

AGENDA

GREENE COUNTY LEGISLATIVE BODY

Monday, April 20, 2015

6:00 P.M.

The Greene County Commission will meet at the Greene County Courthouse on Monday, April 20, 2015 beginning at 6:00 p.m. in the Criminal Courtroom (Top Floor) in the Courthouse.

Call to Order

- *Invocation - Kristen Burkhart, Mt. Zion United Methodist Church
- *Pledge to Flag - Frank Waddell, Veteran, US Army Reserve
- *Roll Call

Public Hearing

- Wendy Hankins
- Tom Leach
- Nancy Niles
- Jerry Laughlin
- Brian Bednar
- Steve Fox

Approval of Prior Minutes

Reports Reports from Solid Waste Dept.
 Committee Minutes

Old Business

Election of Notaries

Resolutions

- 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 Club of Greeneville
- B. A resolution to impose a license fee on all canine rabies vaccinations and to establish a restricted account in the general fund for revenues paid by participants to Greene County Animal Control
- 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
- D. A resolution authorizing the Town of Greeneville to make application for a permit to process latex paint
- 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
- F. 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
- G. 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
- 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
- I. A 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
- J. A resolution to change the road length of Williams Spring Road (First Reading)
- K. A resolution to remove West Greene Drive from the official Greene County road list (First Reading)
- L. A resolution to remove Pin Oak Drive from the official Greene County road list (First Reading)
- M. A resolution to remove Serral Drive from the official Greene County road list (First Reading)
- N. A resolution adopting regulations governing the use of the County right-of-way

Other Business

- Sheriff Pat Hankins to give an update from the Sheriff's Department/Kim Gass

Adjournment

REGULAR COUNTY COMMITTEE MEETINGS

APRIL 2015

| | | | |
|-------------------------|------------------|----------------------------------|--------------------|
| WEDNESDAY, APRIL 1 | 9:00 A.M. | BUDGET & FINANCE | ANNEX |
| FRIDAY, APRIL 3 | HOLIDAY | ALL OFFICES CLOSED | |
| WEDNESDAY, APRIL 8 | 3:00 P.M. | ANIMAL CONTROL | ANNEX |
| THURSDAY, APRIL 9 | 3:00 P.M. | EMS BOARD MEETING | ANNEX |
| TUESDAY, APRIL 14 | 8:30 A.M. | BEVERAGE BOARD | ANNEX |
| TUESDAY, APRIL 14 | 1:00 P.M. | PLANNING | ANNEX |
| MONDAY, APRIL 20 | 6:00 P.M. | COUNTY COMMISSION MEETING | COURTHOUSE |
| WEDNESDAY, APRIL 22 | 8:30 A.M. | ZONING APPEALS (IF BUSINESS) | ANNEX |
| MONDAY, APRIL 27 | 6:00 P.M. | HIGHWAY COMMITTEE (IF BUSINESS) | HIGHWAY DEPARTMENT |
| TUESDAY, APRIL 28 | 8:30 A.M. | INSURANCE | ANNEX |
| <u>MAY 2015</u> | | | |
| WEDNESDAY, MAY 6 | 9:00 A.M. | BUDGET & FINANCE | ANNEX |
| TUESDAY, MAY 12 | 8:30 A.M. | BEVERAGE BOARD | ANNEX |
| TUESDAY, MAY 12 | 1:00 P.M. | PLANNING | ANNEX |
| MONDAY, MAY 18 | 6:00 P.M. | COUNTY COMMISSION MEETING | COURTHOUSE |
| MONDAY, MAY 25 | HOLIDAY | ALL OFFICES CLOSED | |
| TUESDAY, MAY 26 | 8:30 A.M. | INSURANCE | ANNEX |
| TUESDAY, MAY 26 | 6:00 P.M. | LAW ENFORCEMENT/WORKHOUSE | ANNEX |
| WEDNESDAY, MAY 27 | 8:30 A.M. | ZONING APPEALS (IF BUSINESS) | ANNEX |

THIS CALENDAR IS SUBJECT TO CHANGE

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 VELD T 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 | |

Devi Bryant
 SIGNATURE

CLERK OF THE COUNTY OF GREENE, TENNESSEE

DATE 4/7/15

**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>\$ 4,492</u> |

INCREASE APPROPRIATIONS

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

A

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

**A RESOLUTION TO IMPOSE A LICENSE FEE ON ALL CANINE 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; 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 rabies 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 20th 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 (one or three year) on any canine in Greene county with those revenues collected as described above and used solely for capital expenditures for the Animal Control Department.

BE IT FURTHER 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.

Animal Control Committee
Sponsor

County Clerk

County Mayor

Roger C. Jolley
County Attorney

B

**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>\$ 523</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

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 the transfer station; and

WHEREAS, when the operation of the transfer station 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 collection and disposal of latex paint at the Greeneville Wood Waste and Paint Processing Facility (which is the same location as the former 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

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 20th 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

D.

