE Board of Commissioners of Blount County, Tennessee assembled in regular session this 21st day of October, 2010 that the General Purpose School Fund Budget shall be amended as follows:

Revenue:

141-000000-475901 SNAP School Supplies\$77,736.00

APPROPRIATION:

141-071150-500429 Instructional Supplies.....\$43,904.39

141-071150-500449 Textbooks (Consumable Workbooks).....\$33,831.61

\$77,736.00

Duly authorized and approved this 21st day of October, 2010.

CERTIFICATION OF ACTION

ATTEST

Commission Chairman

County Clerk

Approved: ____

Vetoed: ____

County Mayor

Date

Blount County, Tennessee
REQUEST FOR BUDGET INCREASE/DECREASE
Fiscal Year 2010-2011

Fund Number 141 Cost Center Number 71150

Fund Name GPSF Cost Center Name Alternative Education

	ACCOUNT NUMBER	ACCOUNT NAME	AMOUNT
Appropriation:	141-071150-500429	Instructional Supplies	43,904.39
	141-071150-500449	Textbooks (Consumable Workbooks)	33,831.61
Total Appropriation:			77,736.00

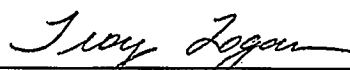
	ACCOUNT NUMBER	ACCOUNT NAME	AMOUNT
Estimated			
Revenue:	141-000000-475901	SNAP School Supplies - ARRA	77,736.00
Total Estimated Revenue:			77,736.00

Reason for requested increase/decrease:

Establish School Nutrition Assistance Program (SNAP) School Supplies, ARRA grant for 10-11.

Note:

Total appropriation
must agree with total
estimated revenue.



Signature of Department Head

9-21-10

Date

"Approved By The Board Of Education" 10-14-10

Troy Logan

From: finance-bounces@lists.ena.com on behalf of Wesley Robertson [Wesley.Robertson@tn.gov]
Sent: Thursday, September 09, 2010 1:11 PM
To: finance@lists.k12tn.net
Subject: Fwd: Funds Available for Economically Disadvantaged Children
Attachments: Assurances Doc.DOCX; LEA SNAP List.XLSX; Part.004; ATT00001..txt

The funds in the attached email will be accounted for in fund 141 and will be flowed out in revenue code 47590. There will be no reporting requirements with these funds, but I would advise school systems to cost center the revenue and expenditures on your local books.

Wesley Robertson
Executive Director of Local Finance
Tennessee Department of Education
Andrew Johnson Tower, 6th Floor
710 James Robertson Parkway
Nashville, TN 37243-0381
Office: 615-532-9510
Cell: 615-419-1605
Fax: 615-532-3268
Email: wesley.robertson@tn.gov

>>> "Bruce Opie" <Bruce.Opie@tn.gov> 9/9/2010 9:02 AM >>>
Directors:

The Tennessee Department of Human Services has awarded a grant to the DOE for the purpose of establishing a state-sponsored program for providing funds to LEAs for the purchase of consumable school supplies and instructional materials for children from SNAP (food stamp) eligible families. Attached you will find a printout that gives each LEA's share of the 8.1 million dollar grant, based on each LEA's reported number of eligible children. Also, each LEA's allocation will be loaded on FACTS from which reimbursements can be drawn.

Funds shall have to be obligated by September 30, 2010 and liquidated by November 15, 2010. Attached you will also find the assurances page that must be signed and returned by Monday, September 20th.

While I realize the time-line is very tight, purchases can be made in order to meet these deadlines but can be distributed to the targeted students throughout the 2010-2011 academic year. In order to identify the students eligible for this assistance, refer to your list of students certified eligible for SNAP (food stamps). Again, we are working with a difficult deadline, but I am confident that you will go all out to get needed school supplies to these vulnerable children. Please feel free to give me a call should you have questions. See you in Pigeon Forge and thanks for all you do for the children in your charge!

Bruce

Bruce Opie
Deputy Commissioner
TN Department of Education
Bruce.Opie@tn.gov
Phone: Office - 615.532.6288
Fax: 615.532.4791

\$8.1 Million DHS Allocation

District #	District	SNAP, Families First, Homeless...etc. Certified Students	%	\$8.1 Million Allocation
10	Anderson County	2,144	0.61%	\$ 49,781
11	Clinton City	323	0.09%	\$ 7,500
12	Oak Ridge City	1,701	0.49%	\$ 39,495
20	Bedford County	3,070	0.88%	\$ 71,281
30	Benton County	975	0.28%	\$ 22,638
40	Bledsoe County	800	0.23%	\$ 18,575
50	Blount County	3,348	0.96%	\$ 77,736
51	Alcoa City	525	0.15%	\$ 12,190
52	Maryville City	813	0.23%	\$ 18,877
60	Bradley County	3,170	0.91%	\$ 73,603
61	Cleveland City	2,214	0.63%	\$ 51,406
70	Campbell County	3,052	0.87%	\$ 70,863
80	Cannon County	825	0.24%	\$ 19,155
90	Carroll County	16	0.00%	\$ 371
92	Hollow Rock-Bruceton SSD	315	0.09%	\$ 7,314
93	Huntingdon SSD	460	0.13%	\$ 10,681
94	McKenzie SSD	596	0.17%	\$ 13,838
95	South Carroll County SSD	136	0.04%	\$ 3,158
97	West Carroll SSD	444	0.13%	\$ 10,309
100	Carter County	2,266	0.65%	\$ 52,613
101	Elizabethton City	653	0.19%	\$ 15,162
110	Cheatham County	1,886	0.54%	\$ 43,790
120	Chester County	1,018	0.29%	\$ 23,636
130	Glaiborne County	2,015	0.58%	\$ 46,785
140	Clay County	431	0.12%	\$ 10,007
150	Cocke County	2,523	0.72%	\$ 58,580
151	Newport City	296	0.08%	\$ 6,873
160	Coffee County	1,550	0.44%	\$ 35,989
161	Manchester City	554	0.16%	\$ 12,863
162	Tulahoma City	1,045	0.30%	\$ 24,263
170	Crockett County	697	0.20%	\$ 16,183
171	Alamo City	273	0.08%	\$ 6,339
172	Bells City	177	0.05%	\$ 4,110
180	Cumberland County	2,787	0.80%	\$ 64,710
190	Davidson County	33,886	9.71%	\$ 786,784
200	Decatur County	605	0.17%	\$ 14,047
210	Dekalb County	1,145	0.33%	\$ 26,585
220	Dickson County	2,617	0.75%	\$ 60,763
230	Dyer County	1,358	0.39%	\$ 31,531



PHIL BREDESEN
GOVERNOR

STATE OF TENNESSEE
DEPARTMENT OF EDUCATION
6th FLOOR, ANDREW JOHNSON TOWER
710 JAMES ROBERTSON PARKWAY
NASHVILLE, TN 37243-0375

TIMOTHY K. WEBB, Ed.D.
COMMISSIONER

AMERICAN RECOVERY AND REINVESTMENT ACT

CFDA #93.558

Date: 9-9-10

Name of Local Education Agency: BLOUNT COUNTY SCHOOLS

Award Amount: See Attached Spreadsheet

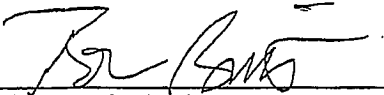
Period of Grant Availability: September 10 – 30, 2010

Terms And Conditions: This grant award is made subject to all applicable statutes, regulations and funding limitations including Code of Federal Regulations (CFR), Education Department General Administrative Regulations (EDGAR) as applicable, and Office of Management and Budget (OMB).

The Local Education Agency (LEA) hereby assures the State Education Agency (SEA) that the LEA will:

1. Distribute consumable school supplies and instructional materials purchased with these funds to teachers to support the individual success of children in the classroom whose families are food stamp eligible.
2. Ensure that children who receive these materials and supplies purchased with these grant funds are disadvantaged due to limited family income and resources based on food stamps eligibility.
3. Ensure that all funds are obligated on or before September 30, 2010. Funds to be liquidated by November 15, 2010.
4. Ensure that the appropriate expenditure documentation shall be maintained at the local education agency level.
5. Comply with all applicable state and federal laws and regulations including any directives or requirements from the Tennessee Recovery Act Management (TRAM) Office.
6. Submit reporting requirements as specified by federal and state laws, regulations and/or policies.
7. Track all ARRA funds and expenditures in separate budget accounts and categories as required.
8. Report any suspected illegal or improper use of funds to the State Comptroller's toll-free hotline: 1-800-232-5454.

Please sign and fax this form to the attention of Penny Griffith by Monday, September 20, 2010. Fax number 615.532.4791


Director of Schools

9/10/10
Date

Summary - SNAP Spending \$77,736

K Reading Workbooks	\$ 10,000.92	71100-449	\$ 3,697.24
K-2 Math Workbooks	\$ 55,038.62	71100-449	\$ 19,688.10
K-3 Saxon Math Workbooks	\$ 26,828.09	71100-449	\$ 9,377.03
Exploring Medical Language HHS	\$ 1,176.36	71100-449	\$ 316.38
Fin Foundations Workbooks, HHS & WBHS	\$ 3,005.84	71100-449	\$ 752.86
Quill - Classroom Instructional Materials	\$ 186.42	71100-429	\$ 64.00
Quill - Classroom Instructional Materials	\$ 207.51	71100-429	\$ 71.24
Quill - Classroom Instructional Materials	\$ 310.04	71100-429	\$ 106.44
Quill - Classroom Instructional Materials	\$ 398.03	71100-429	\$ 136.65
Quill - Classroom Instructional Materials	\$ 84.80	71100-429	\$ 29.11
Quill - Classroom Instructional Materials	\$ 48.98	71100-429	\$ 16.82
School Specialty - Classroom Instruct Materials	\$ 431.74	71100-429	\$ 148.22
School Specialty - Classroom Instruct Materials	\$ 145.58	71100-429	\$ 49.98
School Specialty - Classroom Instruct Materials	\$ 477.86	71100-429	\$ 164.06
School Specialty - Classroom Instruct Materials	\$ 471.22	71100-429	\$ 161.78
School Specialty - Classroom Instruct Materials	\$ 646.62	71100-429	\$ 221.99
School Specialty - Classroom Instruct Materials	\$ 2.12	71100-429	\$ 0.73
Kelsan - Copier Paper	\$ 5,441.88	71100-429	\$ 1,868.27
Kelsan - Copier Paper	\$ 18,311.55	71100-429	\$ 6,286.59
Kelsan - Copier Paper	\$ 7,919.81	71100-429	\$ 2,718.97
Kelsan - Copier Paper	\$ 10,281.41	71100-429	\$ 3,529.74
Kelsan - Copier Paper - PO #100170	\$ 16,380.00	71100-429	\$ 5,623.46
Kelsan - Copier Paper - PO #101458	\$ 5,896.80	71100-429	\$ 2,024.45
Kelsan - Copier Paper Allocated Pro-Rata	\$ 20,681.91	71100-429	\$ 20,681.91

\$ 184,374.11

\$ 77,736.00

Total SNAP Funding from DHS, ARRA

\$ 77,736.00

Balance to Spend

\$ 0.00

~~141-71150-429~~

~~\$ 49,904.39~~

~~141-71150-449~~

~~\$ 33,831.61~~

\$ 77,736.00

\$20,681.91 additional copy paper to purchase for all schools based on their pro-rata % of total food stamp eligible students (11,715). This copy paper will be provided to schools for teachers to support the instruction of children in the classroom whose families are food stamp eligible. However, we cannot specifically identify and give the paper to the students who are food stamp eligible.

RESOLUTION NO. 10-10-004

Sponsored by Commissioners Mike Lewis and Holden Lail:

A RESOLUTION TO AMEND GENERAL PURPOSE SCHOOL FUND BUDGET.

WHEREAS, Blount County would like to amend the General Purpose School Fund Budget to appropriate funds to amend final State Preschool Lottery grant for TY 10-11.

WHEREAS, it is deemed to be in the best interest of Blount County to amend the General Purpose School Fund Budget as requested.

NOW THEREFORE, BE IT RESOLVED BY THE Board of Commissioners of Blount County, Tennessee assembled in regular session this 21st day of October, 2010 that the General Purpose School Fund Budget shall be amended as follows:

Revenue:

141-000000-465150 Preschool Lottery Grant.....\$ 10,322.00

APPROPRIATION:

141-073400-500116	Teachers	\$ -2,135.00
141-073400-500163	Educational Assistants.....	\$-14,957.00
141-073400-500201	Social Security	\$ -1,200.00
141-073400-500204	State Retirement.....	\$ -1,400.00
141-073400-500205	Employee Insurance – Dependent	\$ -7,200.00
141-073400-500206	Employee Insurance – Life.....	\$ -50.00
141-073400-500207	Employee Insurance – Health.....	\$ -5,197.00
141-073400-500208	Employee Insurance – Dental	\$ -300.00
141-073400-500212	FICA Medicare.....	\$ -400.00
141-073400-500399	Other Contracted Services	\$ 39,096.00
141-073400-500429	Instructional Supplies.....	\$ 3,946.00
141-073400-500524	In-Service Professional Development.....	<u>\$ 119.00</u>
		\$10,322.00

Duly authorized and approved this 21st day of October, 2010.

