

AGENDA

GREENE COUNTY LEGISLATIVE BODY

Monday, July 20, 2015

6:00 P.M.

The Greene County Commission will meet at the Greene County Courthouse on Monday, July 20, 2015 beginning at 6:00 p.m. in the Criminal Courtroom (Top Floor) in the Courthouse. There will be a Public Hearing prior to the meeting beginning at 4:00 p.m. to discuss the 2015-2016 Budget.

Call to Order

- *Invocation - Richard Long
- *Pledge to Flag - Hugh Bowman, Veteran, U.S. Marine Corp.
- *Roll Call

Public Hearing

- Public comments regarding amending the Greene County Zoning Resolution concerning solar farms as referred to in Resolution E
- Steve Fox
- Brian Bednar
- Billy Joe McCamey
- Nick Stone

Approval of Prior Minutes

Reports

Reports from Solid Waste Dept.
Committee Minutes

Old Business

Election of Notaries

Resolutions

- A. A resolution making appropriations for the various funds, departments, institutions, offices and agencies of Greene County, Tennessee for the fiscal year beginning July 1, 2015 and ending June 30, 2016
- B. A resolution making appropriations to nonprofit organizations of Greene County, Tennessee for the fiscal year beginning July 1, 2015 and ending June 30, 2016
- C. A resolution of the Greene County legislative body fixing the tax levy in Greene County, Tennessee for the year beginning July 1, 2015
- D. A resolution authorizing expenditure of funds from the General Capital Project fund for the purchase of a truck for the Animal Control not to exceed \$28,000
- E. A resolution for amending the Greene County Zoning Resolution concerning solar farms within the unincorporated territory of Greene County, Tennessee
- F. A resolution requiring all county vehicles to have a permanent non-magnet county decal affixed to the front doors of each vehicle with the exception of certain law enforcement vehicles
- G. A resolution to reorganize and/or reappoint the EMS board
- H. A resolution authorizing the County Mayor to enter into a license agreement between the State of Tennessee Department of Environment and Conservation and Greene County
- I. A resolution establishing procedures for accessing and copying public records

Other Business

Adjournment

- Closing Prayer - Commissioner Wade McAmis

REGULAR COUNTY COMMITTEE MEETINGS

JULY 2015

WEDNESDAY, JULY 1	8:30 A.M.	BUDGET & FINANCE	ANNEX
THURSDAY, JULY 2	3:30 P.M.	EDUCATION COMMITTEE	SCHOOL OFFICE
FRIDAY, JULY 3	HOLIDAY	ALL OFFICES CLOSED	
WEDNESDAY, JULY 8	3:00 P.M.	ANIMAL CONTROL	ANNEX
THURSDAY, JULY 9	3:00 P.M.	EMS BOARD	ANNEX
TUESDAY, JULY 14	8:30 P.M.	BEVERAGE BOARD	ANNEX
TUESDAY, JULY 14	1:00 P.M.	PLANNING	ANNEX
MONDAY, JULY 20	6:00 P.M.	COUNTY COMMISSION MEETING	COURTHOUSE
TUESDAY, JULY 21	8:00 A.M.	RANGE COMMITTEE	ANNEX
WEDNESDAY, JULY 22	8:30 A.M.	ZONING APPEALS (IF BUSINESS)	ANNEX
MONDAY, JULY 27	6:00 P.M.	HIGHWAY COMMITTEE (IF BUSINESS)	HIGHWAY DEPARTMENT
TUESDAY, JULY 28	8:30 A.M.	INSURANCE	ANNEX
<u>AUGUST 2015</u>			
WEDNESDAY, AUG 5	8:30 A.M.	BUDGET & FINANCE	ANNEX
TUESDAY, AUG 11	8:30 A.M.	BEVERAGE BOARD	ANNEX
TUESDAY, AUG 11	1:00 P.M.	PLANNING	ANNEX
WEDNESDAY, AUG 12	2:00 P.M.	DEBRI	ANNEX
MONDAY, AUG 17	6:00 P.M.	COUNTY COMMISSION MEETING	COURTHOUSE
TUESDAY, AUG 18	8:00 A.M.	RANGE COMMITTEE	ANNEX
MONDAY, AUG 24	6:00 P.M.	HIGHWAY COMMITTEE (IF BUSINESS)	HIGHWAY DEPARTMENT
TUESDAY, AUG 25	8:30 A.M.	INSURANCE	ANNEX
WEDNESDAY, AUG 26	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 JULY 20, 2015 MEETING OF THE GOVERNING BODY:

NAME	HOME ADDRESS	HOME PHONE	BUSINESS ADDRESS	BUSINESS PHONE	SURETY
1. LAURA KATHLEEN ANDERSON	630 SAM DOAK ST GREENEVILLE TN 37745	423-972-2605	705 PROFESSIONAL PLAZA GREENEVILLE TN 37745	423-638-4006	
2. ANGELA SUE BREEDEN	904 WEST MAIN ST. GREENEVILLE TN 37743	423-741-9866	124 AUSTIN STREET, STE 3 GREENEVILLE TN 37745	423-787-1450	YES
3. JEFFREY A. COBBLE	1801 DELWOOD CIRCLE GREENEVILLE TN 37745	423-639-4379	1315 E. ANDREW JOHNSON HWY. GREENEVILLE TN 37745	423-639-6684	RLI INSURANCE COMPANY
4. SUMMER DAWN CODY	1826 ROSA CIR MORRISTOWN TN 378146246	423-721-1223	2055 E ANDREW JOHNSON HWY GREENEVILLE TN 37745	423-638-3600	
5. ROBERT LAWRENCE FOSTER	75 VENICE LANE GREENEVILLE TN 37745	423-620-3290	521 N. MAIN STREET GREENEVILLE TN 37745	423-620-3290	ROBERT L. FOSTER
6. CRYSTAL BETH FOSTER	666 BILL MARTIN RD AFTON TN 37616	423-426-3807	2230 E ANDREW JOHNSON HWY #4 GREENEVILLE TN 37745	423-638-3600	
7. CARL E GARBER	149 INDIAN HILLS DR GREENEVILLE TN 37745	423-639-4151	149 INDIAN HILLS DR GREENEVILLE TN 37745	423-639-4151	
8. TASHIA LEA LAMB	948 BOWMANTOWN RD LIMESTONE TN 37681	423 257 2851	2375 E ANDREW JOHNSON HWY GREENEVILLE TN 37745	423 639 0012	
9. JESSICA C. MCAFFEE	1350 DEBUSK ROAD GREENEVILLE TN 37743	423-652-0569	128 SOUTH MAIN STREET GREENEVILLE TN 37743	423-787-0601	THOMAS L. KILDAY RONALD V WOODS
10. HOLLY GRACE MILLER	1346 VALLEY DR. BRISTOL TN 37620	--	230 WEST DEPOT STREET GREENEVILLE TN 37744	423-639-6811	
11. NICHOLAS HAYES MITCHELL	660 SAM DOAK ST GREENEVILLE TN 37745	423-620-1190	255 W. SUMMER ST. GREENEVILLE TN 37743	423-787-1280	
12. SUSAN MARIE PETRUCELLI	295 APPIAN WAY GREENEVILLE TN 37745	203-913-2317	2841 EAST ANDREW JOHNSON HIGHW GREENEVILLE TN 37745	423-798-2239	106315475
13. MEGAN NOEL PIERCE	109 EAGLE ROOST GREENEVILLE TN 37743	423-823-8277	3015 E ANDREW JOHNSON HWY GREENEVILLE TN 37745	423-278-3177	
14. TAMMEE MARIE ROHR	100 CEDAR CREEK SCHOOL RD GREENEVILLE TN 37743	423-620-9329	PO BOX 725 GREENEVILLE TN 37744	423-639-6191	
15. MARIE LINDA SMITH	168 SUNNYSIDE RIDGE DRIVE GREENEVILLE TN 37743	847-828-0007	168 SUNNYSIDE RIDGE DRIVE GREENEVILLE TN 37743	847-828-0007	
16. ANGELA DIANE SOUTHERLAND	6245 KINGSPORT HWY AFTON TN 37616	423-620-1870	3634 E ANDREW JOHNSON HWY GREENEVILLE TN 37745	423-639-6131	
17. DAVID EDWARD THOMPSON	1275 MCCOY ROAD GREENEVILLE TN 37743	--	MCCOY ROAD GREENEVILLE TN 37743	--	
18. PAMELA RUTH WAMPLER	1130 HENARD ROAD GREENEVILLE TN 37743	423-422-6750	1130 HENARD ROAD GREENEVILLE TN 37745	423-422-6750	
19. KAREN ANN WATERS	2660 DOTY CHAPEL RD. AFTON TN 37616	423-620-1888	1121 HAL HENARD RD. GREENEVILLE TN 37743	423-787-0232	


