

**STATE OF TENNESSEE  
COUNTY OF GREENE**

**GREENE COUNTY LEGISLATIVE BODY  
MONDAY, APRIL 20, 2015  
6:00 P.M.**

**The Greene County Legislative Body met in regular session on Monday, April 20, 2015, at the Greene County Courthouse.**

**Mayor called the meeting to order to transact business that is to lawfully come before the Honorable Body. Kristen Burkhart, Minister of Mt. Zion United Methodist Church, gave the invocation. Frank Waddell, Veteran of US Army Reserve, led the Pledge to the Flag.**

**The Commissioners signed in on their keypads and the following Commissioners were present: Commissioners Carpenter, Clemmer, Cobble, Collins, Hensley, Jennings, Kesterson, McAmis, Miller, Neas, Parton, Patterson, Peters, Quillen, Randolph, Seay, Shelton, Waddell, Waddle, and White. Commissioner Tucker was absent. There were 20 Commissioners present and 1 absent.**

## **PUBLIC HEARING**

- **Wendy Hankins spoke to Commissioners, requesting them to turn down the Resolution for regulations governing the County right-of-way. She stated that this would only result for a request for more money, more equipment, and will bring additional fees to the citizens of Greene County. Wendy Hankins also requested no more co-signing for additional debt for the Airport Authority. She also urged the Commission to take a close look at property tax revenues and how parcels are categorized.**
- **Scott Niles spoke concerning a request for a quitclaim deed from the county for a driveway currently shared with Dr. Charles Montgomery, Dr. Steven Perry and the Perry family.**
- **Attorney Jerry Laughlin spoke to the Commission, representing Dr. Montgomery, Dr. Perry and the Perry families. Mr. Laughlin objected to the county taking any action, saying it had been the long-time access for Dr. Montgomery to get into his property, and is currently also being used by the Perry Family.**

**County Attorney Roger Woolsey told the commission that the county has no jurisdiction to take any action in this matter. He stated, "There is no evidence that any of this road has been a county road." "A quitclaim offered by the county last year on the back portion of the road was allowable because property owners on the both sides signed an agreement." "A quitclaim deed declares that the county surrenders all interest and legal claim to the property, should any even exist."**

- **Commissioner Quillen called on Lee Becker to speak to the Commission, regarding animals chained outside without water, food or shelter. She called on the county to change laws regarding treatment of animals and to bring in money for the Greene County Animal Control through animal registration.**
- **Commissioner Carpenter called on Diane McMahan to speak to the Commission, regarding her desire to see other ambulance companies operate in Greene County. She said her 2-year-old grandson did not receive the care he needed during a transport in which a hospital had called for an advanced life support for LifeCare. Instead, Mrs. McMahan said her grandson received a basic life support ambulance from Greene County-Greeneville EMS because the county has barred other ambulance services from operating in Greene County.**

## **APPROVAL OF PRIOR MINUTES**

**A motion was made by Commisioner Carpenter and seconded by Commissioner Clemmer to approve the prior minutes.**

**Mayor Crum called the Commissioners to vote on their keypads. The following vote was taken to approve the prior minutes. Commissioners Carpenter, Clemmer, Cobble, Collins, Hensley, Jennings, Kesterson, McAmis, Miller, Neas, Parton, Patterson, Peters, Quillen, Randolph, Seay, Shelton, Waddell, Waddle, and White voted yes to approve the prior minutes. The vote was 20 – aye; 0 – nay; and 0 – absent. Mayor Crum stated that the minutes were approved. Commissioner Tucker was absent.**

## **REPORTS**

**A motion was made by Commissioner Quillen and seconded by Commissioner Waddell to approve the Solid Waste Report and the Committee Minutes.**


**Mayor Crum then called the Commissioners to vote on their keypads. The following vote was taken: Commissioners Carpenter, Clemmer, Cobble, Collins, Hensley, Jennings, Kesterson, McAmis, Miller, Neas, Parton, Patterson, Peters, Quillen, Randolph, Seay, Shelton, Waddell, Waddle, and White voted yes. The vote was 20 – aye; 0 – nay; and 0 – absent. The motion to approve the Solid Waste Report and the Committee Minutes passed. Commissioner Tucker was absent.**

## **A MOTION TO APPROVE NOTARIES**

**Mayor Crum asked for the County Clerk Lori Bryant to read the list of names requesting to be Notaries to the Commission. A motion was made by Commissioner Clemmer and seconded by Commissioner Parton to approve the list. Mayor asked if there were any discussions. Mayor Crum called for the Commissioners to vote on their keypads. The following vote was taken: Commissioner Carpenter, Clemmer, Cobble, Collins, Hensley, Jennings, Kesterson, McAmis, Miller, Neas, Parton, Patterson, Peters, Quillen, Randolph, Seay, Shelton, Waddell, and Waddle voted yes. Commissioner White abstained and Commissioner Tucker was absent. The vote was 19 – aye; 0 – nay; 1 – abstain; and 1 – absent. The Commissioners voted in favor of the motion to approve the notaries.**

CERTIFICATE OF ELECTION OF NOTARIES PUBLIC  
AS A CLERK OF THE COUNTY OF GREENE, TENNESSEE I HEREBY CERTIFY TO  
THE SECRETARY OF STATE THAT THE FOLLOWING WERE ELECTED TO THE OFFICE OF  
NOTARY PUBLIC DURING THE APRIL 20, 2015 MEETING OF THE GOVERNING BODY:

NAME	HOME ADDRESS	HOME PHONE	BUSINESS ADDRESS	BUSINESS PHONE	SURETY
1. WILLIAM L BABB	925 IRON BRIDGE RD MOSHEIM TN 37818	423-237-8960	1255 E ANDREW JOHNSON HIGHWAY GREENEVILLE TN 37745	423-638-1194	
2. PATSY F CARROLL	170 VELDT LANE AFTON TN 37616	423-636-1040	3634 E ANDREW JOHNSON HWY GREENEVILLE TN 37745	423-639-6131	MCINTURFF, MILLIGAN & BROOKS
3. PAULA GAIL CHANDLER	2240 BIBLES CHAPEL RD MIDWAY TN 37809	423-523-1505	200 N COLLEGE ST GREENEVILLE TN 37745	423-639-7105	
4. ANGELA LOIS EBBERT	310 BROWN AVE GREENEVILLE TN 37743	--	110 N. COLLEGE STREET GREENEVILLE TN 37743	--	
5. DON EDWARD KIEFFER	260 HENRY LN BULLS GAP TN 37711	585-739-0814	1431 VOLUNTEER PARKWAY BRISTOL TN 37620	423-652-8520	
6. DEBORAH ANN LEWELLEN	390 KISER LOOP GREENEVILLE TN 37745	329-4652	390 KISER LOOP GREENEVILLE TN 37743	329-4652	
7. MELISSA KAY MCMURRAY	7040 BLUE SPRINGS PKWY B-11 MOSHEIM TN 37818	--	126 FAIRGROUNDS CIRCLE GREENEVILLE TN 37745	423-422-1601	MIDWAY CONSTRUCTION COMPANY
8. OLIVE GAYLE MCPHERSON	790 GFELLERS RD CHUCKEY TN 37641	423-571-1654	790 GFELLERS RD CHUCKEY TN 37641	423-257-8904	
9. RACHEL J MORRISON	1340 BABBS MILL RD AFTON TN 37616	--	2612 N ROAN ST JOHNSON CITY TN 37604	--	
10. LINDA JEAN REYNOLDS	1135 LITTLE INDIAN CREEK GREENEVILLE TN 37745	620-1504	1135 LITTLE INDIAN CREEK GREENEVILLE TN 37743		
11. JODIE M. RICKER	134 SHANE STREET GREENEVILLE TN 37743	423-972-8054	129 WEST DEPOT STREET, SUITE 1 GREENEVILLE TN 37743	423-636-1301	
12. CANDIDA SPILLMAN	150 STILLS ROAD GREENEVILLE TN 37743	423-470-1579	1104 TUSCULUM BLVD., STE. 301 GREENEVILLE TN 37745	423-638-2100	
13. MELISSA ANNA WHITE	595 CHARLIE DOTY RD GREENEVILLE TN 37745	423 972 7895	1416 BAILEYTON MAIN ST GREENEVILLE TN 37745	423 234 2384	
14. AMY R WISE	2330 E AJ HWY GREENEVILLE TN 37745	423-787-7730	2330 E AJ HWY GREENEVILLE TN 37745	423-787-7730	