CERTIFICATION OF ACTION

ATTEST

Commission Chairman

County Clerk

Approved: ____

Vetoed: ____

County Mayor

Date

Blount County, Tennessee
REQUEST FOR BUDGET INCREASE/DECREASE
Fiscal Year 2010-2011

Fund Number 141 Cost Center Number 73400

Fund Name GPSF Cost Center Name Early Childhood Education

	ACCOUNT NUMBER	ACCOUNT NAME	AMOUNT
Appropriation:	141-073400-500116	Teachers	-2,135.00
	141-073400-500163	Educational Assistants	-14,957.00
	141-073400-500201	Social Security	-1,200.00
	141-073400-500204	State Retirement	-1,400.00
	141-073400-500205	Employee Insurance - Dependent	-7,200.00
	141-073400-500206	Employee Insurance - Life	-50.00
	141-073400-500207	Employee Insurance - Health	-5,197.00
	141-073400-500208	Employee Insurance - Dental	-300.00
	141-073400-500212	FICA Medicare	-400.00
	141-073400-500399	Other Contracted Services	39,096.00
	141-073400-500429	Instructional Supplies	3,946.00
	141-073400-500524	In-service Professional Development	119.00
Total Appropriation:			10,322.00

	ACCOUNT NUMBER	ACCOUNT NAME	AMOUNT
Estimated			
Revenue:	141-000000-465150	Preschool Lottery Grant	10,322.00
Total Estimated Revenue:			10,322.00

Reason for requested increase/decrease:

Amend final State Preschool Lottery grant for FY 10-11.

Note:

Total appropriation
must agree with total
estimated revenue.

Tracy Logan
Signature of Department Head

8-24-10
Date

'Approved By The Board Of Education' 8-2-10

Attachment C

STATE PRE-K GRANT BUDGET 2010-11

GRANTEE NAME Blount County Schools

Budget Contact Name:	Troy Logan	Email:	troy.logan@blountk12	phone:	865-980-1014
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Refer to Department of Finance and Administration Policy 03, Uniform Reporting Requirements and Cost Allocation Plans for Subrecipients of Federal and State Grant Monies, Appendix A for further definition of each expense object line-item in the model budget format. Policy 03 can be found on the Internet at: <http://www.state.tn.us/finance/rds/ocr/policy03.pdf>

THE FOLLOWING IS APPLICABLE TO EXPENSE INCURRED IN THE PERIOD:
July 1, 2010 through June 30, 2011

POLICY 03 Object Line-Item Reference	EXPENSE OBJECT LINE-ITEM CATEGORY (detail schedule(s) attached as applicable)			STATE GRANT AMOUNT	LOCAL MATCH	TOTAL PROJECT
1	Salaries		(detail attached)	\$384,008.00	\$73,075.00	\$457,083.00
2	Benefits & Taxes	42%	(detail attached)	\$160,153.00	\$37,638.00	\$197,791.00
4, 15	Professional Fees / Grant Awards		(detail attached)	\$39,215.00	\$2,700.00	\$41,915.00
5	Supplies			\$5,145.77	\$0.00	\$5,145.77
6	Telephone			\$0.00	\$0.00	\$0.00
7	Postage & Shipping			\$0.00	\$0.00	\$0.00
8	Occupancy		(detail attached)	\$0.00	\$15,863.66	\$15,863.66
9	Equipment Rental & Maintenance			\$0.00	\$0.00	\$0.00
10	Printing & Publications			\$0.00	\$0.00	\$0.00
11, 12	Travel / Conferences & Meetings		(detail attached)	\$2,800.00	\$0.00	\$2,800.00
13	Interest			\$0.00	\$0.00	\$0.00
14	Insurance		(detail attached)	\$0.00	\$115.50	\$115.50
16	Specific Assistance to Individuals		(detail attached)	\$0.00	\$0.00	\$0.00
17	Depreciation			\$0.00	\$0.00	\$0.00
18	Other Non-Personnel		(detail attached)	\$0.00	\$67,600.00	\$67,600.00
20	Capital Purchase		(detail attached)	\$0.00	\$0.00	\$0.00
22	Indirect Cost	0%	(detail attached)	\$0.00	\$9,875.07	\$9,875.07
24	In-Kind Expense			\$0.00	\$0.00	\$0.00
25	GRAND TOTAL			\$591,321.77	\$206,867.23	\$798,189.00
	PERCENTAGES			74%	26%	100%

ADOPTED -

581,000

10,322

AUGUST 24, 2010
REPORT 240-100

BLOUNT COUNTY, TENNESSEE
FUND 141: GENERAL PURPOSE SCHOOL

PAGE 24

STATEMENT OF ENCUMBRANCES AND EXPENDITURES COMPARED WITH AUTHORIZATIONS

FOR THE PERIOD JULY 01, 2010 TO AUGUST 31, 2010

COST CENTER 73400: EARLY CHILDHOOD EDUCATION

OBJECT	-----ACCOUNT TITLE-----	APPROPRIATION	OUTSTANDING ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	AUGUST 10 EXPENDITURES	UNENCUMBERED BALANCE	LAST YR-TO-DATE EXPENDITURES
105	SUPERVISOR/DIRECTOR	6,000.00	0.00	0.00	0.00	6,000.00	0.00
116	TEACHERS	311,000.00	0.00	12,385.30	12,385.30	298,614.70	20,633.76
163	AIDES	84,100.00	0.00	924.80-	2,468.43	85,024.80	3,009.57
OJ TOT	*****PERSONAL SERVICES*	401,100.00	0.00	11,460.50	14,853.73	389,639.50	23,643.33
201	SOCIAL SECURITY	25,000.00	0.00	567.18	891.17	24,432.82	1,424.16
204	STATE RETIREMENT	38,000.00	0.00	1,774.69	1,406.96	36,225.31	1,587.12
205	EMPLOYEE INSURANCE	34,000.00	0.00	710.87	825.00	33,289.13	1,054.00
206	EMPLOYEE INSURANCE-LIFE	2,000.00	0.00	146.16	146.16	1,853.84	110.94
207	EMPLOYEE INSURANCE-HEALTH	67,000.00	0.00	4,675.00	4,675.00	62,325.00	3,940.00
208	EMPLOYEE INSURANCE-DENTAL	3,900.00	0.00	273.54	273.54	3,626.46	247.71
212	FICA-MEDICARE	6,000.00	0.00	132.67	208.41	5,867.33	333.09
OJ TOT	*****EMPLOYEE BENEFITS*	175,900.00	0.00	8,280.11	8,426.24	167,619.89	8,697.02
429	INSTRUCTIONAL SUPPLIES	1,200.00	462.80	0.00	0.00	737.20	797.67
OJ TOT	*****SUPPLIES & MATERIAL	1,200.00	462.80	0.00	0.00	737.20	797.67
524	IN SERVICE/STAFF DEVELOPMENT	2,800.00	2,060.10	858.00	858.00	118.10-	461.49
OJ TOT	*****OTHER CHARGES***	2,800.00	2,060.10	858.00	858.00	118.10-	461.49
CC TOT	EARLY CHILDHOOD EDUCATION	581,000.00	2,522.90	20,598.61	24,137.97	557,878.49	33,599.51

RESOLUTION NO. 10-10-005

Sponsored by Commissioners Mike Lewis and Holden Lail:

A RESOLUTION TO AMEND CENTRAL CAFETERIA FUND BUDGET.

WHEREAS, Blount County would like to amend the Central Cafeteria Fund Budget to appropriate funds to establish receipt of Fresh Fruits and Vegetable Program grant for Lanier Elementary cafeteria.

WHEREAS, it is deemed to be in the best interest of Blount County to amend the Central Cafeteria Fund Budget as requested.

NOW THEREFORE, BE IT RESOLVED BY THE Board of Commissioners of Blount County, Tennessee assembled in regular session this 21st day of October, 2010 that the Central Cafeteria Fund Budget shall be amended as follows:

Revenue:

141-000000-73101	USDA - Other	\$20,600.00
-------------------------	---------------------------	--------------------

APPROPRIATION:

143-073100-500165-73101	Cafeteria Personnel.....	\$ 2,900.00
143-073100-500422-73101	Food.....	\$13,140.00
143-073100-500499-73101	Other Supplies.....	\$ 2,500.00
143-073100-500710-73101	Food Services Equipment	<u>\$ 2,060.00</u>
		\$20,600.00

Duly authorized and approved this 21st day of October, 2010.

CERTIFICATION OF ACTION

ATTEST

Commission Chairman

County Clerk

Approved: ____

Vetoed: ____

County Mayor

Date

Blount County, Tennessee
REQUEST FOR BUDGET INCREASE/DECREASE
Fiscal Year 2010-2011

Fund Number 143 Cost Center Number 73100

Fund Name Central Cafeteria Cost Center Name Food Services

Appropriation:	ACCOUNT NUMBER	ACCOUNT NAME	AMOUNT
	143-073100-500165-73101	Cafeteria Personnel	2,900.00
	143-073100-500422-73101	Food	13,140.00
	143-073100-500499-73101	Other Supplies	2,500.00
	143-073100-500710-73101	Food Services Equipment	2,060.00
	Total Appropriation:		20,600.00

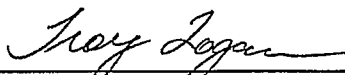
Estimated Revenue:	ACCOUNT NUMBER	ACCOUNT NAME	AMOUNT
	143-000000-471140-73101	USDA - Other	20,600.00
Total Estimated Revenue:			20,600.00

Reason for requested increase/decrease:

Establish receipt of Fresh Fruits and Vegetable Program grant for Lanier Elementary cafeteria.

Note:

Total appropriation
must agree with total
estimated revenue.


Signature of Department Head

8-27-10
Date

"Approved By The Board Of Education" 8-2-10

LANIER FFVP
2010-2011

	ACCOUNT #	07/01/10	10/01/10	TOTAL
		09/30/10	06/30/11	FFVP
LABOR	143-073100-500165-073101	500.00	2400.00	2900.00
PRODUCE	143-073100-500422-073101	2337.20	10802.80	13140.00
OTHER	143-073100-500499-073101	500.00	2000.00	2500.00
EQUIPMENT	143-073100-500710-073101	370.80	1689.20	2060.00
TOTAL		3708.00	16892.00	20600.00



Tennessee Department of Education
School Nutrition Program
Administration Building/TPS 1240 Foster Avenue
Nashville, TN 37243-0389.

**Fresh Fruit and Vegetable Program
Federal Reimbursement Claim**

SCHOOL INFORMATION

Name of School:

Name of District:

Name of Contact:

Contact Phone Number:

Lanier Elementary

Blount County

District Number:

50

E-mail Address:

CLAIM INFORMATION

Program Periods:

☒ July 1, 2010 to September 30, 2010

Award Amount: \$3,708.00

☐ October 1, 2010 to June 30, 2011

Award Amount: \$16,892.00

Claim Month/Year:

July 2010

Original Claim:

yes

Number of Operating Days in the Report Month:

0

Revised Claim:

Fresh Fruit and Vegetable Program Expenses (Enter data in the Prior Month YTD and Monthly Claim Columns):

July 1, 2010 to September 30, 2010

	Prior Month's YTD Claim Amount	Current Month Claim	YTD Total Claim	Remaining Award Amount:
Operating Costs:				
Fresh Fruits and Vegetables	\$0.00	\$0.00	\$0.00	
Direct Labor (preparation and service)	\$0.00	\$0.00	\$0.00	
Small Supplies/Other	\$0.00	\$0.00	\$0.00	
Total Operating Costs	\$0.00	\$0.00	\$0.00	\$3,337.20
Administrative Costs:				
Costs for training and equipment Limited to 10% of Grant Award	\$0.00	\$0.00	\$0.00	\$370.80
Total	\$0.00	\$0.00	\$0.00	\$0.00

October 1, 2010 to June 30, 2011

	Prior Month's YTD Claim Amount	Current Month Claim	YTD Total Claim	Remaining Award Amount:
Operating Costs:				
Fresh Fruits and Vegetables	\$0.00	\$0.00	\$0.00	
Direct Labor (preparation and service)	\$0.00	\$0.00	\$0.00	
Small Supplies/Other	\$0.00	\$0.00	\$0.00	
Total Operating Costs	\$0.00	\$0.00	\$0.00	
Administrative Costs:				
Costs for training and equipment Limited to 10% of Grant Award	\$0.00	\$0.00	\$0.00	
Total	\$0.00	\$0.00	\$0.00	

I certify that the above information is true and correct; the operation of the program was in accordance with the agreement and the application; the claim is just and correct; the records required by the agreement are on file to substantiate this claim.

Director of Schools Signature: _____

Date _____

Print Name and Title: _____

ED2186



TENNESSEE

STATE DEPARTMENT OF EDUCATION

Division of Resources and Support Services

SCHOOL NUTRITION PROGRAM

Administration Building / TPS

1240 Foster Avenue

Nashville, TN 37243-0389

615-532-4715 or 1-800-354-3663

FAX: 615-532-0362

May 19, 2010

Mr. Rob Britt
Director of Schools
Blount County Schools
831 Grandview Dr
Maryville, TN 37803

Dear Mr. Britt:

We are pleased to announce that Lanier Elementary has been selected to receive up to \$20,600 for the 2010-2011 school year to operate the Fresh Fruit and Vegetable Program (FFVP). This school will have up to 20% of this amount available to spend between July 1, 2010 and September 30, 2010. Funds remaining after September 30 will be lost; they will not roll over to October 1. The 80% of your funds must be spent between October 1, 2010 and June 30, 2011. New participating schools MUST participate in a conference call at 9:00 a.m. CST on May 25 or August 3. We would like for the school nutrition supervisor and the new school contact person to be on this call. We will discuss responsibilities, procedures, and claims. Claims for reimbursement for this program must be original, signed copies.

Funds are to be used to purchase, prepare and distribute fresh fruits and vegetables at no charge to the students in the school. The program should be structured so that maximum benefits go to the children. Each school is allowed up to 10% for program administration based on its total allocation.

Make certain your system has a signed copy of the School Nutrition System Agreement (your school nutrition supervisor will have access to this agreement) printed and maintained on file for the 2010-2011 school year. If your system operated a program last year, you do not need a new System Agreement.