 SIGNATURE

CLERK OF THE COUNTY OF GREENE, TENNESSEE

7/1/15
 DATE

**A RESOLUTION MAKING APPROPRIATIONS FOR THE VARIOUS
FUNDS, DEPARTMENTS, INSTITUTIONS, OFFICES AND AGENCIES OF
GREENE COUNTY, TENNESSEE, FOR THE FISCAL YEAR BEGINNING
JULY 1, 2015 AND ENDING JUNE 30, 2016**

SECTION 1. BE IT RESOLVED by the Board of County Commissioners of Greene County, Tennessee, assembled in a reconvened session on the 20th day of July, 2015 that the amounts hereafter set out are hereby appropriated for the purpose of meeting the expenses of the various funds, departments, institutions, offices and agencies of Greene County, Tennessee, for the capital outlay, and for meeting the payment of principal and interest on the County's debt maturing during the fiscal year beginning July 1, 2015, and ending June 30, 2016, according to the following schedule.

General Fund

General Government

County Commission	\$ 38,127
County Mayor	180,537
County Attorney	157,011
Election Commission	380,524
Register of Deeds	343,299
Codes Compliance	10,500
GIS System	23,654
County Buildings	283,929

Finance

Accounting and Budgeting	383,470
Purchasing	121,390
Property Assessor	534,290
Reappraisal Program	10,105
County Trustee	300,952
County Clerk	489,216

Administration of Justice

Circuit Court	725,487
General Sessions Court	330,833
Sessions Drug Court	60,241
Chancery Court	343,370
Juvenile Court	227,664
District Attorney General	5,390
Probate Court	45,232
Other Administration of Justice	9,102
Court Room Security	258,761

A.

<u>Public Safety</u>	
Sheriff's Department	4,731,493
Special Patrols	221,590
Sexual Offender Registry	8,300
Jail	5,329,078
Juvenile Services	130,000
Emergency Management Agency	146,171
Rescue Squad	4,900
Disaster Relief	120,000
Hazardous Material Team	13,500
Inspection & Regulation	251,824
County Coroner/Medical Examiner	199,289
Other Public Safety	8,000
<u>Public Health & Welfare</u>	
Local Health Center	535,430
Rabies & Animal Control	132,900
Emergency Medical Services	3,610,159
Alcohol and Drug Program	11,989
Local Health Services-DGA Grant	506,494
Appropriation to State	81,183
Waste Pickup	91,461
Other Public Health And Welfare	64,000
<u>Social, Cultural, and Recreational</u>	
Libraries	84,500
<u>Agriculture and Natural Resources</u>	
Agricultural Extension Service	128,351
Soil Conservation	86,029
<u>Other General Government</u>	
Tourism	85,000
Industrial Development	85,000
Veteran's Services	79,451
Other Charges	56,673
Contributions to Other Agencies	212,360
Miscellaneous	215,250
<u>Debt Service</u>	
General Government Interest On Debt	3,000
<i>Total General Fund</i>	<u><u>\$ 22,496,459</u></u>

Solid Waste Sanitation Fund:

Sanitation Management	\$ 1,221,881
Waste Pickup	481,212
Convenience Centers	252,534
Transfer Stations	46,334
Total Solid Waste Sanitation Fund	\$ 2,001,961

Worker's Compensation & Liability Fund

Risk Management	\$ 1,438,599
Transfer Out	\$ 3,540
Total Worker's Compensation & Liability Fund	\$ 1,442,139

Drug Control Fund

Drug Enforcement	\$ 121,700
Total Drug Control Fund	\$ 121,700

Highway/Public Works Fund

Administration	\$ 261,972
Highway & Bridge Maintenance	3,778,598
Operation & Maintenance of Equip.	1,059,379
Asphalt Plant Operations	1,060,201
Other Charges	120,052
Capital Outlay	125,000
Total Highway Fund	\$ 6,405,202

General Debt Service Fund

General Government - Principal	\$ 1,010,000
Highway and Streets -Principal	\$ 285,000
General Government - Interest	153,516
Highway and Streets - Interest	199,748
General Government - Other	23,000
Total General Debt Service Fund	\$ 1,671,264

Education Debt Service Fund

Education Debt Service	\$ 2,847,934
Total Education Debt Service Fund	\$ 2,847,934

Economic Development Fund

Social, Cultural and Recreational Programs	\$ 112,037
Total Economic Development Fund	\$ 112,037

General Purpose School Fund

Regular Instruction Program	\$ 24,682,080
Special Education Program	3,317,459
Vocational Education Program	1,533,476
Attendance	127,336
Health Services	553,763
Other Student Support	1,131,509
Regular Instruction Program	2,054,606
Special Education Program	416,698
Vocational Education Program	91,172
Board of Education	1,221,453
Office of the Director	371,469
Office of the Principal	3,234,946
Fiscal Services	305,268
Operation of Plant	3,345,352
Maintenance of Plant	787,804
Transportation	2,771,457
Central and Other	65,401
Community Services	265,994
Early Childhood Education	1,687,733
Regular Capital Outlay	5,000
Transfers to Primary Government	250,000
Total General Purpose School Fund	\$ 48,219,976

Central Cafeteria Fund

Food Service	\$ 4,273,587
Total Central Cafeteria Fund	\$ 4,273,587

BE IT FURTHER RESOLVED, that the budget for the School Federal Projects Fund shall be the budgets approved for separate projects within the fund by the Greene County Board of Education.

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

BE IT FURTHER RESOLVED, that if any fee officials, as enumerated in Section 8-22-101, T.C.A., operate under provisions of Section 8-22-104, T.C.A., provisions of the preceding paragraph shall not apply to those particular officials.

SECTION 3. BE IT FURTHER RESOLVED, that any amendment to the budget shall be approved as provided in Section 5-9-407, T.C.A. One copy of each amendment shall be filed with the County Clerk, one copy with the Chairman of the Budget Committee, and one copy with each divisional or departmental head concerned. The reason(s) for each transfer shall be clearly stated; however, this section shall in no case whatsoever be construed as authorizing transfer from one fund to another, but shall apply solely to transfers within a certain fund.

SECTION 4. BE IT FURTHER RESOLVED, that any appropriations made by this resolution, which cover the same purpose for which a specific appropriation is made by statute is made in lieu of but not in addition to said statutory appropriation. The salary, wages, or remuneration of each officer, employee, or agent of the County shall not be in excess of the amounts authorized by existing law or as set forth in the estimate of expenditures which accompanies this resolution. Provided, however, that appropriations for such salaries, wages or other remuneration hereby authorized shall in no case be construed as permitting expenditures for an office, agency, institution, division or department of the County in excess of the appropriation made herein for such office, agency, institution, division or department of the County. Such appropriation shall constitute the limit to the expenditures of any office, agency, institution, division or department for the fiscal year ending June 30, 2016. The aggregate expenditures for any item of appropriation shall in no instance be more than the amount herein appropriated for such item.