  
SIGNATURE  
CLERK OF THE COUNTY OF GREENE, TENNESSEE  
4/7/15  
DATE

**A. A RESOLUTION TO AMEND THE 2015 FISCAL YEAR OTHER  
CAPITAL PROJECTS FUND TO BUDGET FOR A ONE TIME  
CONTRIBUTION IN THE AMOUNT OF \$4,492 TO THE  
BOYS AND GIRLS OF GREENEVILLE**

**A motion was made by Commissioner Patterson and seconded by Commissioner Waddle to approve a resolution to amend the 2015 fiscal year other capital projects fund to budget for a one time contribution in the amount of \$4,492 to the Boys and Girls of Greeneville.**

**Mayor Crum called the Commissioners to vote on their keypads. The following vote was taken: Commissioners Carpenter, Clemmer, Cobble, Collins, Hensley, Jennings, Kesterson, McAmis, Miller, Neas, Parton, Patterson, Peters, Quillen, Randolph, Seay, Shelton, Waddell, Waddle, and White voted yes. The vote was 20 – aye; 0 – nay; and 1 – absent. Commissioner Tucker was absent. The Commissioners voted in favor of the motion to approve the resolution.**

**B. A RESOLUTION TO IMPOSE A LICENSE FEE ON ALL  
CANINE AND FELINE RABIES VACCINATIONS AND TO ESTABLISH  
A RESTRICTED ACCOUNT IN THE GENERAL FUND FOR REVENUES PAID  
BY PARTICIPANTS TO GREENE COUNTY ANIMAL CONTROL**

**A motion was made by Commissioner Jennings and seconded by Commissioner Quillen to amend to include Cats (FELINE) to approve a resolution to impose a license on all canine and feline rabies vaccinations and to establish a restricted account in the general fund for revenues paid by participants to Greene County Animal Control.**

**Mayor Crum then called the Commissioners to vote on their keypads. The following vote was taken: Commissioners Carpenter, Clemmer, Collins, Hensley, Jennings, Kesterson, McAmis, Neas, Parton, Patterson, Peters, Quillen, Randolph, Seay, Shelton, Waddell, Waddle, and White voted yes. Commissioners Cobble, and Miller voted no. The vote was 18 – aye; 2 – nay; and 1 absent. Commissioner Tucker was absent. The Commissioners voted in favor to amend the motion to include Cats (FELINE) to the Resolution.**



**A motion was made by Commissioner Quillen and seconded by Commissioner Carpenter to approve the motion as amended to the resolution to impose a license fee on all canine and feline rabies vaccinations and to establish a restricted account in the general fund for revenues paid by participants to Greene County Animal Control.**

**Mayor Crum then called the Commissioners to vote on their keypads. The following vote was taken: Commissioners Carpenter, Collins, Hensley, Kesterson, McAmis, Miller, Neas, Parton, Patterson, Peters, Quillen, Randolph, Seay, Shelton, Waddell, and White voted yes. Commissioners Clemmer, Cobble, Jennings, and Waddle voted no. The vote was 16 – aye; 4 – nay; and 1 – absent. Commissioner Tucker was absent. The Commissioners voted in favor of the motion as amended to the resolution passed.**

**C. A RESOLUTION TO AMEND THE 2015 FISCAL YEAR  
GENERAL FUND'S BUDGET BY \$523 PROCEEDS FROM THE SALE  
OF VEHICLES TO THE GREENE COUNTY  
EMERGENCY MANAGEMENT AUTHORITY**

**A motion was made by Commissioner Peters and seconded by Commissioner Clemmer to approve a resolution to amend the 2015 year General Fund's Budget by \$523 proceeds from the sale of vehicles to the Greene County Emergency Management Agency.**

**Mayor Crum then called the Commissioners to vote on their keypads. The following vote was taken: Commissioners Carpenter, Clemmer, Cobble, Collins, Hensley, Jennings, Kesterson, McAmis, Miller, Neas, Parton, Patterson, Peters, Quillen, Randolph, Seay, Shelton, Waddell, and White voted yes. Commissioner Waddle voted no.**

**The vote was 19 – aye; 1 – nay; and 1 – absent. Commissioner Tucker was absent.**

**The Commissioners voted in favor of the motion to approve the resolution.**

**D. A RESOLUTION AUTHORIZING THE TOWN OF GREENEVILLE  
TO MAKE APPLICATION FOR A PERMIT TO PROCESS LATEX PAINT**

**A motion was made by Commissioner Quillen and seconded by Commissioner Collins to approve a resolution authorizing the Town of Greeneville to make application for a permit to process latex paint.**

**Mayor Crum then called the Commissioners to vote on their keypads. The following was taken: Commissioners Carpenter, Clemmer, Cobble, Collins, Hensley, Jennings, Kesterson, McAmis, Miller, Neas, Parton, Patterson, Peters, Quillen, Randolph, Seay, Shelton, Waddell, Waddle, and White voted yes. The vote was 20 – aye; 0 – nay; and 1 – absent. Commissioner Tucker was absent. The Commissioners voted in favor of the motion to approve the resolution.**

**E. A RESOLUTION TO BUDGET FOR A TOBACCO SETTLEMENT  
PROJECT GRANT IN THE AMOUNT OF \$54,000 FROM THE  
TENNESSEE DEPARTMENT OF HEALTH FOR THE FISCAL YEAR  
ENDING JUNE 30, 2015**

**A motion was made by Commissioner Patterson and seconded by Commissioner Waddell to approve a resolution to budget for a tobacco settlement project grant in the amount of \$54,000 from the Tennessee Department of Health for the fiscal year ending June 30, 2015.**

**Mayor Crum then called the Commissioners to vote on their keypads. The following vote was taken: Commissioners Carpenter, Clemmer, Cobble, Collins, Hensley, Jennings, Kesterson, McAmis, Miller, Neas, Parton, Patterson, Peters, Quillen, Randolph, Seay, Shelton, Waddell, Waddle, and White voted yes. The vote was 20 – aye; 0 – nay; and 0 – absent. Commissioner Tucker was absent. The Commissioners voted in favor of the motion to approve the resolution.**

**F. A RESOLUTION TO AMEND THE 2015 FISCAL YEAR  
GENERAL FUND'S UNSASSIGNED FUND BALANCE TO PAY  
FOR COMPETENCY EVALUATIONS OF DEFENDANTS WITH  
MISDEMEANOR CHARGES**

**A motion was made by Commissioner Waddell and seconded by Commissioner Peters to approve a resolution to amend the 2015 fiscal year general fund's budget by \$24,000 from the general fund's unassigned fund balance to pay for competency evaluations of defendants with misdemeanor charges.**

**Mayor Crum then called the Commissioners to vote on their keypads. The following vote was taken: Commissioners Carpenters, Clemmer, Cobble, Collins, Hensley, Jennings, Kesterson, McAmis, Miller, Neas, Parton, Patterson, Peters, Quillen, Randolph, Seay, Shelton, Waddell, Waddle, and White voted yes. The vote was 20 – aye; 0 – nay; and 1 – absent. Commissioner Tucker was absent. The Commissioners voted in favor of the motion to approve the resolution.**

**G. A RESOLUTION TO AMEND THE 2015 FISCAL YEAR  
GENERAL FUND'S BUDGET BY \$1909 FOR DONATIONS AND PROCEEDS  
FROM THE SALE OF VEHICLES TO THE  
GREENE COUNTY SHERIFF'S DEPARTMENT**

**A motion was made by Commissioner Patterson and seconded by Commissioner Clemmer to approve a resolution to amend the 2015 fiscal year general fund's budget by \$1909 for donations and proceeds from the sale of vehicles to the Greene County Sheriff's Department.**

**Mayor Crum then called the Commissioners to vote on their keypads. The following vote was taken: Commissioners Carpenter, Clemmer, Cobble, Collins, Hensley, Jennings, Kesterson, McAmis, Miller, Neas, Parton, Patterson, Peters, Quillen, Randolph, Seay, Shelton, Waddell, and White voted yes. Commissioner Waddle voted no. The vote was 19 – aye; 1 – nay; and 1 – absent. Commissioner Tucker was absent. The Commissioners voted in favor of the motion to approve the resolution.**