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 |
| Total increase to estimated revenue: | | <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 | 12,000 |
| Total Increase in Appropriations | | <u><u>\$ 54,000</u></u> |

E

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

**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><u>\$ 24,000</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

Roger C. Woods
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 |
| Total Increase In Revenue: | | <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 |
| Total Increase in Appropriations | | <u><u>\$ 42,610</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

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 | \$ 190,000 |
| Total increase to estimated revenues | | <u>\$ 190,000</u> |

INCREASE IN APPROPRIATIONS:

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

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 13th 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 20th 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

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

J.

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

Roger A. Woolsey
County Attorney

Roger A. Woolsey
County Attorney
204 N. Cutler St.
Suite 120
Greeneville, TN 37745
Phone: 423/798-1779
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 25th 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

County Mayor



County Attorney

County Clerk

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

K.

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

WHEREAS, Pin Oak Drive, located in the 13th 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

County Mayor



County Attorney

County Clerk

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

L.

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

WHEREAS, Serral Drive, located in the 13th 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 Attorney

County Clerk

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



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 20th 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.

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204 N. Cutler St.
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N.

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.

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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 Clerk

County Mayor

Roger A. Woolsey
County Attorney

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

ATTACHMENT A

GREENE COUNTY HIGHWAY DEPARTMENT

COUNTY CONTACT INFORMATION:

Staff Contact: _____

Phone Number: _____

E-Mail: _____

**** Applicant shall remit a permit fee in the amount of _____ along
with the permit request. ****

PERMIT REQUEST TO WORK WITHIN THE COUNTY RIGHT- OF-WAY

**Do you have proper permits that are required by other agencies, i.e. TDEC,
WRAP, Storm Water, etc. YES ☐ NO ☐**

Date and Time of Permit Request: _____

Request is being made by (applicant):

[Please provide name, address and contact information]

Applicant seeks permission to install, maintain, and/or remove the following
described utilities within the county right-of-way:

At the Following Described Location:

GPS Location: _____

Log Miles (beginning/ending): _____

Type of work to be performed:

Expected starting date: _____

Expected completion date: _____

Contractor, Subcontractor, or Party to Perform Work:

Address and Telephone Number of Company or party to perform work:

Is this an emergency? _____ If yes, why?

IF EMERGENCY TELEPHONE CALL MADE:

Date and Time of Emergency Call

Name of Agent of applicant who made Call

*If an emergency call is made, the REGULATIONS GOVERNING THE USE OF THE COUNTY RIGHT-OF-WAY still require that certain information be provided to the chief administrative officer, using the permit request form, by the next business day.

Please select one of the following options:

_____ Option #1

Applicant is to deliver collateral in the form of a _____ (ex. surety bond, letter of credit, cashier's check, etc.) to the chief administrative officer of the highway department to guarantee that applicant's work within the right-of-way is done in accordance with the construction plan, applicable regulations, and any special conditions specified herein. The collateral is to be in the amount of \$ _____. Applicant will be informed by the chief administrative officer in writing of any other requirements or conditions related to the collateral.

OR

_____ Option #2

Applicant is not required to post collateral.

The Department of Commerce and Insurance of the State of Tennessee (the "department") requires that all persons contracting to perform construction work within the state be qualified and licensed by the department if the work is equal to or in excess of \$25,000.

Has applicant supplied the chief administrative officer with proof of a currently valid contractor's license? ☐ Yes ☐ No ☐ N.A.

As a condition of the issuance of a permit, applicants must provide proof of liability insurance with a minimum policy in the amount of _____.

Has applicant supplied sufficient proof of required liability insurance?
☐ Yes ☐ No

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 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 is limited to new construction or property development in which utilities will be laid in the county right-of-way.

Has applicant provided the required notice? ☐ Yes ☐ No ☐ N.A.

*If yes, applicant shall provide a copy of the notice sent to providers.

Applicant in applying for this permit agrees to the following:

1. Applicant agrees to perform all work in accordance with the attached construction plans, the REGULATIONS GOVERNING THE USE OF THE COUNTY RIGHT-OF-WAY, adopted by the county legislative body by Resolution No. _____ on _____ (DATE), and any special conditions set forth herein.

Special Conditions:

In the case of extraordinary circumstances, whereby the chief administrative officer modifies any provisions of the regulations to address such 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 and incorporated as part of this permit request.

2. Applicant, before commencing any work, shall submit to the chief administrative officer of the county highway department detailed construction plans [INSERT APPROPRIATE LANGUAGE HERE IF PLANS MUST BE SEALED BY AN ENGINEER] showing the location, type and scope of all work to be done in order that the chief administrative officer may review and approve the proposed work. No work other than that specifically described in the construction plans and approved by the chief administrative officer is authorized.

3. Applicant shall be responsible for road damages, personal injury, property damages or any other damages caused by any negligence on its 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 its operation on the right-of-way. This applies whether the applicant or someone acting on the applicant's behalf performs the work.

4. Applicant shall pay the salary and expenses of any inspector(s) that the chief administrative officer may see fit to place upon the work site while such inspector(s) is/are assigned to the work site. The chief administrative officer, before incurring any expenses expected to be charged to the applicant, shall advise the applicant in writing of this fact.