If for some reason you are unable to participate in this program or no longer want to participate, let us know as soon as possible so we can reallocate the funds. This will not affect your ability to reapply next year.

If you have any questions, please contact Jane Crawford at 1-800-354-3663. Email your date preference for the conference call to Jane.Crawford@tn.gov. We look forward to working with you in creating ways to help students develop lifelong, healthful eating habits.

Sincerely,

Sarah White, State Director

CC: Robert Greene, Deputy Commissioner
✓ Margie Carico, School Nutrition Supervisor
Bettye Burns, Regional Consultant
Jane Crawford, FFVP Consultant

RESOLUTION NO. 10-10-006

Sponsored by Commissioners Mike Lewis and Holden Lail:

A RESOLUTION TO AMEND GENERAL COUNTY FUND BUDGET.

WHEREAS, Blount County would like to amend the General County Fund Budget to appropriate funds to settle 2009 audit finding by TDOT monitoring group for improper purchasing bid procedures in 2005 while administering federal grant for Little River Railroad Museum.

WHEREAS, it is deemed to be in the best interest of Blount County to amend the General County Fund Budget as requested.

NOW THEREFORE, BE IT RESOLVED BY THE Board of Commissioners of Blount County, Tennessee assembled in regular session this 21st day of October, 2010 that the General County Fund Budget shall be amended as follows:

Revenue:

101-0-4499998-0 Fund Balance.....\$44,393.00

APPROPRIATION:

101-051900-500599-0 Other Charges\$44,393.00

Duly authorized and approved this 21st day of October, 2010.

CERTIFICATION OF ACTION

ATTEST

Commission Chairman

County Clerk

Approved: ____

Vetoed: ____

County Mayor

Date

Blount County, Tennessee
REQUEST FOR BUDGET INCREASE/DECREASE
Fiscal Year 2010-2011

Fund Number 101 Cost Center Number 051900
Fund Name Gen Co Cost Center Name Other Gen Admin

	ACCOUNT NUMBER	ACCOUNT NAME	AMOUNT
Appropriation:	101-051900-500599-0	other charges	44,393.00
	Total Appropriation:		44,393.00

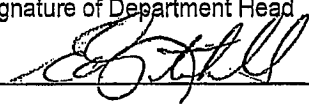
	ACCOUNT NUMBER	ACCOUNT NAME	AMOUNT
Estimated Revenue:	101-0-499998-0	Fund Balance	44,393.00
	Total Estimated Revenue:		44,393.00

Reason for requested increase/decrease:

To settle 2009 audit finding by TDOT monitoring group for improper purchasing bid procedures in 2005
while administering federal grant for Little River Railroad Museum.

Note:
Total appropriation
must agree with total
estimated revenue.

Signature of Department Head Date

 10-11-10

RESOLUTION NO. 10-10-007

Sponsored By Commissioners:

A RESOLUTION INCREASING THE INFORMAL BID LIMIT TO \$3,000.00 ON PURCHASES FOR THE COUNTY GENERAL FUND OF BLOUNT COUNTY, TENNESSEE.

WHEREAS, the Board of County Commissioners of Blount County, Tennessee has adopted the provisions of Tennessee Code Annotated §5-14-101 et. Seq., known as the County Purchasing Law of 1957; and

WHEREAS, Tennessee Code Annotated §5-14-108(c)(1) states that if the amount of the expenditure or sale is estimated to exceed five hundred dollars (\$500), sealed bids shall be solicited, unless the county legislative body by resolution establishes a higher amount not to exceed ten thousand dollars (\$10,000.00);

WHEREAS, the Blount County Purchasing Commission has adopted regulations that on purchase of items estimated to cost in excess of two thousand dollars (\$2,000.00) and less than ten thousand dollars (\$10,000.00) for the county general fund, three informal bids will be sought whenever possible; and

WHEREAS, the Purchasing Commission of Blount County, Tennessee has recommended that the informal bid limit for county general fund expenditures including the Highway Department be increased to three thousand dollars (\$3,000).

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Blount County, Tennessee, meeting in regular session assembled this 21st day of October, 2010, that an informal bid limit of three thousand dollars (\$3,000.00) for county general fund expenditures including the Highway Department be established and is hereby approved for Blount County, Tennessee.

BE IT FURTHER RESOLVED that this resolution take effect from and after its passage, and that any part of any prior resolution to the contrary is hereby declared null and void, the public welfare requiring it.

CERTIFICATION OF ACTION

ATTEST

Commission Chairman

County Clerk

Approve: _____

Vetoed: _____

County Mayor

Date

RESOLUTION NO. 10-10-008

RESOLUTION TO AMEND THE INTERGOVERNMENTAL AGREEMENT, IN WHICH THE CITIES OF MARYVILLE AND ALCOA SHARE IN THE COST OF THE LEASE-PURCHASE AND INSTALLATION OF A NEW COUNTY WIDE MOTOROLA COMMUNICATIONS SYSTEM

Sponsored by: Commissioners Kenneth Melton and Steve Samples

THAT WHEREAS. Blount County, Maryville, and Alcoa previously entered into an Inter-Governmental Agreement providing for shared financial responsibilities for the purchase of new digital radios and an ASTRO® 25 fully digital trunked radio system, and

WHEREAS, the amount of payments that are to be due and owing under the contract with Motorola have changed since the signing of the Inter-Governmental Agreement due to the locking in of a lower interest rate than was estimated at the time of the initial Agreement.

NOW, THEREFORE be it resolved that the attached Amendment to the Inter-Governmental Agreement be approved and executed.

Adopted this 21st day of October, 2010

Certification of Action

Attest

Commission Chairman

County Clerk

Approved: _____

Vetoed: _____

County Mayor

Date

AMENDMENT TO INTER-GOVERNMENTAL AGREEMENT

THIS AMENDMENT TO INTER-GOVERNMENT AGREEMENT is made and entered into on this the ____ day of _____, 2010, by and between BLOUNT COUNTY, TENNESSEE ("Blount County"), a political subdivision in the State of Tennessee; THE CITY OF MARYVILLE, TENNESSEE ("Maryville"), a municipal corporation located in Blount County, Tennessee; and THE CITY OF ALCOA, TENNESSEE, ("Alcoa"), a municipal corporation located in Blount County, Tennessee.

WITNESSETH:

THAT WHEREAS, Blount County, Maryville, and Alcoa previously entered into an Inter-Governmental Agreement providing for shared financial responsibilities for the purchase of new digital radios and an ASTRO(R) 25 fully digital trunked radio system ("Equipment"), and

WHEREAS, the amount of payments that are to be due and owing under the contract with Motorola have changed since the signing of the Inter-Governmental Agreement, and

WHEREAS, the parties wish to update their agreement in order to comply with these new cost provisions, and

WHEREAS, the prior Inter-Governmental Agreement can be modified pursuant to its Paragraph 13 in a writing signed by the parties, and

WHEREAS, the changes herein were necessitated by a change in financing terms, not a change in the total cost of the Lease Purchase as previously agreed upon, and

WHEREAS, an agreement is needed regarding shared cost for insurance for the Equipment.

NOW, THEREFORE, the parties hereto hereby agree that the Inter-Governmental Agreement entered into between the parties hereto regarding the purchase of digital radios and an ASTRO(R) 25 fully digital trunked radio system is hereby amended by repealing prior Paragraphs 4, 5 and 6, and replacing them as follows:

4. Financing Terms. The lease term will be ten (10) years. There will be payments due of Three Hundred Seventy Thousand One Hundred Eighty-Two and 40/100ths Dollars (\$370,182.40) in equal annual installments. The first payment will be due one year after the Motorola contract's execution.
5. Breakdown of Payments. For each annual payment of Three Hundred Seventy Thousand One Hundred Eighty-Two and 40/100ths Dollars (\$370,182.40) the City of Alcoa shall be

responsible for Ninety-Two Thousand Five Hundred Forty-Four and 11/100ths Dollars (\$92,544.11) and the City of Maryville will be responsible for One Hundred Thirteen Thousand One Hundred Thirty-Three and 37/100ths Dollars (\$113,133.37). Thirty (30) days prior to the due date for the annual payment to Motorola, the City of Alcoa and the City of Maryville will make payment to Blount County of their respective required amount. Blount County will collect the money and pay the amount owed in a timely way to Motorola.

6. Insurance and Maintenance. Each of the parties hereto will be financially responsible for insuring and maintaining their own Equipment subject to the Motorola contract. Insurance for loss of the Equipment will be obtained by Blount County for the term of the Lease Purchase Agreement. Maryville and Alcoa will pay their pro-rata share for the cost of such insurance to Blount County within thirty (30) days of receipt of an invoice for the same. Maryville will pay 31.450% of the insurance cost attributed to the Equipment and Alcoa will pay 27.670% of said cost. The insurance may have a deductible of up to One Hundred Thousand Dollars (\$100,000.00) per occurrence.

IN WITNESS WHEREOF, the parties have caused this Amendment to Inter-Government Agreement to be executed on the day and date first written above.

BLOUNT COUNTY, TENNESSEE:

BY: _____

ITS: _____

THE CITY OF MARYVILLE, TENNESSEE:

BY: Thomas D. Taylor

ITS: MAYOR

THE CITY OF ALCOA, TENNESSEE:

BY: [Signature]

ITS: MAYOR

Michael Myers ~~REDACTED~~ Received

8/30/2010

We the people of East Clark Avenue in Maryville, Tennessee
(37804) request speed calming devices be placed on the road.

NAME	ADDRESS
1. <u>Michael Myers</u>	<u>2513</u>
2. <u>Jessie Tipton</u>	<u>2515</u>
3. <u>Danny Smelcer</u>	<u>2517 E. Clark Ave.</u>
4. <u>Alfred E. Barkman</u>	<u>2527 E. Clark Ave</u>
5. <u>Walter Trumbly</u>	<u>2522 E Clark Ave</u>
6. <u>Mark</u>	<u>2516 E Clark Ave</u>
7. <u>Linda Smith</u>	<u>2505 E. Clark Ave.</u>
8. <u>Leighanne Pruitt</u>	<u>2445 E. Clark Ave</u>
9. <u>Tammy Reagan</u>	<u>2437 E Clark Ave.</u>
10. <u>Carol E. Barkman</u>	<u>2435 East Clark Ave</u>
11. <u>Henry Price</u>	<u>2501</u>
12. <u>April Cornwell</u>	<u>2507 East Clark Ave</u>
13. <u>John Cooper</u>	<u>2451 E. CLARK AVE</u>
14. <u>Andrea Saterwa</u>	<u>2442 E Clark Ave</u>
15. <u>Hane Wilson</u>	<u>2509 E. Clark Ave.</u>

NAME

ADDRESS

16. Richard McLanahan - 2511 E Clark AU

17. Todd Burns 2510 E Clark av.

18. Chas L. Hunt 2506 E. CLARK. Ave.

19. _____

20. _____

21. _____

22. _____

23. _____

24. _____

25. _____

26. _____

27. _____

28. _____

29. _____

30. _____

November 18, 2004

By Recommendation of the Public Services Committee

**RESOLUTION REGARDING TRAFFIC CALMING MEASURES ON PUBLIC ROADS
MAINTAINED BY THE BLOUNT COUNTY HIGHWAY DEPARTMENT**

RESOLUTION

WHEREAS, certain roads in Blount County are maintained by the Blount County Highway Department and are listed on Blount County's "Official Roads List for Blount County"; and,

WHEREAS, the Blount County Highway Department receives many requests for solutions to the problem of motorists speeding and otherwise driving recklessly through residential areas; and,

WHEREAS, there are certain locations at which speeding and related traffic problems might most effectively be addressed through the use of one or more of a number of nationally recognized traffic calming measures custom designed for a specific type of problem at a specific location; and,

WHEREAS, it is important that prior to the installation of any traffic calming device on Blount County roads that procedures for implementing any traffic calming measure should be developed to provide for the receiving and processing of requests, the selection of the appropriate traffic calming measure for a specified location and problem, the adoption of a system of warrants to insure decisions are consistent, a means of setting priorities, a process for receiving community input, and for considering any other matter pertinent to an installation;

NOW, THEREFORE, BE IT RESOLVED by the County Legislative Body of Blount County, Tennessee, in regular session on this the 18th day of November, 2004, that the Blount County Highway Department staff shall begin the development of standards, specifications, and procedures for the adoption of a traffic calming program and for the application, installation, use, and maintenance of traffic calming devices on Blount County roads.

Duly passed and approved this 18th day of November, 2004.

Approved:
Commission Chairman

Approved:
County Executive

Attested:
Blount County Clerk

Vetoed:
County Executive



BEE-Green!

**Blount County Energy Efficiency
& Greening Program**

Lowering the cost of government through green initiatives

Background

- ARRA – Approved by the Federal Government on February 17, 2009
- EECBG – DOE program which allocates grant money for eligible activities related to energy efficiency and conservation.
- Grant money is allocated via both formula and competitive grants to individual states and local governments.
- The formula was based on variables such as population and energy usage.
- Blount County was allocated \$501,600

EECBG Program Goal Highlights

- Increased energy efficiency, reduced energy consumption and reduced energy costs through efficiency improvements in the building, transportation and other appropriate sectors
- New jobs and increased productivity to spur economic growth and community development
- Improved coordination of energy-related policies and programs across jurisdictional levels of governance and with other local and community level programs in order to maximize the impact of this program on long-term local priorities

Think Quality - Think Future

Blount County Planning Department

Blount County Courthouse – 327 Court Street
Maryville, TN 37804-5906
Tel (865) 273-5750 – FAX (865) 273-5759
e-mail – planning@blounttn.org
on-line – www.blounttn.org/planning/

Memorandum

TO: Blount County Commission

FROM: John Lamb

DATE: September 24, 2010

SUBJECT: Advice from Planning Commission concerning provisions to opt out of training requirements in TCA.