SECTION 5. BE IT FURTHER RESOLVED, that any resolution which may hereafter be presented to the Board of County Commissioners providing for appropriations in addition to those made by this Budget Appropriation Resolution shall specifically provide sufficient revenue or other funds, actually to be provided during the fiscal year in which the expenditure is to be made, to meet such additional appropriation. Said appropriating resolution shall be submitted to and approved by the State Director of Local Finance after its adoption as provided by Section 9-21-403, Tennessee Code Annotated.

SECTION 6. BE IT FURTHER REOLVED, that the County Mayor and County Clerk are hereby authorized to borrow money on revenue anticipation notes, provided such notes are first approved by the Director of Local Finance, to pay for the expenses herein authorized until the taxes and other revenue for the fiscal year 2015-2016 have been collected. The proceeds of loans for each individual fund shall not exceed 60% of the appropriations of each individual fund and shall be used only to pay the expenses and other requirements of the fund for which the loan is made. The loan shall be paid out of revenue from the fund for which money is borrowed. The notes evidencing the loans authorized under this section shall be issued under the applicable sections of Title 9, Chapter 21, Tennessee Code Annotated. Said notes shall be signed by the County Mayor and countersigned by the County Clerk and shall mature and be paid in full without renewal no later than June 30, 2016.

SECTION 7. BE IT FURTHER RESOLVED, that the delinquent county property taxes for the year 2014 and prior years and the interest and penalty thereon collected during the year ending June 30, 2016 shall be apportioned to the various County funds according to the subdivision of the tax levy for the year 2015. The Clerk and Master and the Trustee are hereby authorized and directed to make such apportionment accordingly.

SECTION 8. BE IT FURTHER RESOLVED, that all unencumbered balances of appropriations remaining at the end of the fiscal year shall lapse, and be of no further effect at the end of the fiscal year at June 30, 2015.

SECTION 9. BE IT FURTHER RESOLVED, that any resolution or part of a resolution which has heretofore been passed by the Board of County Commissioners, which is in conflict with any provision in this resolution be and the same is hereby repealed.

SECTION 10. BE IT FURTHER RESOLVED, that this resolution shall take effect from and after its passage and its provisions shall be in force from and after July 1, 2015. This resolution shall be spread upon the minutes of the Board of County Commissioners.

PASSED THIS 20th DAY OF JULY, 2015.

County Mayor

County Attorney

County Court Clerk

Budget & Finance Committee
Sponsors

A RESOLUTION MAKING APPROPRIATIONS TO NONPROFIT ORGANIZATIONS
OF GREENE COUNTY, TENNESSEE FOR THE FISCAL YEAR BEGINNING
JULY 1, 2015 AND ENDING JUNE 30, 2016

WHEREAS, Section 5-9-109, *Tennessee Code Annotated*, authorizes the Greene County Legislative Body to make appropriations to various nonprofit organizations; and

WHEREAS, the Greene County Legislative Body recognizes the various nonprofit organizations located in Greene County have great need of funds to carry on their nonprofit charitable work.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Greene County, on this the 20th day of July, 2015:

SECTION 1. That \$84,500 be appropriated to the Library to promote the public welfare of Greene County;

SECTION 2. That \$202,860 be appropriated to the Volunteer Fire Departments to promote the public welfare of Greene County;

SECTION 3. That \$34,200 be appropriated to the Greeneville Parks and Recreation Dept. to promote the public welfare of Greene County;

SECTION 4. That \$7,000 be appropriated to Kinser Park to promote the public welfare of Greene County;

SECTION 5. That \$120,000 be appropriated to the Greeneville/Greene County 9-1-1 Agency to promote the public welfare of Greene County.

SECTION 6. That \$4,900 be appropriated to the Greeneville Emergency & Rescue Squad to promote the public welfare of Greene County.

SECTION 7. That \$170,000 be appropriated to the Greeneville-Greene County Partnership to be distributed one-half for Economic Development and one-half for Tourism to promote the public welfare of Greene County, which is comprised of the amount of Hotel/Motel tax received by the County less the Trustee's Commission.