**H. A RESOLUTION TO AMEND THE 2015 FISCAL YEAR  
HIGHWAY FUND'S TO BUDGET AMOUNTS TOTALING \$42,610  
FOR INSURANCE RECOVERY PROCEEDS, RECOVERY FROM  
DAMAGED ROADS BY UTILITY DISTRICTS AND FROM THE SALE  
OF RECYCLED MATERIALS AND SUPPLIES**

**A motion was made by Commissioner White and seconded by Commissioner Quillen to approve a resolution to amend the 2015 fiscal year Highway fund's to budget amounts totaling \$42,610 for insurance recovery proceeds, recovery from damaged roads by utility districts and from the sale of recycled materials and supplies.**

**Mayor Crum then called the Commissioners to vote on their keypads. The following voted was taken: Commissioners Carpenter, Clemmer, Cobble, Collins, Hensley, Jennings, Kesterson, McAmis, Miller, Neas, Parton, Patterson, Peters, Quillen, Randolph, Seay, Shelton, Waddell, and White voted yes. Commissioner Waddle voted no. The vote was 19 – aye; 1 – nay; and 1 – absent. Commissioner Tucker was absent. The Commissioners voted in favor of the motion to approve the resolution.**

**I. A RESOLUTION TO BUDGET FUNDS TOTALING \$190,000  
FROM THE GREENE COUNTY HIGHWAY DEPARTMENT'S  
UNASSIGNED BALANCE FUND TO VARIOUS ACCOUNTS AS MID-YEAR  
ADJUSTMENTS FOR FISCAL YEAR ENDING JUNE 30, 2015**

**A motion was made by Commissioner Collins and seconded by Commissioner Quillen to approve a resolution to budget funds totaling \$190,000 from the Greene County Highway Department's unassigned balance fund to various accounts as mid-year adjustments for fiscal year ending June 30, 2015.**

**Mayor Crum then called the Commissioners to vote on their keypads. The following vote was taken: Commissioners Carpenter, Clemmer, Cobble, Collins, Hensley, Jennings, Kesterson, McAmis, Miller, Neas, Parton, Patterson, Peters, Quillen, Randolph, Seay, Shelton, Waddell, Waddle, and White voted yes. The vote was 20 – aye; 0 – nay; and 1 – absent. Commissioner Tucker was absent. The Commissioners voted in favor of the motion to approve the resolution.**



**J. A RESOLUTION TO CHANGE THE ROAD LENGTH  
OF WILLIAMS SPRING ROAD (FIRST READING)**

**A motion was made by Commissioner Quillen and seconded by Commissioner White to approve a resolution to change the road length of Williams Spring Road (First Reading).**

**Mayor Crum then called the Commissioners to vote on their keypads. The following vote was taken: Commissioners Carpenter, Clemmer, Cobble, Collins, Hensley, Jennings, Kesterson, McAmis, Miller, Neas, Parton, Patterson, Peters, Quillen, Randolph, Seay, Shelton, Waddell, Waddle, and White voted yes. The vote was 20 – aye; 0 – nay; and 1 – absent. Commissioner Tucker was absent. The Commissioners voted in favor of the motion to approve the resolution.**

**K. A RESOLUTION TO REMOVE WEST GREENE DRIVE FROM THE  
OFFICIAL GREENE COUNTY ROAD LIST (FIRST READING)**

**A motion was made by Commissioner White and seconded by Commissioner Waddell to approve a resolution to remove West Greene Drive from the official Greene County road list (First Reading).**

**Mayor Crum then called the Commissioners to vote on their keypads. The following vote was taken: Commissioners Carpenter, Clemmer, Cobble, Collins, Hensley, Jennings, Kesterson, McAmis, Miller, Neas, Parton, Patterson, Peters, Quillen, Randolph, Seay, Shelton, Waddell, Waddle, and White voted yes. The vote was 20 – aye; 0 – nay; and 1- absent. Commissioner Tucker was absent. The Commissioners voted in favor of the motion to approve the resolution.**

**L. A RESOLUTION TO REMOVE PIN OAK DRIVE FROM THE  
OFFICIAL GREENE COUNTY ROAD LIST (FIRST READING)**

**A motion was made by Commissioner White and seconded by Commissioner Waddell to approve a resolution to remove Pin Oak Drive from the official Greene County road list (First Reading).**

**Mayor Crum then called the Commissioners to vote on their keypads. The following vote was taken: Commissioners Carpenter, Clemmer, Cobble, Collins, Hensley, Jennings, Kesterson, McAmis, Miller, Neas, Parton, Patterson, Peters, Quillen, Randolph, Seay, Shelton, Waddell, Waddle, and White voted yes. The vote was 20 – aye; 0 – nay; and 1 – absent. Commissioner Tucker was absent. The Commissioners voted in favor of the motion to approve the resolution.**

**M. A RESOLUTION TO REMOVE SERRAL DRIVE FROM THE  
OFFICIAL GREENE COUNTY ROAD LIST (FIRST READING)**

**A motion was made by Commissioner Waddell and seconded by Commissioner White to approve a resolution to remove Serral Drive from the Greene County road list (First Reading).**

**Mayor Crum then called the Commissioners to vote on their keypads. The following vote was taken: Commissioners Carpenter, Clemmer, Cobble, Collins, Hensley, Jennings, Kesterson, McAmis, Miller, Neas, Parton, Patterson, Peters, Quillen, Randolph, Seay, Shelton, Waddell, Waddle, and White voted yes. The vote was 20 – aye; 0 – nay; and 1 – absent. Commissioner Tucker was absent. The Commissioners voted in favor of the motion to approve the resolution.**

**Mayor Crum called for a 10 minute break at 7:10 P.M.**

**N. A RESOLUTION ADOPTING REGULATIONS GOVERNING  
THE USE OF THE COUNTY RIGHT-OF-WAY**

A motion was made by Commissioner White and seconded by Commissioner Waddell to approve a resolution adopting regulations governing the use of the County right-of-way.

Bill Carroll, General Manager of Greeneville Light and Power, Eric Frye, Greeneville Water Department Supervisor and Glen Hills Utility District System Engineer, Bob Colvin, all had a chance to speak to the Commission concerning their objection to the additional regulations. They objected to paying the permit, dealing with the proposed paperwork and the general complexity of the 14-page regulation proposal.

Mayor Crum then called the Commissioners to vote on their keypads. The following voted was taken: Commissioners Collins, McAmis, Patterson, Peters, Quillen, Randolph, Seay, Waddell, Waddle, and White voted yes. Commissioners Carpenter, Clemmer, Cobble, Hensley, Jennings, Kesterson, Miller, Neas, Parton, and Shelton voted no. The vote was 10 – aye; 10 – nay; and 1 – absent. Mayor Crum broke the tie in favor of the regulations, noting the ability for the Commission to change them again should they not prove to be workable for the utilities and highway department. Commissioner Tucker was absent. The Commissioners and Mayor Crum voted in favor of the motion to approve the resolution.

## **OTHER BUSINESS**

**Sheriff Pat Hankins gave an update from the Sheriff's Department in which Kim Gass, Supervisor for Adult Education for the Greeneville City School, spoke to the Commission regarding a program working with the inmates. The program will help the inmates have Hope again after leaving jail by receiving further education and finding employment for the future.**

## **ADJOURNMENT**

**The motion was made by Commissioner Waddell and seconded by Commissioner White to adjourn the April Commission meeting.**

**Mayor Crum asked Commissioner McAmis to close the Commission meeting in Prayer.**

**A RESOLUTION TO AMEND THE 2015 FISCAL YEAR  
OTHER CAPITAL PROJECTS FUND TO BUDGET  
FOR A ONE TIME CONTRIBUTION IN THE AMOUNT OF \$4,492  
TO THE BOYS AND GIRLS CLUB OF GREENEVILLE**

**WHEREAS,** the Boys and Girls Club of Greeneville/Greene County acquired property, by gift, located on Bohannon Avenue during 2012; and

**WHEREAS,** the future planned use of the property by the Boys and Girls Club required that the buildings located on the property be demolished, and tipping fees must be paid due to that demolition, which have totaled \$8,618 and

**WHEREAS,** the Boys and Girls Club provides valuable services to the youth of Greeneville and Greene County through their many recreational and cultural activities, and

**WHEREAS,** the Boys and Girls Club each year has paid considerable amounts for property taxes to the City and County since February 2013 and has had no use of the property, and

**WHEREAS,** it is in the best interest of Greene County to make a one-time contribution to the Boys and Girls Club equal to one half of the total tipping fees in the amount of \$4,492 for the restricted purpose of paying tipping fees incurred during demolition of the property on Bohannon Avenue, and

**WHEREAS,** the Other Capital Projects Fund is funded by Hotel/Motel Tax to be utilized for recreation and performing arts activities, and has available funds to be allocated to the Boys and Girls Club of Greeneville/Greene County and

**THEREFORE,** let the Other Capital Projects Fund budget be amended as follows:

**INCREASE THE BUDGETED RESTRICTED FUND BALANCE**

39000	RESTRICTED FUND BALANCE	\$ 4,492
	Total Adjustment to Budgeted Fund Balance	<u><u>\$ 4,492</u></u>

**INCREASE APPROPRIATIONS**

91150	Social, Cultural, and Recreation Projects	
316	Contributions	\$ 4,492
	Total Increase in Appropriations	<u><u>\$ 4,492</u></u>

A



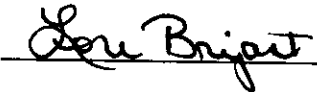
**NOW, THEREFORE;** be it resolved by the Greene County Legislative Body meeting in regular session this 20<sup>th</sup> day of April, 2015, a quorum being present and a majority voting in the affirmative, that the budget be amended as above.