The Planning Commission discussed education requirements under TCA 13-3-101(j) at their September 23 regular meeting. Staff noted that one of the possibilities of gaining required 4 hours of education did not materialize this year, and that the Commission would need to schedule some special called sessions to accommodate this requirement. Staff noted capability to conduct education sessions, but noted also that the membership was in transition, with new members expected in the next few months. Staff noted possibility of opting out of the requirement. Commissioner Gary Farmer requested that staff prepare a draft resolution and information for consideration by the County Commission to opt out of the requirement for this year as provided in TCA 13-3-101(j)(9). Staff notes that similar education requirements for Board of Zoning Appeals members are contained in TCA 13-7-106(b). The following is proposed text of resolution to opt out of the training requirements for the Planning Commission, the Board of Zoning Appeals, and associated staff.

RESOLUTION TO OPT OUT OF PLANNING COMMISSION AND BOARD OF ZONING APPEALS EDUCATION REQUIREMENTS CONTAINED IN TCA 13-3-101(j) AND 13-7-106(b).

BE IT RESOLVED, by the Board of Commissioners of Blount County, Tennessee, in session assembled this _____, 2010:

WHEREAS, TCA 13-3-101(j) requires that all members of the Planning Commission undergo four hours of training each calendar year, and that associated staff undergo eight hours of training each calendar year; and

WHEREAS, TCA 13-7-106(b) requires that all members of the Board of Zoning Appeals undergo four hours of training each calendar year, and that associated staff undergo eight hours of training each calendar year; and

WHEREAS, in the past the Planning Commission, the Board of Zoning Appeals, and associated staff have availed of no-cost and low-cost training opportunities to meet requirements; and

WHEREAS, no-cost or low cost education opportunities have not been as forthcoming in 2010, and it would be a burden to try to meet requirements at the end of this calendar year; and

WHEREAS, Blount County continues to support the ideal of providing training to the Planning Commission and the Board of Zoning Appeals at future dates in the next year; and

WHEREAS, TCA 13-3-101(j)(9) and TCA 13-7-106(b)(9) allows the County Commission to opt out of training requirements by resolution.

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF BLOUNT COUNTY, TENNESSEE, the following:

1. That Blount County opts out of the requirements contained in TCA 13-3-101(j) and 13-7-106(b); and
2. That staff of the Planning Department and the Building Commissioner make suitable arrangements for training of Planning Commissioners and Board of Zoning Appeals members consistent with available resources in the calendar year 2011.

BE IT FURTHER RESOLVED THAT THIS RESOLUTION SHALL BE IN FORCE AND BECOME EFFECTIVE UPON ITS ADOPTION, THE PUBLIC WELFARE REQUIRING IT.

The following is full text of TCA 13-3-101(j) for reference.

13-3-101. Planning regions — Creation of commissions — Members — Training and continuing education. —

(j) (1) Each planning commissioner shall, within one (1) year of initial appointment and each calendar year thereafter, attend a minimum of four (4) hours of training and continuing education in one (1) or more of the subjects listed in subdivision (j)(5).

(2) Each full-time or contract professional planner or other administrative official whose duties include advising the planning commission shall, each calendar year, attend a minimum of eight (8) hours of training and continuing education in one (1) or more of the subjects listed in subdivision (j)(5). A professional planner who is a

member of the American Institute of Certified Planners (AICP) shall be exempt from this requirement.

(3) Each of the individuals listed in subdivisions (j)(1) and (2) shall certify by December 31 of each calendar year such individual's attendance by a written statement filed with the secretary of such individual's respective planning commission. Each statement shall identify the date of each program attended, its subject matter, location, sponsors, and the time spent in each program. A professional planner who is a member of the AICP shall be exempt from this requirement.

(4) The legislative body of a county in a single county regional planning commission, or the legislative bodies of the counties in a multiple county planning commission, or the legislative bodies of the county and the municipality in a joint municipal and county planning commission shall be responsible for paying the training and continuing education course registration and travel expenses for each planning commissioner and full-time professional planner or other administrative official whose duties include advising the planning commission.

(5) The subjects for the training and continuing education required by subdivisions (j)(1) and (2) shall include, but not be limited to, the following: land use planning; zoning; flood plain management; transportation; community facilities; ethics; public utilities; wireless telecommunications facilities; parliamentary procedure; public hearing procedure; land use law; natural resources and agricultural land conservation; economic development; housing; public buildings; land subdivision; and powers and duties of the planning commission. Other topics reasonably related to the duties of planning commission members or professional planners or other administrative officials whose duties include advising the planning commission may be approved by majority vote of the planning commission prior to December 31 of the year for which credit is sought.

(6) Each local planning commission shall keep its official public record originals of all statements and the written documentation of attendance required to comply with these provisions for three (3) years after the calendar year in which each statement and appurtenant written documentation is filed.

(7) Each planning commissioner and each professional planner or other administrative official whose duties include advising the planning commission shall be responsible for obtaining written documentation signed by a representative of the sponsor of any training and continuing education course for which credit is claimed, acknowledging the fact that the individual attended the program for which credit is claimed. A member of the AICP shall be exempt from this requirement.

(8) If a planning commissioner fails to complete the requisite number of hours of training and continuing education within the time allotted by this subsection (j) or fails to file the statement required by this subsection (j), then this shall constitute a cause for the removal of the planning commission member from the planning commission.

(9) The legislative body of a county in a single county regional planning commission, the legislative bodies of the counties in a multiple county planning

commission or the legislative bodies of the county and the municipality in a joint municipal and county planning commission may, at any time, opt out of the provisions of this subsection (j) by passage of a resolution or ordinance, as appropriate; provided, that for a multiple county planning commission or joint municipal/county planning commission, all governmental entities included in such multiple or joint planning commission must pass the resolution or ordinance in order to opt out of this provision. Further, any such legislative bodies that have opted out may, at a later date, opt in by passage of a resolution or ordinance in the same manner required to opt out.

Memo

To: Blount County Planning Commission
From: Building Commissioner
CC: Other planning commission members and staff.
Date: 10/6/2010
Re: Discussion on possible revision of section 9.10-F.

Background:

The Blount County Planning Commission approved the following amendment to be sent onto the County Commission, at their August 2010 meeting. The proposed amendment to the RAC regulations is illustrated below. The public hearing was requested to be set for the November agenda committee meeting.

Current Regulation;

9.10-F. *Minimum Lot Size and Density: For residential structures as required in Section 9.2.F. For all other uses: minimum lot size shall be one (1) acre, and maximum lot coverage of all buildings shall be no more than forty (40) percent provided that both primary and duplicate area for septic field purposes are maintained unhindered by any structure, parking, drainage or other design element of the site which may impact septic functioning. Notwithstanding the above, the total area of all buildings shall not exceed 10,000 square feet for any one lot or parcel.*

Proposed Regulation;

9.10-F. *Minimum Lot Size and Density: For residential structures as required in Section 9.2.F. For all other uses: minimum lot size shall be one (1) acre, and maximum lot coverage of all buildings shall be no more twenty five (25) percent provided that both primary and duplicate area for septic field purposes are maintained unhindered by any structure, parking, drainage or other design element of the site which may impact septic functioning.*

Public Notice

As required by Tennessee Code Annotated §5-5-111, public notice is hereby given that a vacancy exists in the office of County Commissioner, District 1, Seat B due to the resignation of Shawn Carter, Sr. The vacancy will be filled at a meeting of the Board of County Commissioners on Thursday, October 21, 2010 at 7:00 pm in the County Commission Room of the Blount County Courthouse. Registered voters of Blount County will have the opportunity to submit names to the county legislative body for consideration. The names may be submitted in writing to the County Commission chair prior to the meeting or may be submitted in person at the meeting. In order for a name to be considered, a member of the county legislative body must subsequently nominate the person. Members of the county legislative body may also nominate a candidate or candidates to fill the office or vacancy without the name being submitted by a voter. Nominations do not require a second. If the person nominated is not present at the meeting, the person making the nomination shall submit a signed statement from the nominee that the nominee is willing to serve in the office if appointed.

Kenneth Melton, chairman
Blount County Board of County Commissioners

September 25, 2010

Mr. Kenneth Melton, Chairman
Blount County Commission
359 Court St.
Maryville, TN 37804-5906

Dear Mr. Melton:

We had hoped that Mr. Carter could serve in the commission seat since he worked hard to be elected and won 68% of the vote. I read in the paper that the commission accepted his resignation at the recent meeting. If this means that Mr. Carter cannot serve, I would like to recommend that the commissioners appoint Mrs. Geneva Williams Harrison to serve our district. She is well qualified to represent us.

Thank you and the commissioners for any consideration you will give her. You may call me at 982-2743.

Sincerely,



Mr. Jerry Dishman
1221 Monroe Avenue
Maryville, TN 37804

cc Mrs. Tonya Burchfield

September 26, 2010

**Mr. Kenneth Melton, Chairman
Blount County Commission
359 Court St.
Maryville, TN 37804**

Dear Kenneth:

This letter is to personally ask you and the commissioners to appoint Geneva Harrison to the vacant commission seat in District 1. She served with us on the commission after Richard's death and represented our district well. You and I know that she will be a great asset to the commission as she was before.

If you need to call me, my phone number is 983-1731.

Your friend and former commissioner

Dan E. Neubert, Sr.

**Dan Neubert Sr.
1233 Morningside Avenue
Maryville, TN 37804**

October 4, 2010

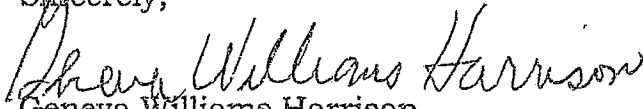
Mr. Ken Melton, Chairman
Blount County Board of Commissioners
359 Court St.
Maryville, TN 37804

Dear Chairman Melton:

Attached is my resume. Please consider me for the vacant seat that was created by the resignation of Mr. Shawn Carter. I live in District 1. I served on the commission briefly in 2003-2004 after the death of my brother, Richard. I am well qualified, capable, and able and willing to represent the constituents in this district.

Thank you and the commissioners for considering me for this vacant seat. If you have any questions, please call me at 865 984-5641 or by cell phone 865 603-4548.

Sincerely,


Geneva Williams Harrison
275 Badgett St.
Alcoa, TN 37701

cc Blount County Commissioners

Enclosure

Geneva Williams Harrison
275 Badgett St., Alcoa, Tennessee 37701 Home: (865) 984-5641
gwharris@charter.net

Objective: To be considered to serve as Blount County Commissioner in District 1, Seat B.

EDUCATION:

Charles M. Hall High School, Alcoa, Tennessee, graduated in 1959. Attended Alexandria Trade School in Alexandria, Louisiana majored in Business Administration; attended Pellissippi State Community College; attained Certified Professional Secretary Designation in 1990.

EXPERIENCE:

Blount County Schools September 2006 – Present
Substitute teacher (work almost every day and love it)
Substitutes at Eagleton Elementary School, Rockford Elementary School and Heritage Middle School.

• Bath & Body Works 1995 - Present
Part time Sales Associate

City of Maryville, Tennessee September 1972 - June 2006

- Worked as Clerk Typist in Public Works and Engineering Department. Promoted to Secretary in 1974. This department included Sanitation, Streets, Building Codes, Plumbing Codes and Electrical Codes. Also worked in City Manager's office in absence of secretary.
- Transferred to Fire Department in 1978. Promoted to Secretary II after being asked to take additional duties as Secretary in newly created Purchasing Department.
- Became Secretary II to Fire Department in 1980 after the Codes Enforcement Bureau was created and placed under the Fire Chief. (This included Building Code, Fire Codes, Plumbing Codes, Electrical Codes) I served two fire chiefs as Secretary II (Glenn Thomas and Bruce Hill) and two fire chief as Administrative Assistant I during my employment at City of Maryville. (Kenneth Abbott & Ed Mitchell)

Volunteer Community Activities:

I have served on the board of the American Red Cross, the Blount County Library Foundation Board; I am past president of the Blount County Historic Trust (yet a board member)

Serves as a volunteer and mentor at the Martin Luther King Center in Alcoa Tennessee; volunteer for the Foothills Fall Festival. I am also president of the

Charles M. Hall Alumni Association. I have attended the past three Republican National Conventions as an alternate delegate. (Philadelphia 2000; New York City 2004; and St. Paul, Minnesota 2008.)

Personal Interest: Working in my high school alumni association as a volunteer to raise money each year to provide scholarships to members of the graduating class.

References:

**Mr. W. Dale Patty, Former Building Official City of Maryville
3326 Patty Road
Maryville, TN 37801
865 982-4696**

**Mrs. Geraldine Upton, Retired teacher Alcoa City Schools
1881 Old Topside Road
Louisville, TN 37777
865 970 3616**

**Rev. Stone Carr, Retired Engineer Oak Ridge
3411 Rockford Boyd Drive
Rockford, TN 37853
865 982-8120**

Commissioner Kenneth Melton
Blount County Board of County Commissioners
359 Court Street
Maryville, TN 37804-5906

RE: Vacancy of Commission District Seat 1B

Dear Commissioner Melton,

I am writing this letter to nominate Ted A. Burkhalter Jr for the vacancy of Commission Seat 1B. Tab has been active in Republican politics for over eight years and is a person that believes in what is right for the community, not right for the few. He was raised in Nashville, but chose to make Blount County his home. He has been here eight years, after graduating with his Masters in Business Administration and Law Degree from the University of Tennessee, Knoxville. He currently serves on the Republican Executive Committee, has campaigned for Jim Henry, Attorney General Bill Gibbons, Senator Bob Corker, and Republican Gubernatorial Candidate Bill Haslam. His Father was born here in Maryville, His Grandmother Juanita Cunningham was born and raised here, and his great -great-grandfather was Alfred Davis.