SECTION 8. That \$10,000 be appropriated to the Niswonger Performing Arts to promote the public welfare of Greene County.

SECTION 9. That \$800 be appropriated to the Greeneville-Greene County Partnership to promote maintenance of certain designated directional signs within Greene County.

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SECTION 10. That \$7,500 be appropriated to the Dickson-Williams Historical to promote the public welfare of Greene County.

SECTION 11. That \$8,000 be appropriated to The Greeneville - Greene County History Museum to promote the public welfare of Greene County.

SECTION 12. That \$2,000 be appropriated to the Central Ballet Theatre to promote the public welfare of Greene County.

SECTION 13. That \$7,500 be appropriated to the Boys & Girls Club of Greeneville & Greene County to promote the public welfare of Greene County.

SECTION 14. That \$3,000 be appropriated to the Greeneville/Greene County Partnership Landair Ladies Classic Basketball Tournament to promote the public welfare of Greene County.

BE IT FURTHER RESOLVED that all appropriations enumerated above are subject to the following conditions:

1. That the nonprofit organizations to which funds are appropriated shall file with the County Clerk and the disbursing officials a copy of any annual report of its business affairs and transactions and the proposed use of the county's funds in accordance with rules promulgated by the Comptroller of the Treasury, Chapter 0380-2-7. Such annual report shall be prepared and certified by the chief financial officer of such nonprofit organization in accordance with Section 5-9-109©. Tennessee Code Annotated.
2. That said funds must only be used by the named nonprofit charitable organizations in furtherance of their nonprofit charitable purposes benefiting the general welfare of the residents of Greene County.
3. That it is the expressed interest of the county commission of Greene County in providing these funds to the above named nonprofit charitable organizations to be fully in compliance with Chapter 0380-2-7 of the Rules of the Comptroller of the Treasury, and Section 5-9-109, Tennessee Code Annotated, and any and all other laws which may apply to county appropriations to nonprofit organizations and so this appropriation is made subject to compliance with any and all of these laws and regulations.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately upon passage. This resolution shall be spread upon the minutes of the Board of County Commissioners.

NOW, THEREFORE BE IT RESOLVED, by the Greene County
Legislative Body meeting in special called session on the 20th day of July, 2015, a
quorum being present and a majority voting in the affirmative do hereby approve the
above stated contributions to other agencies.

County Mayor

County Attorney

County Court Clerk

Budget & Finance Committee

Sponsors

A RESOLUTION OF THE GREENE COUNTY LEGISLATIVE BODY FIXING
THE TAX LEVY IN GREENE COUNTY, TENNESSEE
FOR THE YEAR BEGINNING JULY 1, 2015

SECTION 1. BE IT RESOLVED that the Greene County Commissioners of Greene County, Tennessee, assembled in called session on this 20th day of July, 2015, that the combined property tax rate for Greene County Tennessee for the year beginning July 1, 2015, shall be \$1.6613 (inside) and \$1.8731 (outside), on each \$100.00 of taxable property, which is to provide revenue for each of the following funds and otherwise conform to the following levies:

FUND	RATE
General	\$0.6028
Highway	0.1549
General Purpose School	0.7753
General Debt Service	0.0483
Self Insurance	0.0275
Solid Waste	0.0525
Total Inside	\$1.6613
Education Debt Service	\$0.2118
Total Outside	\$1.8731

SECTION 2. BE IT FURTHER RESOLVED that there is hereby levied a gross receipts tax as provided by law. The proceeds of the gross receipts tax herein levied shall accrue to the General Fund.

SECTION 3. BE IT FURTHER RESOLVED, that all resolutions of the Board of Commissioners of Greene County, Tennessee, which are in conflict with this resolution are hereby repealed.

SECTION 4. BE IT FURTHER RESOLVED, that the Wheel Tax shall be divided between General Debt Service and Highway Funds equally.

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

Passed this 20th day of July, 2015.