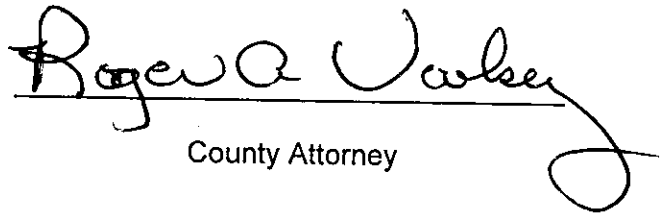
County Mayor

Budget and Finance Committee

Sponsor



County Clerk



County Attorney

**A RESOLUTION TO IMPOSE A LICENSE FEE ON ALL CANINE AND FELINE  
RABIES VACCINATIONS AND TO ESTABLISH A RESTRICTED ACCOUNT IN  
THE GENERAL FUND FOR REVENUES PAID BY PARTICIPANTS TO GREENE  
COUNTY ANIMAL CONTROL**

WHEREAS, The State of Tennessee requires all pet owners to maintain current rabies vaccinations on their canines and felines; Greene County Animal Control is responsible for distributing rabies tags, collecting the rabies tickets from the veterinarians, collecting unused rabies tags at year end, and maintaining a record of the administered vaccinations, and

WHEREAS, In order for Greene County Animal Control to improve the health, welfare and safety of its citizens and their pets through improved facilities and equipment, the Animal Control Committee is proposing a one dollar (\$1.00) license fee to be collected for every canine and feline rabies vaccination/tag issued. This fee shall be the same for either a one year or three year rabies vaccination. Each veterinarian shall collect the fee at the time of service. The revenues will be collected monthly from the veterinarians' offices by an officer of the Greene County Animal Control to be deposited into a restricted account in the General Fund for capital improvements for the Animal Control Department, and

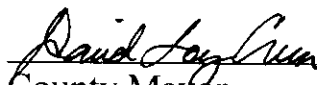
WHEREAS, The restricted account will be used solely for capital expenditures, with an expected life expectancy of five years or greater for the Greene County Animal Control Department such as the purchase of vehicles, land improvements, and major building repairs/improvements.

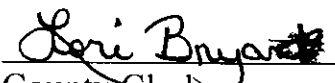
NOW, THEREFORE BE IT RESOLVED, by the Greene County Legislative Body, meeting in regular session on this the 20<sup>th</sup> day of April, 2015, a quorum being present and a majority voting in the affirmative, that a license fee be imposed of one dollar for each rabies vaccination/tag (one or three year) on any canine or feline in Greene county with those revenues collected as described above and used solely for capital expenditures for the Animal Control Department.

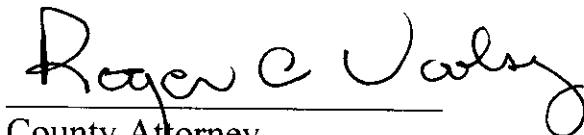
BE IT FUTHER RESOLVED that the Budget Director shall establish a restricted account in the General Fund to collect all revenues generated by the license fee above established beginning May 1, 2015.

**Roger A. Woolsey**  
County Attorney  
204 N. Cutler St.  
Suite 120  
Greeneville, TN 37745  
Phone: 423/798-1779  
Fax: 423/798-1781

Animal Control Committee  
Sponsor

  
County Mayor

  
County Clerk

  
County Attorney

**A RESOLUTION TO AMEND THE 2015 FISCAL YEAR GENERAL FUND'S  
BUDGET BY \$523 PROCEEDS FROM THE SALE OF VEHICLES  
TO THE GREENE COUNTY EMERGENCY MANAGEMENT AUTHORITY**

**WHEREAS**, the Greene County Emergency Management Authority. has received proceeds from the sale of a 1981 Chevrolet Van totaling \$523 and;

**WHEREAS**, the Emergency Management Director. wishes to expend those funds during the fiscal year and

**THEREFORE**, let the General Fund budget be amended as follows:

**INCREASE BUDGETED REVENUES**

44530	Sale of Equipment	523
Total adjustment to budgeted revenue:		<u>\$ 523</u>

**INCREASE APPROPRIATIONS**

54410	Civil Defense	
599	Other Charges	\$ 523
Total Increase in Appropriations		<u><u>\$ 523</u></u>

**NOW, THEREFORE;** be it resolved by the Greene County Legislative Body meeting in regular session this 20th day of April, 2015, a quorum being present and a majority voting in the affirmative, that the budget be amended as above.

David Lee Cum  
County Mayor

Levi Bryant  
County Clerk

Budget and Finance Committee

Sponsor  
Roger C. Walsh  
County Attorney

C.

## **A RESOLUTION AUTHORIZING THE TOWN OF GREENEVILLE TO MAKE APPLICATION FOR A PERMIT TO PROCESS LATEX PAINT**

WHEREAS, the Greene County /Greeneville Transfer Station and Landfill previously possessed a permit to process latex paint at Greeneville's former waste transfer station building; and

WHEREAS, when the operation of the transfer station and landfill was transferred to Waste Industries, the Town's permit for processing latex paint lapsed; and

WHEREAS, the Town of Greeneville is in the process of requesting a new permit to operate a processing facility for the processing and disposal of latex paint at Greeneville's former waste transfer station building (which is at the same location as the Greene County/Greeneville Transfer Station and Landfill); and

WHEREAS, the governing bodies of Greene County and the Town of Greeneville must specifically authorize and approve the application for a permit to operate a processing facility for latex paint in the town and county; and

WHEREAS, currently the County as well as the Town is authorized and permitted to operate collection sites to collect latex paint and oil based paint, but in order to process and dispose of latex paints, the Town of Greeneville and/or Greene County is required to make application for a permit to process and dispose of latex paint subject to approval by the State of Tennessee; and

WHEREAS, it is in the best interests of the citizens of Greene County for the Town of Greeneville and Greene County to approve and authorize the Town of Greeneville to apply for a permit to operate a facility to process and dispose of latex paint; and

**D**

**Roger A. Woolsey**  
County Attorney  
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Suite 120  
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Phone: 423/798-1779  
Fax: 423/798-1781

WHEREAS, a valid permit to process latex paint is required by the State for the County to be eligible to hold annual household hazardous waste collections.

NOW, THEREFORE, BE IT RESOLVED, by the Greene County Legislative Body meeting in regular session on the 20<sup>th</sup> day of April, 2015, a quorum being present and a majority voting in the affirmative, that the Town of Greeneville be authorized and directed to make application for a permit with the State of Tennessee to operate a processing facility for latex paint at Greeneville's former waste transfer station building located at 155 Old Stage Road, Greeneville, TN.

Brad Peters  
Sponsor

David L. Linn  
County Mayor

Leri Bryant  
County Clerk

Roger A. Woolsey  
County Attorney

**Roger A. Woolsey**  
County Attorney  
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Greeneville, TN 37745  
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Fax: 423/798-1781

**A RESOLUTION TO BUDGET FOR A TOBACCO SETTLEMENT PROJECT  
GRANT IN THE AMOUNT OF \$54,000 FROM THE TENNESSEE DEPARTMENT  
OF HEALTH FOR THE FISCAL YEAR ENDING JUNE 30, 2015.**

**WHEREAS,** the Tennessee Department of Health has awarded a grant for the second year to the Greene County Health Department to provide funds for the project to educate and improve understanding of the Greene County residents on the hazards of tobacco use and second hand smoke to infants, children and adults. The grant will provide funds to implement determined projects and programs. The first is smoking cessation program for pregnant mothers offered at the Health Department. The second project is titled Gold Sneaker Project and will promote the program to potential child care facilities. The third is a media/community campaign to blanket the County with a community wide second hand smoke exposure prevention campaign.