He holds dear the values and principles of Blount County and East Tennessee. He will do what is right for Blount County today, tomorrow, and 20 years from now.

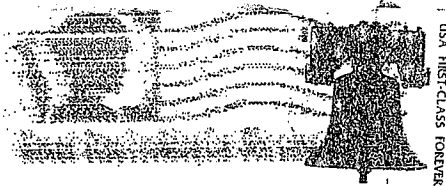
Thank you for your consideration.

Sincerely,
Frank R. Henry

FRANK R. HENRY
1746 RAMSAY, ST.
KNOXVILLE, TN. 37701

KNOXVILLE TN 37701

104 OCT 2010 10:41 AM



COMMISSIONER KENNETH MELTON
BLAUNT COUNTY BOARD OF COMMISSIONERS
359 COURT STREET
MARYVILLE, TENN. 37804-5906

Ted A. Burkhalter, Jr
1121 W. Broadway
Maryville, Tennessee 37801

865-984-4080 (o)
865-254-2829 (m)

Commissioner Kenneth Melton
3428 Old Lowes Ferry Road
Louisville, Tennessee 37777

RE: Vacancy of Commission District Seat 1B

Dear Commissioner Melton,

I write to express my desire to fill the vacancy of the County Commission District 1B Seat. If nominated and approved, I will accept the appointment. As I reside in Commission District 1B, I satisfy the residency requirement for holding the seat.

While raised in Nashville, Kristi and I made the decision to return to the county in which my father and my grandmother's families were born and raised. We chose the culture and values of Blount County to educate, nurture and support our daughters. We chose wisely.

I believe that it is a necessity for our citizens to continue working together within Blount County to ensure that she remains strong and true to her core values as we advance our community throughout the region. During the course of the past nine years, I have actively supported and worked with numerous not-for-profit agencies and events throughout our community and have served on the boards of Blount County's United Way, Red Cross, Family Promise, The Heaven Sent Home Ministry, and Pellissippi State Community College, Paralegal Advisory Board. Service is likewise important to Kristi, as is evident through her work on the boards of the New Hope Children's Advocacy Center, the Hearing and Speech Foundation and service with various not-for-profit agencies and events throughout our area. My firm has supported little league baseball teams and I continue to provide pro bono legal services to 501c3 organizations serving the needs of Blount Countians.

As both an Attorney and CPA, I believe I can provide a strategic perspective to the commission, particularly given the financially turbulent times we continue to weather. The primary mechanism local governments have to raise revenue is taxation and unfortunately, this mechanism can also be one of the greatest means of oppressing economic growth and penalizing individual success...not to mention the legal means by which to perceivably discriminate against a particular group of citizen or type of activity. My experience and insight in these areas could help create policies for our county that could provide a degree of protection from State and Federal mandates, insulating our revenue streams from Nashville and allowing Blount Countians opportunities more equalizing in nature.

The measuring stick of my service will be two-fold: have I represented my constituents to the best of my ability and have I left our three daughters a better community in which to raise their own families.

Thank you for your consideration of my nomination and should wish to speak further, please do contact me.

Respectfully Presented,

Tab Burkhalter

Mr. Ted A. Burkhalter, Jr
1121 W. Broadway
Maryville, TN 37801

PERSONAL INFORMATION

Married to Kristi Burkhalter since 1996

Have three daughters: Abbie, age 3; Mandi age 2; and Austyn, 8 months.

Born in Killeen, TX and raised in Nashville, TN.

Employer in Blount County since 2002.

PROFESSIONAL LICENSURE

License to Practice Law

State of Tennessee – Licensure Date November 2000

Certified Public Accountant:

State of Tennessee - Licensure Date September 2002

EDUCATION

University of Tennessee, College of Business Administration

Masters in Business Administration – 1999

University of Tennessee, College of Law

Juris Doctor - 1999

University of Tennessee, College of Business Administration

Bachelor of Science, Accounting – 1995, Summa Cum Laude

PROFESSIONAL EXPERIENCE

Burkhalter and Associates, PC 10/2002 - current

Founding partner of full-service CPA and Law Firm in Maryville, Tennessee. Affiliate offices in Nashville, Tennessee. Firm specializes in trust, wills, tax and estate planning, business entity transactions, accounting and audits, tax return preparation and IRS representation.

Service Solutions, Inc 8/99 – current

President of business start-up and consulting firm. Create and manage the accounting and information systems for troubled and start-up organizations. Value assets of troubled clients for separation into profitable entities or liquidation for company closure. Client-base includes national and international interests.

PROFESSIONAL ORGANIZATIONS

American Institute of Certified Public Accountants – Member

Tennessee Society of Certified Public Accountants – Member

Knoxville Chapter of Certified Public Accountants – Member

American Bar Association – Member

Tennessee Bar Association - Member

Blount County Bar Association – Member

Blount County Chamber of Commerce – Member

PRIOR & CURRENT SPEAKING ENGAGEMENTS

Southern Dental Laboratory Association

Speaker on tax laws affecting small business and management issues for owners/operators of small corporations – Speaker in Conferences in Maryville, TN, Charlotte, NC, New Orleans, LA, and Atlanta, GA

Lorman Education Services

Speaker on estate and probate administration for Tennessee and the ethical considerations facing attorneys and accountants in estate administration

Blount County Chamber of Commerce

Panel Member on Small Business Start-up and Management
Speaker on taxes laws affecting the self-employed and small corporations

Knoxville Board of Realtors

Speaker on taxes laws affecting the self-employed and small corporations

WKZX

Weekly Radio Show covering taxes, estate planning, pending legislation, and business management

Success Central

Speaker on tax laws affecting the self-employed and management issues for owner/operators

CURRENT COMMUNITY ACTIVITIES

United Way of Blount County - Board of Directors Member since 2005

Heaven Sent Home, Inc. (non for profit) – Board of Directors Member and Legal Counsel since 2003

Pellissippi State Community College, Paralegal Studies – Advisor since 2008

PAST COMMUNITY ACTIVITIES

Leadership Blount – 2006 Class

American Red Cross, Blount County Chapter – Board of Directors Member and Chairman of 2004 Fundraising campaign

Family Promise of Blount County – Founding Board of Director and Founding Treasurer

POLITICAL INVOLVEMENT

Blount County Republican Executive Committee - Member, 2008 - current

Bill Haslam for Governor - Blount County Leadership Team, 2010

Bill Gibbons for Governor - East Tennessee/Blount County Regional Coordinator, 2010

Overbey for Senate – Steering Committee Member, 2008

Jim Henry for Governor – Statewide Coordinator, 2002

Let me introduce myself and place my name in consideration for the open sea on the commission.

David H. Cummings
1323 Chilhowee Ave.
Maryville, TN 37801

- Registered voter residing in District 1.
- 5th generation Blount Countian at 52 years of age.
- I have no party affiliation, but consider myself a conservative.
- Employed by Fort Sanders Regional Medical Center for 32 years as a Respiratory Therapist.
- Married 25 years to Raquel Cummings, with one daughter Dara.

David H. Cummings 10-5-10

David Cummings
1323 Chilhowee Ave.
Maryville, TN 37801-4681
Home Phone- 984-0593

Rhonda Pitts

From: David Connor [tcca.connor@tncounties.org]**Sent:** Tuesday, September 28, 2010 2:36 PM**To:** rpitts@blounttn.org**Subject:** vacancies

Rhonda,

When I was in your office last week, you asked whether a person could be appointed to fill a vacancy on the county commission if that person did not live in the district represented by the vacant seat. Under TCA 5-5-102(b), members of the county commission must reside within and be qualified voters of the districts they represent. I know of no law that allows that requirement to be waived when the person is appointed rather than elected to the position. Therefore, it is my opinion that someone could not be appointed to fill a position on the county commission if he did not reside in the district represented by that commission seat. Also, under the vacancy statute in TCA 8-48-101, an office is vacated if the incumbent ceases to be a resident of the district which he or she was elected or appointed to represent. So if someone were appointed to the county commission who didn't reside in the district, I think another vacancy would be immediately created.

David Connor
TCCA

9/28/2010

5-5-102. Membership. —

(a) (1) The county legislative body shall be composed of not less than nine (9) nor more than twenty-five (25) members.

(2) There shall be at least nine (9) districts in the county legislative body in any county designated as a Class 2 county before January 1, 1999, as established by § 8-24-101.

(b) Members shall reside within and be qualified voters of the districts that they represent.

(c) (1) Notwithstanding any provision of the law to the contrary, any county employee, otherwise qualified to serve as a member of the county legislative body, shall not be disqualified from such legislative office by reason of being a county employee.

(2) No person elected or appointed to fill the office of county mayor, sheriff, trustee, register, county clerk, assessor of property, or any other county-wide office filled by vote of the people or the county legislative body, shall also be nominated for or elected to membership in the county legislative body. After June 18, 2005, a director of schools shall not be qualified to serve as a member of the county legislative body.

(3) [Deleted by 2008 amendment.]

(4) (A) Any member of a local governing body of a county or a municipality who is also an employee of such county or municipality may vote on matters in which such member has a conflict of interest if the member informs the governing body immediately prior to the vote as follows:

Because I am an employee of (name of governmental unit), I have a conflict of interest in the proposal about to be voted. However, I declare that my argument and my vote answer only to my conscience and to my obligation to my constituents and the citizens this body represents.

(B) In the event a member of a local governing body of a county or a municipality has a conflict of interest in a matter to be voted upon by the body, such member may abstain for cause by announcing such to the presiding officer. Any member of a local governing body of a county or municipality who abstains from voting for cause on any issue coming to a vote before the body shall not be counted for the purpose of determining a majority vote.

(C) The vote of any person having a conflict of interest who does not inform the governing body of such conflict as provided in subdivision (c)(4)(A) shall be void if challenged in a timely manner. As used in this section, "timely manner" means during the same meeting at which the vote was cast and prior to the transaction of any further business by the body.

(D) Nothing in this subdivision (c)(4) shall be construed as altering, amending or otherwise affecting the provisions of § 12-4-101(a). In the event of any conflict between this subdivision (c)(4) and § 12-4-101(a), the provisions of § 12-4-101(a) shall prevail.

(d) No more than three (3) members shall be elected from any one (1) district.

(e) (1) Members shall serve terms of four (4) years or until their successors are elected and qualified.

(2) Members of the county legislative body shall be elected in the regular August election in 1978

and every four (4) years thereafter.

(f) The members of the county legislative body shall be known individually as county commissioners and collectively as the board of county commissioners.

(g) The term of office for members of the county legislative body shall begin on September 1 next succeeding their election.

(h) (1) The county legislative body shall have discretionary authority to determine whether each office in multi-member districts will be separately designated on the ballot, with candidates required to run and to be elected on the basis of such separately designated offices within the district.

(2) No candidate shall qualify for more than one (1) such separately designated office within a multi-member district.

(3) In any county designated as a Class 2 county before January 1, 1999, as established by § 8-24-101, each office in multi-member districts shall be separately designated on the ballot, and candidates shall run and be elected on the basis of such separately designated offices within the district.

(i) If a vacancy shall occur in the office of a member of the county legislative body, the vacancy shall be filled as provided for in § 5-1-104(b).

[Acts 1978, ch. 934, §§ 8, 10; 1979, ch. 175, § 1; T.C.A., § 5-502; Acts 1980, ch. 658, § 1; 1980, ch. 785, § 1; 1981, ch. 143, § 1; 1981, ch. 219, § 1; 1981, ch. 293, § 1; 1981, ch. 318, § 2; 1986, ch. 765, §§ 1-3; 2001, ch. 86, §§ 1, 2; 2003, ch. 90, § 2; 2005, ch. 471, § 1; 2008, ch. 871, § 2.]

8-48-101. Causes of vacancies. —

Any office in this state is vacated by:

- (1) The death of the incumbent;
 - (2) The incumbent's resignation, when permitted by law;
 - (3) Ceasing to be a resident of the state, or of the district, circuit, or county for which the incumbent was elected or appointed;
 - (4) The decision of a competent tribunal, declaring the election or appointment void or the office vacant;
 - (5) An act of the general assembly abridging the term of office, where it is not fixed by the constitution;
 - (6) The sentence of the incumbent, by any competent tribunal in this or any other state, to the penitentiary, subject to restoration if the judgment is reversed, but not if the incumbent is pardoned; or
 - (7) Due adjudication of the incumbent's insanity.
- [Code 1858, § 797; Shan., § 1118; mod. Code 1932, § 1859; T.C.A. (orig. ed.), § 8-2801.]

RESOLUTION No. 10-10-011

Sponsored by Commissioners Gary Farmer and Brad Harrison.

A RESOLUTION TO AMEND THE ZONING RESOLUTION OF BLOUNT COUNTY, TENNESSEE, SECTION 7.15-C-3 DESIGN REQUIREMENTS FOR COMMERCIAL AND INDUSTRIAL DEVELOPMENTS(design requirements for exterior walls facing public right-of-ways) AND SECTION 9.10-J ARTERIAL COMMERCIAL DISTRICT(additional design requirements).