5. Applicant shall replace or repair any portion of the pavement, shoulders, bridges, culverts, or any other part of the county right-of-way that may be disturbed or damaged as a result of its work performed in the right-of-way. Replacement and repairs shall be made in accordance with the REGULATIONS GOVERNING THE USE OF THE COUNTY RIGHT-OF-WAY issued by Greene County and any additional instructions issued by the chief administrative officer. In the event that the replacement or repairs made by applicant are not satisfactory to the chief administrative officer, such deficiencies shall be remedied in accordance with the REGULATIONS GOVERNING THE USE OF THE COUNTY RIGHT-OF-WAY issued by Greene County.

6. In the event work is abandoned for a period of 30 consecutive days, the chief administrative officer 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 will be returned to the applicant.

7. If, at any future time, it should become necessary in the maintenance,

construction, or reconstruction of said 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 applicant agrees upon being requested to do so by the chief administrative officer to remove said utilities as promptly as the magnitude of the work to be accomplished will permit, at its own expense and without cost to the county highway department, unless any requested removal should be contrary to any law of the State of Tennessee.

8. Applicant 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.

9. Applicant agrees to indemnify and hold harmless the county as well as its employees, officers and agents from and against any and all claims, liabilities, losses, and causes of action which may arise, accrue, or result to any person, firm, corporation, or other entity which may be injured or damaged as a result of acts, omissions, or negligence on the part of the applicant, its employees, its contractors, or any person acting for or on its or their behalf in the performance of the work related to this permit. Applicant further agrees it shall be liable for the reasonable cost of attorneys for the county highway department in the event such services are necessitated to enforce the terms of this permit or otherwise enforce the obligations of the applicant to the county highway department. In the event of any such suit or claim, applicant shall give the county highway department immediate notice thereof and shall provide all assistance required by the county highway department in the county highway department's defense. The county highway department shall give applicant written notice of any such claim or suit, and applicant shall have full right and obligation to conduct applicant's own defense thereof. Nothing contained herein shall be deemed to accord to applicant, through its attorney(s), the right to represent the county highway department in any legal matter.

10. The county highway department does not grant applicant any right, title or claim on 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 applicant's facility.

11. The permit shall become void if work is not commenced within thirty (30) days from the date of the permit request.

The requesting party (applicant), by the undersigned agent, agrees to comply

with the Greene County regulations, a copy of which I have received, in carrying out the work proposed above.

Signature of Agent and Date

Approval of Permit:

Request approved as presented ____ (check if applicable)

Request approved subject to the following conditions: _____

Request rejected ____ (check if applicable)

Reason for rejection: _____

By _____

Title _____ Date _____

PERMIT NUMBER ASSIGNED: _____

GREENE COUNTY HIGHWAY DEPARTMENT**ATTACHMENT B**

795 Hal Henard Road P. O. Box 548

Greeneville, TN 37745

(423) 798-1747 Office (423) 798-1746 Fax

DAVID WEEMS, ROAD SUPERINTENDENT**CONSTRUCTION PERMIT**

Issued to: _____ Permit No: _____

Phone No.: Cell _____ Home _____ Work _____

Location: _____

Type of Construction:

_____ Installation of water line or water tap _____

_____ Installation of sewer line or sewer tap _____

_____ Installation of cable _____

_____ Lateral cut - Ft _____

_____ Maintenance construction _____

_____ Curb cut or Driveway Cut _____

_____ Install tile _____

The above construction must conform to the rules and regulations as was passed by the Greene County Commission.

Date: _____

By: _____
Greene County Highway Department

_____ Gary Rector, Foreman

_____ JR Carter, Forman

_____ Kevin Ramsey, Foreman

Rec'd. by _____

Print Name: _____

Work Hrs: Mon-Thur 7:00-5:30pm

RAW**Contractor & Utilities Information**

*Contractor/Utility District is liable for any damages to private or county property. Installation must be three (3) feet or more where possible from edge of pavement. Installation closer than 36 in. to pavement must be back filled with pug mix.

*Lines must be installed to a minimum of three (3) feet in depth below the road surface and at a point below any tiles crossing the road. Installation sites must be backfilled, compacted, and sown in a cover (fescue) removing all stumps, large rocks and etc. from right of way.

*Shoulders that have stone need to be replaced with at least three (3) inches deep of pug mix.

*All road crossings must be bored unless otherwise permitted by the County Road Superintendent.

If necessary for open cut (1) must have the Road Superintendent's written permission; (2) Must be three (3) feet deep and back filled with flowable fill and compacted; (3) Must repave with hot mix a minimum of three (3) inches deep - (4) Repair fences to same condition as before the work begin.

*All ditches and banks disturbed must be strawed, sowed in grass and returned to original condition within 14 days

*Contractor is responsible for all erosion control.

***PLEASE CONTACT THE ROAD DEPT. BEFORE WORK HAS BEGAN. 7 DAYS IN ADVANCE
UNLESS AN EMERGENCY.**