**WHEREAS,** the total amount of funds allocated to Greene County for this project is \$54,000 and will be used to provide funding for supplies, conferences and meetings, and specific assistance to individuals and organizations.

**THEREFORE,** let the General Fund budget be amended as follows:

**INCREASE ESTMATED REVENUE:**

46190	Other State of Tenn General Government Grants	\$ 54,000
<b>Total increase to estimated revenue:</b>		<u><u>\$ 54,000</u></u>

**INCREASE IN APPROPRIATIONS:**

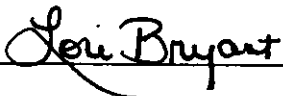
55900	Other Public Health And Welfare	
429	Instructional Supplies and Materials	\$ 16,500
356	Tuition (conferences and meetings)	1,000
499	Other Supplies and Materials	\$ 24,500
399	Other Contracted Services	<u>12,000</u>
<b>Total Increase in Appropriations</b>		<u><u>\$ 54,000</u></u>

E.

**NOW, THEREFORE;** be it resolved by the Greene County Legislative Body meeting in regular session this 20<sup>th</sup> day of April, 2015, a quorum being present and a majority voting in the affirmative, that the budget be amended as above.

  
County Mayor

Budget and Finance Committee  
Sponsor

  
County Clerk

  
County Attorney

**A RESOLUTION TO AMEND THE 2015 FISCAL YEAR GENERAL FUND'S  
BUDGET BY \$24,000 FROM THE GENERAL FUND'S UNASSIGNED  
FUND BALANCE TO PAY FOR COMPETENCY EVALUATIONS OF  
DEFENDENTS WITH MISDEMEANOR CHARGES**

**WHEREAS**, pursuant to T.C.A. 33-7-304, when the Greene County System determines that it is necessary for the court to issue an order for inpatient evaluation to make a determination of the defendant's competency to stand trial or to determine his/her mental condition at the time of the alleged offense, the costs of that evaluation is the responsibility of Greene County when that defendant's charge is a misdemeanor, and

**WHEREAS**, the Greene County General Sessions Court does not have, in the current budget, funds available to meet the obligations related to such competency evaluations, and

**THEREFORE**, let the Greene County General Fund Budget be amended as follows:

**INCREASE BEGINNING BUDGETED GENERAL FUND BALANCE**

39000	Unassigned Fund Balance	24,000
	Total adjustment to beginning budgeted fund balance	<u>\$ 24,000</u>

**INCREASE APPROPRIATIONS**

53300	General Sessions Court	
309	Contracts with Government Agencies	\$ 24,000
	Total Increase in Appropriations	<u>\$ 24,000</u>

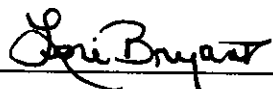
**NOW, THEREFORE**; be it resolved by the Greene County Legislative Body meeting in regular session this 20<sup>th</sup> day of April, 2015, a quorum being present and a majority voting in the affirmative, that the budget be amended as above.



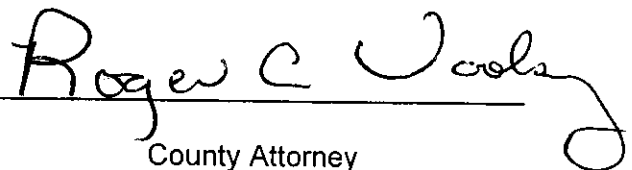
County Mayor

Budget and Finance Committee

Sponsor



County Clerk



County Attorney

F.



**A RESOLUTION TO AMEND THE 2015 FISCAL YEAR  
GENERAL FUND'S BUDGET BY \$1,909 FOR DONATIONS  
AND PROCEEDS FROM THE SALE OF VEHICLES  
TO THE GREENE COUNTY SHERIFF'S DEPARTMENT**

**WHEREAS**, the Greene County Sheriff's Dept. has received a donation totaling \$109 from Mt. Zion United Methodist Church during the current fiscal year, and;

**WHEREAS**, the Greene County Sheriff's Dept. has received proceeds from the sale of a 2005 Chevy Impala totaling \$1,800, and;

**WHEREAS**, the Sheriff Dept. wishes to expend those funds during the fiscal year and

**THEREFORE**, let the General Fund budget be amended as follows:

**INCREASE BUDGETED REVENUES**

48610	Donations	\$ 109
44530	Sale of Equipment	<u>1,800</u>
Total adjustment to budgeted revenue:		<u><u>\$ 1,909</u></u>

**INCREASE APPROPRIATIONS**

54110	Sheriff's Department.	
711	Furniture & Fixtures	\$ 109
54120	Special Patrols	
716	Law Enforcement Equipment	<u>1,800</u>
Total Increase in Appropriations		<u><u>\$ 1,909</u></u>

**NOW, THEREFORE**; be it resolved by the Greene County Legislative Body meeting in regular session this 20th day of April, 2015, a quorum being present and a majority voting in the affirmative, that the budget be amended as above.

  
\_\_\_\_\_  
County Mayor

  
\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
Budget and Finance Committee

Sponsor  
  
\_\_\_\_\_  
County Attorney

G

**A RESOLUTION TO AMEND THE 2015 FISCAL YEAR  
HIGHWAY FUND'S TO BUDGET AMOUNTS TOTALING  
\$42,610 FOR INSURANCE RECOVERY PROCEEDS,  
RECOVERY FROM DAMAGED ROADS BY UTILITY DISTRICTS  
AND FROM THE SALE OF RECYCLED MATERIALS AND  
SUPPLIES**

**WHEREAS,** the Greene County Highway Fund has received insurance recovery proceeds totaling \$609 for damage received by a county vehicle during an accident by a third party; and

**WHEREAS,** the Greene County Highway Fund has received proceeds totaling \$257 from the sale of recycled materials; and

**WHEREAS,** the Greene County Highway Fund has received reimbursement totaling \$10,667 from North Greene Utility District for damage to roads by the utility district that was repaired by Greene County Highway Department; and

**WHEREAS,** the Greene County Highway Fund has received funds totaling \$31,077 from various municipalities from the sale of salt during the recent snow and icy weather; and

**WHEREAS,** the Greene County Highway Fund wishes to expend those funds during the fiscal year and

**THEREFORE,** let the Highway Fund budget be amended as follows:

H.

### INCREASE BUDGETED REVENUES

49700	Insurance Recovery	\$ 609
44130	Sale of Materials and Supplies	31,077
44145	Sale of Recycled Materials	257
48120	Paving & Maintenance Revenue	10,667
<b>Total Increase In Revenue:</b>		<u><u>\$ 42,610</u></u>


### INCREASE APPROPRIATIONS

68000	Capital Outlay	
714	Highway Equipment	\$ 257
63500	Asphalt Plant Operations	
434	Natural Gas	10,667
63100	Operation and Maintenance of Equipment	
338	Maintenance and Repair - Vehicles	609
62000	Highway and Bridge Maintenance	
402	Asphalt Cold Mix	31,077
<b>Total Increase in Appropriations</b>		<u><u>\$ 42,610</u></u>

**NOW, THEREFORE;** be it resolved by the Greene County Legislative Body meeting in regular session this 20<sup>th</sup> day of April, 2015, a quorum being present and a majority voting in the affirmative, that the budget be amended as above.