BE IT RESOLVED, by the Board of Commissioners of Blount County, Tennessee, in session assembled this 21st day of October, 2010:

WHEREAS, the Legislature of the State of Tennessee has enabled Blount County to adopt and amend zoning regulations in Tennessee Code Annotated Sections 13-7-101, *et seq.*, and

WHEREAS, the Board of Commissioners of Blount County, Tennessee adopted zoning regulations in Resolution 00-06-010 **A RESOLUTION ADOPTING ZONING IN BLOUNT COUNTY PURSUANT TO SECTIONS 13-7-101, *et seq.*, OF THE TENNESSEE CODE ANNOTATED**, and

WHEREAS, it is desired to amend such Resolution to provide consistency in the design requirements within the Commercial Zone and Rural Arterial Commercial Zone,

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF BLOUNT COUNTY, TENNESSEE, to adopt the following:

That Section 7.15-C-3 be amended to read as follows:

Section 7.15-C-3. Exterior walls visible from public roads shall be constructed of at least 50 percent nonmetal building materials. Exterior glass shall compose a minimum of five (5) percent of the façade of the building, unless the building is an open-air structure such as a produce market.

That Section 9.10-J be amended to read as follows:

Section 9.10-J. Additional design requirements: All site plans shall be accompanied by a storm water drainage plan prepared by a qualified engineer, and shall address the need for detention, if necessary, and pollution control. All uses permitted under this Section shall provide a vegetative landscape buffer, to be determined by the Planning Commission during site plan review, between the use/buildings on the commercial site, and any parcel or lot zoned other than RAC or C. Such buffering shall apply to rear lot lines of the commercial site, and also to side lot lines behind the minimum front building setback lines, except where there is an immediately adjacent residential use that would require screening within the minimum front building setback line. *All uses permitted under this Section shall provide a front building elevation that meets the design requirements in Section 7.15-C-3.* All external lighting shall be directed away from or screened from land zoned other than RAC or C, and away from any public right-of-way. Where noise is determined to be a probable off-site impact of a proposed use, a noise mitigation barrier of solid structure or earth berm, in addition to vegetative buffer, shall be designed as part of the site plan and constructed.

**BE IT FURTHER RESOLVED THAT THIS RESOLUTION SHALL BE IN FORCE AND
BECOME EFFECTIVE UPON ITS ADOPTION, THE PUBLIC WELFARE
REQUIRING IT.**

CERTIFICATION OF ACTION

ATTEST

Commission Chairman

County Clerk

Approved: _____

Vetoed: _____

County Mayor

Date

Memo

To: Blount County Planning Commission
From: Building Commissioner
CC: Other commission members and staff
Date: April 12, 2010
Re: Design requirements in the RAC

Background:

Last month we discussed ways to match up the design requirements in Section 7.15-C-3 and Section 9.10-J. We discussed the changes reflected below and you will find that this will establish one set of regulations for commercial design requirements for both the commercial zone and the RAC zone. Before we had one set of requirements in our design standards and a different requirement in the RAC zone. By making the changes below, the requirements found in the RAC zone simply direct you back to the commercial design requirements.

Proposed changes

Section 7.15-C-3. Exterior walls visible from public roads shall be constructed of at least 50 percent nonmetal building materials. Exterior glass shall compose a minimum of five (5) percent of the façade of the building, unless the building is an open-air structure such as a produce market.

Section 9.10-J. Additional design requirements: All site plans shall be accompanied by a storm water drainage plan prepared by a qualified engineer, and shall address the need for detention, if necessary, and pollution control. All uses permitted under this Section shall provide a

vegetative landscape buffer, to be determined by the Planning Commission during site plan review, between the use/buildings on the commercial site, and any parcel or lot zoned other than RAC or C. Such buffering shall apply to rear lot lines of the commercial site, and also to side lot lines behind the minimum front building setback lines, except where there is an immediately adjacent residential use that would require screening within the minimum front building setback line.

All uses permitted under this Section shall provide a front building elevation that meets the design requirements in Section 7.15-C-3. All external lighting shall be directed away from or screened from land zoned other than RAC or C, and away from any public right-of-way. Where noise is determined to be a probable off-site impact of a proposed use, a noise mitigation barrier of solid structure or earth berm, in addition to vegetative buffer, shall be designed as part of the site plan and constructed.

As it reads currently

7.15-C-3. Exterior walls visible from public roads may not be comprised of aluminum or flat-faced concrete block. Exterior glass shall compose a minimum of five (5) percent of the façade of the building, unless the building is an open-air structure such as a produce market.

9.10-J. Additional design requirements: All site plans shall be accompanied by a storm water drainage plan prepared by a qualified engineer, and shall address the need for detention, if necessary, and pollution control. All uses permitted under this Section shall provide a vegetative landscape buffer, to be determined by the Planning Commission during site plan review, between the use/buildings on the commercial site, and any parcel or lot zoned other than RAC or C. Such buffering shall apply to rear lot lines of the commercial site, and also to side lot lines behind the minimum front building setback lines, except where there is an immediately adjacent residential use that would require screening within the minimum front building setback line. *All uses permitted under this Section shall have a front building elevation, along all fronting roads, constructed of at least 50 percent nonmetal building materials.* All external lighting shall be directed

away from or screened from land zoned other than RAC or C, and away from any public right-of-way. Where noise is determined to be a probable off-site impact of a proposed use, a noise mitigation barrier of solid structure or earth berm, in addition to vegetative buffer, shall be designed as part of the site plan and constructed.

NOTICE OF PUBLIC HEARING. In accordance with Tennessee Code Annotated Section 13-7-105, the Board of County Commissioners of Blount County, Tennessee, will convene in a called meeting and hold public hearing on October 12, 2010 at 6:30 P.M., at the Blount County Courthouse Commission Meeting Room for the following proposed amendments to the Zoning Resolution of Blount County, Tennessee, being Resolution 00-06-010.

A RESOLUTION TO AMEND THE ZONING RESOLUTION OF BLOUNT COUNTY, TENNESSEE, BY AMENDING SECTIONS 7.15-C-3 AND SECTION 9.10-J TO MAKE THE DESING REQUIREMENTS IN BOTH THE COMMERCIAL ZONE AND THE RURAL ARTERIAL COMMERCIAL ZONE CONSISTANT BETWEEN THE TWO ZONES.

Section 7.15-C-3. Exterior walls visible from public roads shall be constructed of at least 50 percent nonmetal building materials. Exterior glass shall compose a minimum of five (5) percent of the façade of the building, unless the building is an open-air structure such as a produce market.

Section 9.10-J. Additional design requirements: All site plans shall be accompanied by a storm water drainage plan prepared by a qualified engineer, and shall address the need for detention, if necessary, and pollution control. All uses permitted under this Section shall provide a vegetative landscape buffer, to be determined by the Planning Commission during site plan review, between the use/buildings on the commercial site, and any parcel or lot zoned other than RAC or C. Such buffering shall apply to rear lot lines of the commercial site, and also to side lot lines behind the minimum front building setback lines, except where there is an immediately adjacent residential use that would require screening within the minimum front building setback line. ***All uses permitted under this Section shall provide a front building elevation that meets the design requirements in Section 7.15-C-3.*** All external lighting shall be directed away from or screened from land zoned other than RAC or C, and away from any public right-of-way. Where noise is determined to be a probable off-site impact of a proposed use, a noise mitigation barrier of solid structure or earth berm, in addition to vegetative buffer, shall be designed as part of the site plan and constructed.

APPROVED:

Kenneth Melton

Commission Chairman
Ed Mitchell
County Mayor

ATTEST:

Roy Crawford, Jr.

County Clerk

**BLOUNT COUNTY PLANNING COMMISSION
REGULAR SESSION
THURSDAY, JULY 22, 2010
5:30 P.M.**

The Blount County Planning Commission met in regular session on Thursday, July 22, 2010, at the Courthouse. Staff was represented by: John Lamb, Director of Planning; Doug Hancock, Senior Planner, Roger Fields, Building Commissioner; Ron Sharp, Subdivision Inspector, Justin Teague, Storm Water Program Coordinator, and Administrative Assistant, Marlene Hodge.

Commissioners Present: Ed Stucky – Chairman, Ernest Blankenship – Vice Chairman, Charles Cameron, Gary Farmer, Brad Harrison, Scott Helton, Tom Hodge, Gerald Kirby, Peggy Lambert, Bruce McClellan, and Clifford Walker. Commissioners Absent: None

The minutes of the June 24, 2010, regular monthly meeting, and July 8, 2010, special called meeting were approved; prior to the meeting these were mailed to members for review.

PUBLIC HEARINGS: None

SITE PLANS:

2805 E. Lamar Alexander Parkway

Background: Site plan is for the Smoky Mountain Garden Center and Produce. The property is identified on Tax Map 058D, Group B, Parcel 27.00, and is located in the Commercial zone. The business had been opened prior to receiving a permit and a stop work notice was issued. An unacceptable hand drawn site plan was submitted. An appropriate site plan was presented but while reviewing property line discrepancies were found. A revised copy of the site plan showing property lines within 300 feet of the site was given to Planning Commissioners prior to the meeting.

The site plan indicates that all building setback requirements will be met if the lot lines have been removed. Buffering will not be required for this site since it is located between commercially zoned and used properties. The large gravel parking lot is off of the highway right-of-way. The entire lot is previous so drainage plans and calculations are not required for this site.

There are three (3) small structures, two (2) storage containers, and six (6) green houses located on the property. The three (3) small structures and storage containers are scheduled to be removed from the property next week. The six (6) green houses are in compliance with the zoning regulations.

Commissioner Farmer stated that the cabin is in compliance with regulations and does not need to be removed if so desired.

Steve Cable confirmed that the cabin and four (4) structures will be removed from the property. The five (5) portable buildings are to be removed by the owners. Another portable building will be used for an office in approximately the same location as the cabin.

Commissioner Farmer made a motion to approve the site plan subject to inspection by Roger Fields after the removal of the five buildings and if not in compliance an issue of stop work will be given; seconded by Commission Helton. Motion received unanimous approval.

HEARINGS:

PRELIMINARY PLATS – MAJOR SUBDIVISIONS:

Patricia Pickens Subdivision off of Clover Hill Road: 5 lots; 1 with road frontage and 4 served exclusively by a 25 foot common driveway easement.

Background: The preliminary plat for the Patricia Pickens subdivision is a proposed five (5) lot subdivision containing 9 acres. A 25' common driveway easement is planned to serve the proposed lots off of Clover Hill Road. Lots 2, 3, 4 and 5 are to be served exclusively off the common driveway easement. There are three (3) existing homes on the undivided parcel that are served by a driveway that requires additional improvements.

The proposed location of the common driveway easement shall require sight distance improvements to be made prior to final plat. Two (2) tiles shall be installed along the driveway and ditch improvement shall be made. The driveway shall be yard-boxed and made smooth, additional stone may be required. The entire drive shall be a minimum 10 feet wide with ditches. The common driveway must be fully installed to each lot to be reconstructed within a 25' easement. A T-turnaround shall be required on Lot 5 to be contained within the easement. All of the physical common driveway construction and installation of utilities shall be the responsibility of the owner and be completed prior to releasing the final plat.

The driveway entrance shall be paved as described in Section 6.02.5 (a)(1) of the Subdivision Regulations in order to improve turning movements in and out of the site, reduce wheel spin, keep gravel from migrating onto the county road, and to minimize damage to the existing paved edge of the county road. The paved surface shall be built to county road standards and the paving shall extend from the edge of the existing pavement along the county road to the edge of the right-of-way at a minimum. A 40' turning radius shall be constructed at the entrance on both sides of the paved entrance. The entrance shall be 16 feet wide of paved surface (wide enough for two vehicles) and taper down to the ten foot gravel driveway.

According to the plat all these lots are to be served by public water and individual septic systems.

The parcel is in the R-1 zone and none of the parcel is located in a floodplain. The proposed subdivision of the Patricia Pickens Property was reviewed inclusive of subdivision regulations for small lots served by a common driveway easement with public water, underground electric and individual septic systems. As required, the preliminary plat was supplied with topographic information, and preliminary soil information. The comments from the environmental health department, engineering department and storm water department are included in the staff analysis.

Outstanding items to be completed:

1. Copy of a Maintenance Agreement or Property Owner's Association documentation to be supplied to staff for review prior to final plat submission.
2. A preconstruction meeting is required prior to any on-site work. All instructions in the staff analysis for the re-construction of the common driveway, sight distance improvements and paving of entrance, and construction of all utility improvements.

Kevin Pitts, Blount Surveys, requested a variance on behalf of the owner for the paving of the entrance of the common driveway. (Ms. Pickens would like to subdivide her property for her three children and grandson.)

Inquiries were made as to the topology of the driveway. There is a 2%-3% down slope as one is pulling out of the driveway.

Recommendation was made to amend the Subdivision Regulations regarding the paving of the entrance of the common driveway since there have been variance requests made and granted in the past.

Commissioner Farmer disagreed about changing the subdivision regulations regarding the paving of the common driveway entrance. Depending on the grade of the driveway gravel and other debris could end up on the main road. If in the staff's opinion no hazards exist then asking for a variance request should not present a problem.

Commissioner Helton had concerns and agreed that if variances are allowed then the regulation needs to be removed. If one is to stand by the regulations then they need to be observed due to the situations that originated in the past.

Commissioner Harrison made a motion to grant preliminary plat approval subject to staff recommendations including the variance request for not paving the entrance along with a note on the plat for maintaining site distance; seconded by Commissioner McClellan. Roll call vote was taken:

Commissioner Blankenship - No
Commissioner Cameron - No
Commissioner Farmer - No
Commissioner Harrison - Yes
Commissioner Helton - No
Commissioner Hodge - No

Commissioner Kirby - No
Commissioner Lambert - Yes
Commissioner McClellan - Yes
Commissioner Stucky - Yes
Commissioner Walker - Yes

Motion to grant preliminary plat approval subject to staff recommendations including the variance request failed with 6 Yes and 5 No.

Commissioner Kirby made a motion to approve preliminary plat subject to staff recommendations and that the common driveway entrance meets the standard requirements for a paved entrance; seconded by Commissioner Farmer. Motion received unanimous approval.