  
\_\_\_\_\_  
County Mayor

\_\_\_\_\_  
Budget and Finance Committee  
Sponsor

  
\_\_\_\_\_  
County Clerk

  
\_\_\_\_\_  
County Attorney

**RESOLUTION TO BUDGET FUNDS TOTALING \$190,000 FROM THE GREENE  
COUNTY HIGHWAY DEPARTMENTS UNASSIGNED BALANCE FUND TO  
VARIOUS ACCOUNTS AS MID-YEAR ADJUSTMENTS FOR FISCAL YEAR  
ENDING JUNE 30, 2015**

**WHEREAS**, the County Highway Department is in need of additional funds for various line items within the Highway Department; and

**WHEREAS**, the Highway Department does not have sufficient funds appropriated in these line-items for the following division; asphalt plant operations, and,

**WHEREAS**, The Highway Superintendent wishes to utilize his unassigned fund balance for this purpose; and

**THEREFORE**, let the Highway Fund budget be amended as follows

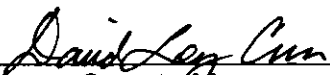
**INCREASE BUDGETED BEGINNING FUND BALANCE**

39000	Unassigned Fund Balance	<u>\$ 190,000</u>
<b>Total increase to estimated revenues</b>		<b><u><u>\$ 190,000</u></u></b>

**INCREASE IN APPROPRIATIONS:**

63500	Asphalt Plant Operations	
405	Asphalt - Liquid	\$ 127,300
409	Crushed Stone	<u>62,700</u>
<b>Total increase in appropriations</b>		<b><u><u>\$ 190,000</u></u></b>

**NOW, THEREFORE**; be it resolved by the Greene County Legislative Body meeting in regular session this 20<sup>th</sup> day of April, 2015, a quorum being present and a majority voting in the affirmative, that the budget be amended as above.

  
\_\_\_\_\_  
County Mayor

Budget and Finance Committee  
Sponsor

  
\_\_\_\_\_  
County Clerk

  
\_\_\_\_\_  
County Attorney

I

**RESOLUTION TO CHANGE THE ROAD LENGTH OF  
WILLIAMS SPRINGS ROAD  
(First Reading)**

WHEREAS, Williams Springs Road is in the 13<sup>th</sup> Civil District of Greene County, and connects Afton Road and the Snapps Ferry Road; and

WHEREAS, the Greene County Road List describes the length of said road as 1.27 miles; and

WHEREAS, the Town of Greeneville annexed a section of Williams Springs Road and the adjacent properties into the town city limits; and

WHEREAS, that section of Williams Springs Road annexed by the Town of Greeneville (being .44 mile in length beginning at Afton Road and ending at the intersection of Williams Springs Road and Quillen-Shell Road) needs to be removed from the official Greene County Road List and the Greene County Highway Department relieved of the responsibility for its maintenance; and

WHEREAS, the section of Williams Springs Road that will remain a county road is .83 mile in length and begins at the intersection of Williams Springs Road and Quillen-Shell Road and ends at Afton Road.

NOW THEREFORE BE IT RESOLVED, by the Greene County Legislative Body meeting in regular session on the 20<sup>th</sup> day of April, 2015, a quorum being present and a majority voting in the affirmative, that the Road List for Greene County be modified to remove that section of Williams Springs Road that has been

J.

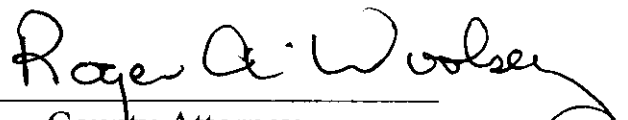
**Roger A. Woolsey**  
County Attorney  
204 N. Cutler St.  
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Greeneville, TN 37745  
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annexed by the Town of Greeneville from the Greene County Road List and reflect that the length of Williams Springs Road that will remain on the Greene County road List is approximately .83 mile in length which portion of said road shall continue to be maintained by the Greene County Highway Department.

Road Committee  
Sponsor

  
County Clerk

  
County Mayor

  
County Attorney

**Roger A. Woolsey**  
County Attorney  
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Fax: 423/798-1781

**A RESOLUTION TO REMOVE WEST GREENE DRIVE FROM  
THE OFFICIAL GREENE COUNTY ROAD LIST**

**First Reading**

WHEREAS, West Greene Drive, located in the 25<sup>th</sup> Civil District of Greene County, Tennessee connecting Hwy 11E and Midway Road originally was a county road, on the official County Road list, and has been maintained by the Greene County Highway Department; and

WHEREAS, West Greene Drive and the adjacent properties have been incorporated into the city of Mosheim; and

WHEREAS, the Road Committee for the Greene County Legislative Body after a review of this road recommends that West Greene Drive consisting of approximately .24 of a mile be removed from the official Greene County Road list and the Greene County Highway Department be relieved of the responsibility for its maintenance.

NOW THEREFORE BE IT RESOLVED, by the Greene County Legislative Body meeting in regular session on April 20, 2015, a quorum being present and a majority voting in the affirmative, that West Greene Drive be deleted from the official Greene County road list and the Greene County Highway Department be relieved of the responsibility for its maintenance.

Road Committee  
Sponsor

David Lee Cunn  
County Mayor

Lori Bryant  
County Clerk

Roger A. Woolsey  
County Attorney

**Roger A. Woolsey**  
County Attorney  
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Suite 120  
Greeneville, TN 37745  
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K.

**A RESOLUTION TO REMOVE PIN OAK DRIVE FROM THE  
OFFICIAL GREENE COUNTY ROAD LIST**

**First Reading**

WHEREAS, Pin Oak Drive, located in the 13<sup>th</sup> Civil District of Greene County, Tennessee connecting the Erwin Highway and Moon Creek Road originally was a county road, on the official County Road list, and has been maintained by the Greene County Highway Department; and

WHEREAS, Pin Oak Drive and the adjacent properties have been incorporated into the city of Tusculum; and

WHEREAS, the Road Committee for the Greene County Legislative Body after reviewing this road recommends that Pin Oak Drive consisting of approximately .13 of a mile be removed from the official Greene County Road list and the Greene County Highway Department be relieved of any responsibility for its maintenance.

NOW THEREFORE BE IT RESOLVED, by the Greene County Legislative Body meeting in regular session on April 20, 2015, a quorum being present and a majority voting in the affirmative, that Pin Oak Drive be removed from the official Greene County road list and the Greene County Highway Department be relieved of any responsibility for its maintenance.

Road Committee  
Sponsor

David Lee Cum  
County Mayor

Eric Bryant  
County Clerk

Roger A Woolsey  
County Attorney

L.

**Roger A. Woolsey**  
County Attorney  
204 N. Cutler St.  
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Greeneville, TN 37745  
Phone: 423/798-1779  
Fax: 423/798-1781



**A RESOLUTION TO REMOVE SERRAL DRIVE FROM THE  
OFFICIAL GREENE COUNTY ROAD LIST**

**First Reading**

WHEREAS, Serral Drive, located in the 13<sup>th</sup> Civil District of Greene County, Tennessee connecting Hwy 11E and Old Stage Road initially was a county road, on the official County Road list, and has been maintained by the Greene County Highway Department; and

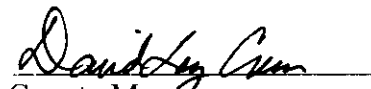
WHEREAS, Serral Drive and the adjacent properties have been incorporated into the Town of Greeneville; and

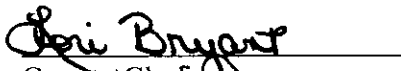
WHEREAS, the Road Committee for the Greene County Legislative Body after reviewing this road recommends that Serral Drive consisting of approximately .17 of a mile be removed from the official Greene County Road list and the Greene County Highway Department be relieved of any responsibility for its maintenance.

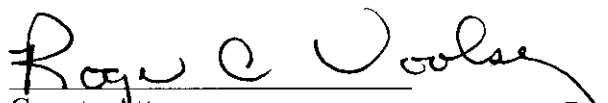
NOW THEREFORE BE IT RESOLVED, by the Greene County Legislative Body meeting in regular session on April 20, 2015, a quorum being present and a majority voting in the affirmative, that Serral Drive be deleted from the official Greene County road list and the Greene County Highway Department be relieved of any responsibility for its maintenance.

Road Committee

Sponsor

  
County Mayor

  
County Clerk

  
County Attorney

**Roger A. Woolsey**  
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Phone: 423/798-1779  
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M.

## RESOLUTION ADOPTING REGULATIONS GOVERNING THE USE OF THE COUNTY RIGHT-OF-WAY

WHEREAS, the Tennessee Code allows utilities to be placed within the county right-of-way provided that the governing body of such political subdivision shall consent to such use (T.C.A. 7-82-304{a} {9}), and

WHEREAS, the Tennessee Code, although varying in particulars concerning specific types of utilities, generally requires that permission be obtained from the county legislative body or the chief administrative officer of the highway department prior to entering upon the county right-of-way to perform excavation work, and

WHEREAS, the Tennessee Code also generally requires that excavation work performed within the county right-of-way be performed under the direction and control of the chief administrative officer of the county highway department, and

WHEREAS, it is impractical for permission to be granted on a case-by-case basis by the county legislative body, and

WHEREAS, it is necessary to establish clear procedures and rules, to be administered and enforced by the chief administrative officer of the highway department, for the use of the county right-of-way by utilities, entities or persons, so as to minimize interference with vehicular traffic, minimize damage to the county right-of-way, minimize risks to the public safety and convenience, and minimize damage to utilities, and

NOW THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Greene County, Tennessee, meeting in regular session on this day 20<sup>th</sup> of April, 2015, that the following regulations shall apply to the use of county rights-of-way by utilities in Greene County:

SECTION 1. The following regulations apply to all utilities. "Utilities" includes any line, system or facility, either underground or overhead, used for producing, storing, conveying, transmitting or distributing communications, electricity, gas, petroleum, petroleum products, hazardous liquids, water, steam or sewerage and other underground or overhead facilities and appliances. The regulations apply to all utilities performing excavation work within the county right-of-way. "Utilities" includes, but is not limited to entities, utility districts, authorities, governmental entities and companies. "Utilities" may also be referred to herein as "applicants". "Excavation" means an operation for the purpose of the movement, placement, or removal of earth, rock, or other materials in or on the ground by use of mechanized equipment or by discharge of explosives, and including augering, backfilling, digging, ditching, drilling, grading, plowing-in, pulling-in, ripping, scraping, trenching and tunneling. "New construction" means the construction or installation of structures, lines, poles, etc. of any nature extending or expanding services of utilities where services lines, poles or structures of that particular utility do not presently exist. "New Construction" would also include replacement of an existing lines, structures, or poles as a part of the renovations, improvements, or upgrades for the Utility not related to routine maintenance or repair. The regulations apply to the installation, maintenance and removal of utilities unless otherwise provided.

**Roger A. Woolsey**  
County Attorney  
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Suite 120  
Greeneville, TN 37745  
Phone: 423/798-1779  
Fax: 423/798-1781

SECTION 2. Utilities must obtain a permit from the county highway department to perform any excavation work within the county right-of-way. The permit request shall state the nature and purpose of the excavation work to be performed, the date, location and estimated time of the beginning and end of the excavation work at each site, and the name and contact information of the company or party to be performing the excavation work. The permit request shall be accompanied by construction plans detailing the excavation work to be performed. Applicants shall also provide copies of any permit(s) required by other governmental agencies or certify that they have received all required permits. Persons making requests to perform excavation work in the county right-of-way shall use the permit request form designated as Attachment A to this resolution.

If the permit is for repair or routine maintenance of an existing line (including replacement of an existing pole, structure, or line provided same is set or installed immediately adjacent to the existing pole, structure, or line), the utility shall forward the permit request to the Greene County Highway Department (hereinafter referred to as "Department") within seventy two hours of any work being undertaken on the county right-of-way. No permit fee will be required for this permit provided said utility post a surety bond in the amount of \$25,000.00 payable to the Greene County to ensure that all work is performed in accordance with the rules and regulations adopted by the Greene County Legislative Body or as provided by State Law.

For new construction, expansion or extension of services or utilities where lines or services are not present, then the utility shall request a permit and pay a permit fee of \$50.00 before any work is undertaken on the county right-of way. The fee will be used to offset the county administrative and personnel cost related to the enforcement of these regulations. The issued permit may include special conditions, as determined in the sole discretion of the chief administrative officer of the county highway department, for the protection of the county's property, roads and rights-of-way, as well as the welfare and safety of the general public. The Chief Administrative Officer shall respond to each request within seven business days of such request. However, if the Utility desires or needs a quicker response than "the seven business days" as provided above, then the Utility may pay a permit fee of \$100.00 and the chief administrative officer shall respond within three business days. The normal work schedule for the Greene County Highway Department is Monday through Thursday each week. "Business Day" means a day that Highway Department employees normally work.

SECTION 3. Acknowledgment of receipt of a copy of these regulations shall be a part of the permit request. By issuance of a permit or performing work within the county right-of-way, Utilities will be required to conform to these regulations as well as any additional conditions set forth in writing by the chief administrative officer of the county highway department. Once physical excavation work has commenced within the right-of-way, Utilities agree to perform the excavation work in accordance with these regulations and the permit issued hereunder, as well as all other applicable permits, regulations, laws, agency rules, resolutions and ordinances. Greene County assumes no responsibility for any damage to utilities installed after the effective date of these regulations and that are not installed in accordance with the provisions and conditions of the permit and these regulations. Greene County assumes no responsibility for any damage to utilities not maintained or removed in accordance with the provisions and conditions of the permit and these regulations.

**Roger A. Woolsey**  
County Attorney  
204 N. Cutler St.  
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Greeneville, TN 37745  
Phone: 423/798-1779  
Fax: 423/798-1781

SECTION 4. All utility installations, maintenance and removals shall be done in accordance with the applicable technical specifications set forth in Attachment B to this resolution and any subsequent specifications adopted by the county legislative body. Each utility shall pay the salary and expenses for any inspector(s) that the county highway department may see fit to place upon the excavation work site to ensure compliance with such technical specifications while any such inspector(s) may be assigned to the excavation work site. The chief administrative officer of the county highway department, before incurring any expenses expected to be charged to the applicant, shall advise the applicant in writing of this fact. Any appeal from a decision of the chief administrative officer under this section shall be made in compliance with the requirements of Section 21 of these Rules and Regulations.

SECTION 5. The Department of Commerce and Insurance of the State of Tennessee (the "department") requires that all persons or entities contracting to perform construction/ excavation work within the state be qualified and licensed by the department if the excavation work is equal to or in excess of twenty-five thousand dollars (\$25,000). Requirements for obtaining such a license are determined by the commissioner of the department and may be obtained by contacting the Regulatory Boards Division. All persons and/or the company for which they are employed shall be duly licensed by the department, the state of Tennessee, and any other appropriate governmental agency unless said person(s) is employed by the Utility. Unless the work is actually being performed by the Utility, proof of a currently valid Tennessee contractor's license shall be presented when request for a permit is made.

SECTION 6. As a condition of the issuance of a permit, applicants must provide proof of liability insurance with a minimum policy in the amount of one million dollars (\$1,000,000).

SECTION 7. If the excavation work that is the subject of the permit request is for new construction, the chief administrative officer of the county highway department may refuse or delay approval of the permit request if approval would unduly interfere with the excavation work of the county highway department or would cause undue inconvenience to the public. However, the chief administrative officer's approval of the permit request shall not be unreasonably withheld. Under this section each permit request shall be in writing directed to the Highway Department. The delivery of the permit shall be by email or fax to the Highway Department with the date and time of the permit request, the nature, purpose, and location of the excavation work to be performed, the estimated beginning and ending times of the excavation work, and the name and contact information of the company or party to be performing the excavation work, on a standard permit request form and deliver it to the county highway department.

SECTION 8. For new construction, the chief administrative officer of the county highway department may require an applicant to post additional collateral above the surety bond to ensure that the county road and right-of-way will be repaired to the same quality as before the excavation work was performed. The chief administrative officer will determine the form, amount and sufficiency of the additional collateral. Should the chief administrative officer of the county highway department in the sole discretion of the chief administrative officer execute settlement on the collateral or the surety bond for reimbursement for work necessary to make repairs to a county road or right-of-way, the proceeds from such execution shall be payable to the Greene County Highway Fund pursuant to Section 9. In the event excavation work is abandoned for a period of thirty (30) consecutive days or a time period specified in the permit, whichever is less, then the chief administrative officer of the county highway department shall be authorized to

execute settlement of the collateral in his sole discretion. The proceeds from such execution shall be used to finish the project and to pay all other reasonable costs associated with the project. Any leftover proceeds from the additional collateral will be returned to the applicant.

SECTION 9. (a) Utilities shall replace or repair any portion of the road, pavement, shoulders, bridges, culverts, or any other part of the county right-of-way that may be disturbed or damaged as a result of their excavation work performed in the right-of-way. The county right-of-way shall be repaired following installation, maintenance and/or removal of utilities. The road, pavement, shoulders, bridges, culverts, or other part of the right-of-way shall also be repaired if damaged as a result of future line failure or leakage. The chief administrative officer of the county highway department shall be notified prior to any backfilling or bedding of any utility. In the event a person covers, conceals or obscures excavation work in violation of these regulations or in violation of a directive from the chief administrative officer of the county highway department, such excavation work shall be uncovered and displayed for the county's inspection upon request and shall be re-excavation worked at no cost in time or money to the county.