Recommendation was made that staff talk with the Highway Superintendent regarding the paving of the entrance to the common driveway.

MISCELLANEOUS:

Request of Tammy and James Smith to allow division on a common driveway off of Turkey Pen Road:

Cecil Willis, et al, owns a tract off of Turkey Pen Road (Parcel 10.12). The tax map shows the property as being 14.6 acres. However, preliminary field survey measurement shows the property to have only about 9.8 acres.

Tammy and James Smith entered into contract for deed for approximately 6 acres (5.58 acres based on preliminary field survey information) off of the property of Willis along a pre-

existing 30 foot wide easement of access. Willis would own about 8.6 acres after transfer of property to Smith if the tax maps are referenced, but less than five acres based on preliminary field survey information.

Staff found that Willis recently transferred property less than five acres in 2008 without required plat (1.4 acres, Willis, et al, to Hawn - Parcel 10.15 by quit claim deed registered in book 2183 page 1342). This was a violation of both State statutes and our subdivision regulations. Staff thus advised the Smiths that staff would not sign any documents related to the division of the land by Willis until the violation was rectified. The violation could be rectified if Willis would recombine the 1.4 acres into the original tract, or submit a plat for the 1.4 acres and gain approval of the lot. The Smiths reported that Willis could not arrange the recombination, and that the platting of the lot was outside their control.

The Smith's requested approval of a plat for the proposed approximately 6 acre tract without any other requirements. Staff also noted that approval of the Smith request would imply a remainder less than five (5) acres and an un-platted lot that is usually required to be shown and approved on a plat.

Staff noted the violation of our subdivision regulations and requests guidance on further legal action the Planning Commission may wish to take in regards to the Willis 1.4 acre division.

Transcription of a hand written letter from Tammy Smith dated July 7, 2010, along with a copy of a map was mailed to members for review prior to the meeting.

The issue was discussed and concerns were raised regarding the situation without penalizing the Smiths for wanting to follow subdivision regulations. (There has not been a transaction on the division of land but only a contract of payment. It is Mr. Willis' responsibility to bring forward a plat since it is his property.)

Commissioner Helton suggested that legal advice might need to be obtained for the violation of the subdivision regulations and explained to Mr. and Mrs. Smith that the Planning Commission would not be pursuing the issue for their benefit but for the violation of the subdivision regulations.

Commissioner Helton made a motion to defer the approval of the request and directed staff to contact Mr. Willis to see if any resolution might be possible. If a resolution is not possible then ask Mr. Willis to attend the next regular Planning Commission meeting at which time staff may be requested to seek a legal opinion; seconded by Commissioner Lambert. Motion received unanimous approval.

LONG RANGE PLANNING:

Discussion and possible action to recommend amendment to the zoning regulations concerning design requirements in RAC zones:

This item was deferred from the April regular meeting. A separate memo from Roger Fields was mailed to members for review prior to the meeting.

In March 2010, ways to match up the design requirements in Section 7.15-C-3 and Section 9.10-J were discussed. The changes will establish one set of regulations for commercial design requirements for both the Commercial Zone and the Rural Arterial Commercial (RAC) Zone. Before there was only one set of requirements in our design standards and a different requirement in the RAC Zone. By making the changes, the requirements found in the RAC Zone simply directs one back to the commercial design requirements.

Proposed changes:

Section 7.15-C-3. Exterior walls visible from public roads shall be constructed of at least 50 percent nonmetal building materials. Exterior glass shall compose a minimum of five (5) percent of the façade of the building, unless the building is an open-air structure such as a produce market.

Section 9.10-J. Additional design requirements: All site plans shall be accompanied by a storm water drainage plan prepared by a qualified engineer, and shall address the need for detention, if necessary, and pollution control. All uses permitted under this Section shall provide a vegetative landscape buffer, to be determined by the Planning Commission during site plan review, between the use/buildings on the commercial site, and any parcel or lot zoned other than RAC or C. Such buffering shall apply to rear lot lines of the commercial site, and also to side lot lines behind the minimum front building setback lines, except where there is an immediately adjacent residential use that would require screening within the minimum front building setback line. *All uses permitted under this Section shall provide a front building elevation that meets the design requirements in Section 7.15-C-3.* All external lighting shall be directed away from or screened from land zoned other than RAC or C, and away from any public right-of-way. Where noise is determined to be a probable off-site impact of a proposed use, a noise mitigation barrier of solid structure or earth berm, in addition to vegetative buffer, shall be designed as part of the site plan and constructed.

Commissioner Helton made a motion to approve and forward the recommendation to the County Commission for consideration and amendment of the zoning regulations and to set a public hearing; seconded by Commissioner Cameron. Motion received unanimous approval.

Proposed campground regulations – referral from the County Commission:

Commissioner Helton made a motion to defer item until September; seconded by Commissioner Blankenship. Motion received unanimous approval.

Discussion on Ridge-top and Hillside Development Regulations:

At the April regular meeting, the Attorney for the County Mayor presented his findings on the draft ridge-top and hillside development regulations. At the May regular meeting, the Planning Commission requested the background information used by the Attorney for the County Mayor, Rob Goddard, and provided by staff. A copy of the report from Mr. Rob Goddard along with copy of the draft regulations and the background information were mailed to members for review with the June memo.

Mr. Goddard raised two general areas of concern, and three specific areas that need to be addressed.

The first general area of concern is with equal protection, specifically if there is a valid or rational basis for treating some properties within the Rural District 2 (R-2) zone differently from others. The valid or rational basis would need to be based on consideration of protecting the public health, safety and welfare. Background information was provided at the last meeting to show how considerations of public health, safety and welfare were addressed in deliberations to date. The treatment of properties differently in a zone based on specific criteria is common in other zones in the county regulations. If this is an overriding concern, consideration may be given to creation of a separate zone to cover areas for hillside and ridge-top development using similar criteria of visibility from scenic landscape resources of significance.

Second general area of concern is with taking of property or inverse condemnation. This would only be a concern if all internal mitigation processes and appeals had been exhausted.

The proposed regulations have internal mitigation mechanisms when practical design difficulties are present, and hardship based on character of the property would be a valid consideration for Board of Zoning Appeals variance procedures.

In both the first and second general areas of concern, Mr. Goddard stated that any legal challenge would be based on the facts of a specific case, and that he could not predict the legal outcome. This is common to almost all legal challenges of regulations and is potentially applicable to any regulation adopted by the County, not just the proposed regulations.

The third area of concern was a possible conflict between a plat approved using hillside and ridge-top standards through the Subdivision Regulations and a permit for a specific house on an approved lot, and suggests a possibility that a lot created using the regulations would need a permit for building a house that could be denied based on the same standards. The purpose of setting similar standards in the platting process was to forestall the creation of lots that would not meet the standards which would be applied at the point of house construction permitting.

Commissioner Farmer has concerns regarding conflicts between Zoning Regulations and Subdivision Regulations and recommended that staff talk with the County Attorney and get more information regarding the third specific item.

Commission Blankenship made a motion to defer item to the August agenda; seconded by Commissioner Cameron. Votes were taken and a roll call vote was requested. Commissioner Farmer asked for an amendment to the motion requesting staff to review Item 3 of the specific areas of concerns with the County Attorney. Both Commissioner Blankenship and Cameron agreed to the amendment. Motion received unanimous approval.

Discussion of regulations for junk on private property:

The Planning Commission asked Roger Fields to provide information on the present regulations concerning junk on private property. Information was mailed to members for review prior to the meeting.

Discussed the history of the resolution and the lack of assistance or funding to help with cleanup. It was noted that Mr. Fields does not have a budget allotted for contracting help for the cleanup nor any assistance from the Highway and Sheriff's Department due to liability and regulations for private property.

It was recommended that Mr. Fields convey to the Planning Commission why the current resolution is not working and to revisit the issue and present some recommendations on the item whether it be to do away with the current resolution and/or present something new.

Recommendations were made to contact Keep Blount Beautiful and check on any grants that might be available along with reviewing the City of Maryville and Alcoa regulations for junk on private property.

Item will be added to the September agenda.

STAFF REPORTS:

Public Hearings have been set for August 26, regular meeting for the Supplemental Information and Analysis for Blount County Plans and amendments to the Subdivision

Regulations for consistency in Major Road Plan and typographical corrections and definition under Regulatory Flood Plan.

Planning Commissioner Lamar Dunn submitted his resignation from the Planning Commission.

ADJOURNMENT.

There being no further business to conduct, the Chairman declared the meeting adjourned.

Secretary

(865)594-2496



STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION
P. O. BOX 58
KNOXVILLE, TENNESSEE 37901

October 5, 2010

Honorable Ed Mitchell
County Mayor
Blount County Courthouse
341 Court Street
Maryville, TN 37804-5906

RE: **PROPOSAL TO COUNTY OF BLOUNT**
Federal Project No: NHTSA-HE-35(43)
State Project No: 97005-2265-04
S.R. 35 (Sevierville Road) from Near Columbus Street
to East of Bogart Lane
Blount County

Dear Mayor Mitchell:

Mr. Garnett Dill is handing you one (1) set of plans and two (2) copies of the proposal on the above referenced project. The state representative handing you the proposal will be willing to answer any questions you may have or obtain the answers for you.

Following acceptance, one (1) copy of the proposal should be returned to me accompanied by a certified copy of the resolution accepting the proposal. An example of a resolution with the necessary legal language is attached.

It is to be noted that we cannot begin buying the rights-of-way for this project until the county court has accepted the proposal and same has been reviewed and approved by our staff attorney. Therefore, your earliest attention to this matter will be appreciated.

We appreciate your cooperation and if we can be of assistance in any way, please do not hesitate to contact us.

Yours truly,

A handwritten signature in black ink, appearing to read "Oliver C. Farris", is written over a horizontal line.

Oliver C. Farris
Transportation Manager 2
Right-of-Way Office

OCF/lb
Attachment

P R O P O S A L
OF THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF TENNESSEE
TO THE COUNTY OF BLOUNT, TENNESSEE

The DEPARTMENT OF TRANSPORTATION of the State of Tennessee, hereinafter "DEPARTMENT", proposes to construct a project designated as No. NHTSA-HE-35(43); 97005-2265-04 that is described as S. R. 35 (Sevierville Road) from near Columbus Street to East of Bogart Lane in the COUNTY of BLOUNT, hereinafter COUNTY, provided the COUNTY agrees to cooperate with the DEPARTMENT as set forth in this proposal, so that the general highway program may be carried out in accordance with the intent of the General Assembly of the State.

Accordingly, if the COUNTY will agree:

1. That in the event any civil actions in inverse condemnation or for damages are instituted by reason of the DEPARTMENT, or its contractor, going upon the highway right of way and easements, and constructing said project in accordance with the plans and as necessary to make the completed project functional, it will notify in writing the Attorney General of the State, whose address is 404 James Robertson Parkway, Nashville, Tennessee 37243-0487, of the institution of each civil action, the complaint and all subsequent pleadings, within ten (10) days after the service of each of the same, under penalty of defending such actions and paying any judgments which result therefrom at its own expense; and
2. To close or otherwise modify any of its roads or other public ways if indicated on the project plans, as provided by law; and

3. To transfer or cause to be transferred to the DEPARTMENT without cost to it, all land owned by the COUNTY or by any of its instrumentalities as required for right of way or easement purposes, provided such land is being used or dedicated for road or other public way purposes; and

4. Where privately, publicly or cooperatively owned utility lines, facilities and systems for producing, transmitting or distributing communications, power, electricity, light, heat, gas, oil, crude products, water, steam, waste, storm water not connected with highway drainage, and other similar commodities, including publicly owned facilities such as fire and police signal systems and street lighting systems are located within the right of way of any road or other public way owned by the COUNTY, or any of its instrumentalities, the COUNTY agrees that it will take action necessary to require the removal or adjustment of any of the above described facilities as would conflict with the construction of the project. But the foregoing may not be a duty of the COUNTY since it shall become operative only after the DEPARTMENT has been unsuccessful in its efforts to provide for said removals or adjustments for the benefit of the COUNTY.

The foregoing does not apply to those utility facilities which are owned by the COUNTY or one of its instrumentalities, it being understood that the COUNTY has the duty to relocate or adjust such facilities, if required, provided the COUNTY is notified to do so by the DEPARTMENT with detailed advice as to this duty of the COUNTY; and

5. To maintain any frontage road to be constructed as part of the project; and

6. That after the project is completed and open to traffic, to accept for jurisdiction and maintenance such parts of any existing DEPARTMENT highway to be replaced by the project, as shown on the attached map; and

7. That the COUNTY will make no changes or alter any segment of a road on its road system that lies within the limits of the right of way acquired for any interchange to be constructed as part of the project and will not permit the installation or relocation of any utility facilities within the right of way of any such a segment of one of its roads without first obtaining the approval of the DEPARTMENT; and

8. That no provision hereof shall be construed as changing the maintenance responsibility of the COUNTY for such part of the project as may presently be on its highway, street, road or bridge system; and

9. That it is understood and agreed between the DEPARTMENT and the COUNTY that all traffic control signs for the control of traffic on a street under the jurisdiction of the COUNTY and located within the DEPARTMENT'S right of way shall be maintained and replaced by the COUNTY; and

10. That when traffic control devices for the direction or warning of traffic, lighting of roadways or signing, or any of them, which are operated or function by the use of electric current are constructed or installed as part of the project, they will be furnished with electricity and maintained by the COUNTY.

11. If, as a result of acquisition and use of right of way for the project, any structures that become in violation of a COUNTY setback/building line requirement, the COUNTY agrees to waive enforcement of the COUNTY setback/building line requirement and take other proper governmental action therefor.