(b) Whenever practical, the chief administrative officer of the county highway department, upon the county highway department receiving a permit request for new construction, shall inspect the site before the excavation work begins and shall inspect the site after the excavation work is completed. Inspection by an engineering firm, paid for by the applicant and hired or approved by the county, shall be required, at the discretion of the chief administrative officer of the county highway department, for extensive construction or excavation work within the county right-of-way as a condition to issuance of the permit. In addition, persons shall reimburse the county for all testing, inspections, reasonable attorney and professional fees, and other expenses incurred as a result of any deficient excavation work within ninety (90) days of receipt of an invoice from the county highway department. Any appeal from a decision of the chief administrative officer under this section shall be made in compliance with the requirements of Section 21 of these Rules and Regulations.

(c) After such inspection(s), if, in the opinion of the chief administrative officer of the county highway department, the condition of the roadway or right-of-way has been damaged and has not been properly repaired, the chief administrative officer of the county highway department shall determine the nature of the excavation work necessary to return the roadway or right-of-way to a condition substantially equal to its condition before the excavation work was performed, and shall give utilities written notice of such deficiency in returning the roadway or right-of-way to its proper condition. As part of such notice, the chief administrative officer shall inform the Utilities as to whether he/she has elected, in his/her sole discretion, to immediately execute settlement on the surety bond or the collateral and use the proceeds to repair the damage or to allow the utilities to repair the damage themselves. If the chief administrative officer elects to allow the utilities to repair the damage themselves, such repairs must be completed to the satisfaction of the chief administrative officer within thirty (30) days of receipt of the notice of deficiency. If the damage is not satisfactorily repaired within the thirty-day period, the chief administrative officer shall execute settlement of the collateral and use the proceeds to repair the damage. Regardless of which option is initially chosen by the chief administrative officer, if the collateral is not sufficient to complete the necessary repairs, the chief administrative officer shall facilitate the necessary repairs and the utilities shall reimburse the county highway department

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for the cost of such repairs within ninety (90) days of receipt of an invoice from the county highway department.

SECTION 10. Utilities performing excavation work within the county right-of-way shall be responsible for road damages, personal injury, property damages or any other damages caused by any negligence on their part, including but not limited to, the improper placing of or failure to display construction signs, danger signs and other required signage and will bear any expense proximately caused by their operation on the right-of-way. This applies whether the applicant or someone acting on the applicant's behalf performs the excavation work. Utilities shall provide proper signage, flaggers, barricades, flashing lights or other methods to warn the public of open trenches, obstructions or other impediments to travel. Signage shall conform to the most current edition of the Manual on Uniform Traffic Control Devices. Utilities shall keep all traveled ways clear of obstructions and equipment not directly connected with the project or operation. Any inspection or control exercised by the chief administrative officer of the county highway department shall in no way relieve the applicant from any duty or responsibility to the general public nor shall such services and/or control by the chief administrative officer of the county highway department relieve the applicant from any liability for loss, damage, or injury to persons or adjacent properties.

SECTION 11. For all utilities located above ground, including location signage, utilities shall maintain sufficient weed and brush control within a 10-foot radius such that said utilities are easily visible. Greene County assumes no responsibility for any damage to any utility that is improperly located, signed or maintained for visibility.

SECTION 12. If, at any future time, it should become necessary in the maintenance, construction or reconstruction of a county highway to have applicant's utilities removed in order that said highway may be properly maintained, constructed or reconstructed or in the event said utilities should, at any time, interfere with the use of said highway, the Utility agrees, upon being requested so to do by the highway department, to remove said utilities promptly, at its own expense and without cost to the highway department, unless any requested removal should be contrary to any law of the State.

SECTION 13. Each utility shall be responsible for any conflicts with other utilities or appurtenances that are on the county highway right-of-way and shall notify the respective owner(s) of any conflicts and secure the owner's permission for any alterations.

SECTION 14. By approving the Utility (applicant's) permit request, the Greene County Highway Department does not grant the applicant any right, title or claim to any highway right-of-way and in granting this permission to go upon the right-of-way does not, in any way, assume the maintenance of the applicant's utilities.

SECTION 15. Approval of an applicant's permit request shall become void if the excavation work that is the subject of the request is not commenced within thirty (30) days of the date of the permit request.

SECTION 16. The chief administrative officer of the county highway department may employ the county attorney, or other attorney as provided in Tennessee Code Annotated Section 54-7-110, to seek an injunction against any party in violation of these regulations. The chief administrative officer of the county highway department may issue a stop excavation work order

if excavation work is being performed in violation of these regulations. Any person violating these regulations shall also be subject to a fine of up to one hundred dollars (\$100) per violation, pursuant to Tennessee Code Annotated Section 5-1-121. A "violation" is defined as each day a Utility is in non-compliance with these regulations.

SECTION 17. A permit may be denied, suspended or revoked by the chief administrative officer of the county highway department when the chief administrative officer has determined that the operation is not being and/or will not be conducted in a manner as prescribed by applicable regulations, rules, resolutions, ordinances or laws. Any violations deemed of a significant nature by the chief administrative officer of the county highway department, or unwarranted damages done to the highway system, may result in a permit being denied, suspended or revoked. The chief administrative officer of the county highway department shall report all such actions to the county legislative body and county attorney. Failure to obtain a permit, abandoning the project, conducting excavation work which is not in accordance with the plans approved by the chief administrative officer of the county highway department may also be grounds for denial of future permit requests.

SECTION 18. Pursuant to the Competitive Cable and Video Services Act, Tennessee Code Annotated Section 7-59-310, as a condition of the issuance of a permit allowing for open trenching, the applicant shall provide at least fifteen (15) days' notice prior to the initiation of any excavation work in the county right-of-way to all providers of cable or video services within the county. The notice shall include the particular dates in which the trenches will be available for such cable or video service providers for the installation of conduit, pedestals or vaults, and laterals. This requirement shall be limited to new construction or property development in which utilities will be laid in the county right-of-way.

SECTION 19. In addition to complying with the regulations set forth herein, applicants shall also comply with any and all applicable subdivision and storm water regulations.

SECTION 20. In the event of the occurrence of extraordinary circumstances, the chief administrative officer of the county highway department may modify provisions of these regulations to address particular situations. The burden of proving such extraordinary circumstances rests with the Utility seeking relief. Monetary hardship shall not constitute extraordinary circumstances. Any such approval of a variance from these regulations and any modified conditions or specifications issued by the chief administrative officer shall be in writing. Additionally the chief administrative officer of the county highway department may waive the necessity of obtaining a permit if the situation warrants (for example, replacing an overhead line).

SECTION 21. In the event that a Utility is dissatisfied with any decision, directive, or determination made or issued by the chief administrative officer under these rules and regulations, the Utility may appeal from that decision, directive, or determination by filing a written appeal specifically stating its disagreement or dissatisfaction with the decision, directive, or determination to the Road Committee for Greene County within a reasonable time. The Road Committee sitting as an Appeals Board shall hear and rule on each appeal at the next regularly scheduled meeting of the Road Committee. The Road Committee will consider the decision, directive, or determination made by the chief administrative officer, the written appeal filed by the Utility stating its disagreement or dissatisfaction with the decision, directive, or determination, and such other information as the Road Committee determines to be necessary to

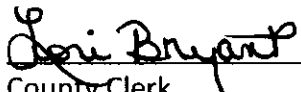
render a decision consistent with these rules and regulations. The Road Committee may affirm the decision, directive, or determination made by the chief administrative officer and deny the appeal or the Road Committee may uphold the appeal and reverse the decision, directive, or determination made by the chief administrative officer as it relates to these rules and regulations. Any construction, improvement, or action to be undertaken by the Utility related to the appeal by the Utility is stayed pending a hearing by the Road Committee.

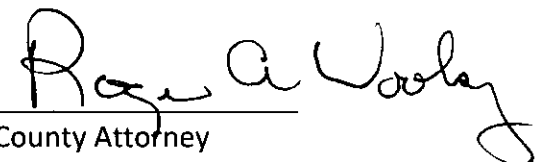
SECTION 22. These regulations shall be effective from and after May 1, 2015.  
Acknowledgment of receipt of a copy of these regulations shall be a part of the permit request.

SECTION 23. This resolution shall be effective from and after its passage, the public welfare requiring it.

Road Committee  
Sponsor

  
County Mayor

  
County Clerk

  
County Attorney

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