The acceptance of this proposal shall be evidenced by the passage of a resolution, or by other proper governmental action, which shall incorporate this proposal verbatim, or by reference thereto. Thereafter, the DEPARTMENT will acquire the right of way and easements, construct the project and defend any inverse condemnation or damage civil

actions of which the Attorney General has received the notice and pleadings provided for herein.

The project plans hereinbefore identified by number and description are incorporated herein by reference and shall be considered a part of this proposal, including any revisions or amendments thereto, provided a copy of each is furnished the COUNTY.

IN WITNESS WHEREOF, the DEPARTMENT has caused this proposal to be executed by its duly authorized official on this ____ day of _____, 20____.

THE COUNTY OF BLOUNT

BY: _____
COUNTY MAYOR

DATE: _____

STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION

BY: _____
Gerald F. Nicely
Commissioner

DATE: _____

APPROVED AS TO FORM AND LEGALITY:

BY: _____
John Reinbold
General Counsel

DATE: _____

EXAMPLE

RESOLUTION 98-18

ACCEPTANCE OF THE PROPOSAL OF THE
TENNESSEE DEPARTMENT OF TRANSPORTATION
TO CONSTRUCT A PROJECT DESIGNATED AS
FEDERAL PROJECT NO. BR-STP-1 (79),
STATE PROJECT NO. 82002-2265-94,
SR-1 (US-11) OVER LITTLE CREEK (LM. 25.14)

WHEREAS, the Tennessee Department of Transportation has presented a Proposal to the City of Bristol, Tennessee, concerning Federal Project No. BR-STP-1 (79), State Project No. 82002-2265-94, which involves the replacement of West State Street (SR 1) Bridge Over Little Creek (LM 25.14); and

WHEREAS, the Bristol Tennessee City Council has determined that the above referenced project will benefit the City of Bristol, Tennessee and the citizens thereof; and

WHEREAS, the Bristol Tennessee City Council wishes to cooperate with the State of Tennessee, Department of Transportation, in its make road and bridge improvements in the City of Bristol, Tennessee; and

WHEREAS, said Proposal is incorporated herein by referenced, the same as if copied herein verbatim, with a copy of said Proposal attached hereto; and

WHEREAS, the terms and conditions of said Proposal to the City of Bristol as submitted by the State of Tennessee, Department of Transportation, are accepted and approved by the Bristol Tennessee City Council, and the City of Bristol shall fulfill all obligations concomitant thereto; now

THEREFORE, BE IT RESOLVED, by the Bristol Tennessee City Council that this resolution is duly passed and approved this 16th day of December 2007, and shall take affect from and after its passage.

Done this 16th day of December 2007.

MAYOR

ATTEST:

RECORDER

APPROVED FOR ENTRY:

CITY ATTORNEY

EXAMPLE

(865)594-2496



STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION
P. O. BOX 58
KNOXVILLE, TENNESSEE 37901

October 5, 2010

Honorable Ed Mitchell
County Mayor
Blount County Courthouse
341 Court Street
Maryville, TN 37804-5906

RE: PROPOSAL TO COUNTY OF BLOUNT

Federal Project No: HSIP-35(42)
State Project No: 05002-2237-94
S.R. 35 from West of Walnut Street to
Columbus Street
Blount County

Dear Mayor Mitchell:

Mr. Garnett Dill is handing you one (1) set of plans and two (2) copies of the proposal on the above referenced project. The state representative handing you the proposal will be willing to answer any questions you may have or obtain the answers for you.

Following acceptance, one (1) copy of the proposal should be returned to me accompanied by a certified copy of the resolution accepting the proposal. An example of a resolution with the necessary legal language is attached.

It is to be noted that we cannot begin buying the rights-of-way for this project until the county court has accepted the proposal and same has been reviewed and approved by our staff attorney. Therefore, your earliest attention to this matter will be appreciated.

We appreciate your cooperation and if we can be of assistance in any way, please do not hesitate to contact us.

Yours truly,

A handwritten signature in cursive script, appearing to read "Oliver C. Farris".

Oliver C. Farris
Transportation Manager 2
Right-of-Way Office

OCF/lb
Attachment

PROPOSAL
OF THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF TENNESSEE
TO THE COUNTY OF BLOUNT, TENNESSEE

The DEPARTMENT OF TRANSPORTATION of the State of Tennessee, hereinafter "DEPARTMENT", proposes to construct a project designated as No. HSIP-35(42); 05002-2237-94 that is described as S.R. 35 from West of Walnut Street to Columbus Street in the COUNTY of BLOUNT, hereinafter COUNTY, provided the COUNTY agrees to cooperate with the DEPARTMENT as set forth in this proposal, so that the general highway program may be carried out in accordance with the intent of the General Assembly of the State.

Accordingly, if the COUNTY will agree:

1. That in the event any civil actions in inverse condemnation or for damages are instituted by reason of the DEPARTMENT, or its contractor, going upon the highway right of way and easements, and constructing said project in accordance with the plans and as necessary to make the completed project functional, it will notify in writing the Attorney General of the State, whose address is 404 James Robertson Parkway, Nashville, Tennessee 37243-0487, of the institution of each civil action, the complaint and all subsequent pleadings, within ten (10) days after the service of each of the same, under penalty of defending such actions and paying any judgments which result therefrom at its own expense; and

2. To close or otherwise modify any of its roads or other public ways if indicated on the project plans, as provided by law; and

3. To transfer or cause to be transferred to the DEPARTMENT without cost to it, all land owned by the COUNTY or by any of its instrumentalities as required for right of way or easement purposes, provided such land is being used or dedicated for road or other public way purposes; and

4. Where privately, publicly or cooperatively owned utility lines, facilities and systems for producing, transmitting or distributing communications, power, electricity, light, heat, gas, oil, crude products, water, steam, waste, storm water not connected with highway drainage, and other similar commodities, including publicly owned facilities such as fire and police signal systems and street lighting systems are located within the right of way of any road or other public way owned by the COUNTY, or any of its instrumentalities, the COUNTY agrees that it will take action necessary to require the removal or adjustment of any of the above described facilities as would conflict with the construction of the project. But the foregoing may not be a duty of the COUNTY since it shall become operative only after the DEPARTMENT has been unsuccessful in its efforts to provide for said removals or adjustments for the benefit of the COUNTY.

The foregoing does not apply to those utility facilities which are owned by the COUNTY or one of its instrumentalities, it being understood that the COUNTY has the duty to relocate or adjust such facilities, if required, provided the COUNTY is notified to do so by the DEPARTMENT with detailed advice as to this duty of the COUNTY; and

5. To maintain any frontage road to be constructed as part of the project; and

6. That after the project is completed and open to traffic, to accept for jurisdiction and maintenance such parts of any existing DEPARTMENT highway to be replaced by the project, as shown on the attached map; and

7. That the COUNTY will make no changes or alter any segment of a road on its road system that lies within the limits of the right of way acquired for any interchange to be constructed as part of the project and will not permit the installation or relocation of any utility facilities within the right of way of any such a segment of one of its roads without first obtaining the approval of the DEPARTMENT; and

8. That no provision hereof shall be construed as changing the maintenance responsibility of the COUNTY for such part of the project as may presently be on its highway, street, road or bridge system; and

9. That it is understood and agreed between the DEPARTMENT and the COUNTY that all traffic control signs for the control of traffic on a street under the jurisdiction of the COUNTY and located within the DEPARTMENT'S right of way shall be maintained and replaced by the COUNTY; and

10. That when traffic control devices for the direction or warning of traffic, lighting of roadways or signing, or any of them, which are operated or function by the use of electric current are constructed or installed as part of the project, they will be furnished with electricity and maintained by the COUNTY.

11. If, as a result of acquisition and use of right of way for the project, any structures that become in violation of a COUNTY setback/building line requirement, the COUNTY agrees to waive enforcement of the COUNTY setback/building line requirement and take other proper governmental action therefor.

The acceptance of this proposal shall be evidenced by the passage of a resolution, or by other proper governmental action, which shall incorporate this proposal verbatim, or by reference thereto. Thereafter, the DEPARTMENT will acquire the right of way and easements, construct the project and defend any inverse condemnation or damage civil

actions of which the Attorney General has received the notice and pleadings provided for herein.

The project plans hereinbefore identified by number and description are incorporated herein by reference and shall be considered a part of this proposal, including any revisions or amendments thereto, provided a copy of each is furnished the COUNTY.

IN WITNESS WHEREOF, the DEPARTMENT has caused this proposal to be executed by its duly authorized official on this ____ day of _____, 20 ____.

THE COUNTY OF BLOUNT

BY: _____
COUNTY MAYOR

DATE: _____

STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION

BY: _____
Gerald F. Nicely
Commissioner

DATE: _____

APPROVED AS TO FORM AND LEGALITY:

BY: _____
John Reinbold
General Counsel

DATE: _____

Office of the

Obion County Clerk

2 Bill Burnett Circle, Union City, Tennessee 38261

(731) 885-3831

(731) 885-0945 fax

Vollie Boehms, County Clerk

Date: October 7, 2010
To: All County Clerks
From: Vollie J. Boehms, Obion County Clerk
Subject: Future Ethics Laws

The Obion County Legislative Body met in regular session the 20th day of September, 2010. Among other topics considered, the commissioners adopted a "RESOLUTION TO REQUIRE ALL FUTURE ETHICS LAWS APPLY TO BOTH STATE AND LOCAL GOVERNMENTS."

This resolution was originally adopted by the County Commission on the 20th day of January, 2009; however, the **new** commission wanted to re-iterate its stand on this issue, thereby, adopting the resolution over again.

I was instructed by my commission to forward a copy of the resolution to all county legislative bodies requesting their continued support in this effort by adopting similar resolutions of its own.

Please forward this to the Chairman of your Board of County Commissioners.

RESOLUTION
TO REQUIRE ALL FUTURE ETHICS LAWS
APPLY TO BOTH STATE AND LOCAL GOVERNMENTS

WHEREAS, the Tennessee General Assembly has the authority through its legislative posers to adopt legislation; and

WHEREAS, THE Tennessee General Assembly has previously adopted ethical laws and regulations that apply to local governments while exempting itself from the laws; and

WHEREAS, the Obion County Board of Commissioners finds it would be in the interest of its citizens to express its support for the adoption of legislation requiring any future ethical laws that may be adopted by the Tennessee General Assembly apply to both state and local governmental entities.

NOW, THEREFORE, BE IT RESOLVED by action of the Board of County Commissioners meeting in regular session this 20th day of September, 2010, Obion County expresses its support for the adoption of state legislation requiring any future ethical laws adopted by the Tennessee General Assembly apply to both state and local governmental entities;

BE IT FURTHER RESOLVED, that upon approval of this resolution and its signing, the Board of Commissioners directs the County Clerk's Office to mail a copy of this resolution to Obion County's State Representatives and State Senators.

Commission Action Taken: AYE: 19 NAY: 0 Pass: Absent: 2

PASSED 9/20/2010



Ralph Puckett, Chairman

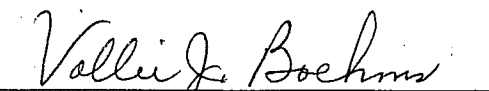
APPROVED 9/20/2010



Benny McGuire, County Mayor



ATTEST:



Vollie J. Boehms, County Clerk

Vollie Boehms
Obion County Clerk
2 Bld Burnett Circle
Union City, TN 38261

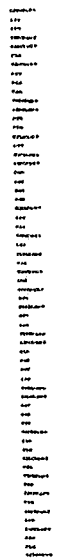
MEMPHIS TN 381



RECEIVED
OCT 12 2010
ROY D. CRAWFORD
Blount County Clerk

Roy Crawford, Jr.
Blount County Clerk
345 Court Street
Maryville, TN 37804

3780415306



RESOLUTION No. _____

Sponsored by Commissioners Steve Samples and Ron French

A RESOLUTION TO EXPRESS BLOUNT COUNTY'S SUPPORT OF LEGISLATION TO REQUIRE ALL FUTURE ETHICS LAWS APPLY TO BOTH STATE AND LOCAL GOVERNMENTS

BE IT RESOLVED, by the Board of Commissioners of Blount County, Tennessee, in session assembled this 18th day of December, 2008:

WHEREAS, the Tennessee General Assembly has the authority through its legislative powers to adopt legislation; and

WHEREAS, the Tennessee General Assembly has previously adopted ethical laws and regulations that apply to local county governments while exempting itself from the laws; and

WHEREAS, the Blount County Board of Commissioners finds it would be in the interest of its citizens to express its support for the adoption of legislation requiring any future ethical laws that may be adopted by the Tennessee General Assembly apply to both state and local governmental entities.

NOW, THEREFORE, BE IT RESOLVED, by action of the Board of Commissioners of Blount County, Tennessee, meeting in regular session, this the 18th day of December, 2008, that Blount County expresses its support for the adoption of state legislation requiring any future ethical laws adopted by the Tennessee General Assembly apply to both state and local governmental entities; and

BE IT FURTHER RESOLVED, that upon approval of this resolution and its signing, the Board of Commissioners directs the County Clerk to mail a copy of this resolution to Blount County's State Representatives and State Senator.

County Commissioner

County Commissioner

County Commissioner

County Commissioner

County Commissioner

County Commissioner

County Commissioner

County Commissioner

County Commissioner

County Commissioner

County Commissioner

County Commissioner

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County Commissioner

County Commissioner

County Commissioner

County Commissioner

County Commissioner

County Commissioner

County Commissioner

County Commissioner

CERTIFICATION OF ACTION

ATTEST

Steve Samples - Commission Chairman

Roy Crawford, Jr. - County Clerk

Approved: ____

Vetoed: ____

Jerry G. Cunningham - County Mayor

Date