County Mayor

County Attorney

County Court Clerk

Budget & Finance Committee

Sponsors

C

**RESOLUTION AUTHORIZING EXPENDITURE OF FUNDS
FROM THE GENERAL CAPITAL PROJECT FUND
FOR THE PURCHASE OF A TRUCK FOR THE
ANIMAL CONTROL NOT TO EXCEED \$28,000**

WHEREAS, the Greene County Animal Control Department is in need of a new animal control truck to perform their duties. The Animal Control department is collecting \$1.00 for each cat and dog that is vaccinated in Greene County and is set aside to pay for capital expenditures. The General Capital Projects Fund has reserves available to go ahead and purchase a truck for Animal Control Department. Animal Control will reimburse the General Capital Projects for the cost of the truck; and

WHEREAS, it is in the best interest of Greene County to approve the purchase of an Animal Control truck from the General Capital Project Fund, the total cost not to exceed twenty eight thousand dollars and no cents(\$28,000.00); and

THEREFORE, let the General Capital Projects Fund budget be amended to the following:

INCREASE BUDGETED BEGINNING FUND BALANCE

34785	Assigned for Capital Projects	<u>\$28,000</u>
	Total adjustment to budgeted revenues	<u><u>\$28,000</u></u>

INCREASE APPROPRIATIONS

91190	Other General Government Projects	
718	Motor Vehicles	<u>\$28,000</u>
	Total Appropriations	<u><u>\$28,000</u></u>

NOW, THEREFORE; be it resolved by the Greene County Legislative Body meeting in regular session this 20th day of July, 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

D

**A RESOLUTION FOR AMENDING THE GREENE COUNTY ZONING RESOLUTION
CONCERNING SOLAR FARMS WITHIN THE UNINCORPORATED TERRITORY OF
GREENE COUNTY, TENNESSEE**

WHEREAS, the Greene County Legislative Body has adopted a zoning resolution establishing zoning districts within the unincorporated territory of Greene County, Tennessee and regulations for the use of property therein; and

WHEREAS, the Greene County Legislative Body realizes that any zoning plan must be changed from time to time to provide for the continued efficient and economic development of the county; and

WHEREAS, the Greene County Legislative Body recognizes the need to create development standards for solar farms that will encourage such development while protecting property owners; and

WHEREAS, a proposal has been made to amend the Greene County Zoning Resolution; and

WHEREAS, the Greene County Regional Planning Commission did study this proposal on the 9th day of June, 2015 and recommended that the Greene County Legislative Body amend the zoning resolution; and

WHEREAS, Public Notice requirements pursuant to **T.C.A. §13-7-105(b)(1)** have been met;

NOW, THEREFORE BE IT RESOLVED by the Greene County Legislative Body, meeting in regular session on the 20th day of July, 2015, a quorum being present and a majority of the full County Legislative Body membership voting affirmatively to amend the Greene County Zoning Resolution as follows:

Add the following definitions to **ARTICLE II DEFINITIONS OF TERMS USED IN ORDINANCE** and renumber accordingly.

Buffer strip, solar farm. An evergreen landscaped strip located within a buffer zone intended to conceal required fencing within five years of planting.

Buffer zone. An area of green space located around the fenced perimeter of a solar farm.

Solar panel farm. Also known as utility-scale solar applications. Developments of at least one acre where photovoltaic solar panels are used to generate electricity or heat hot water for sale. When power is generated on the same parcel, or within the same development, as the primary use of a residence, business, or industry, and is principally for consumption by the primary use, it is not considered a solar farm even if it sells back any excess electricity through net metering.

Amend section 601 A-1 General Agriculture District, subsection 601.1 to add the following use:

- S. Solar panel farms, provided:
 - 1. Buffer Zones shall be:
 - (a) A minimum of fifty feet in width as measured from the exterior of the fence surrounding a solar farm;
 - (b) Maintained as green space for the entire width of the buffer zone, except for necessary intrusions for vehicular or power access, fencing, or drainage structures required elsewhere in these regulations;
 - (c) Used to preserve, where possible and practical, existing trees located in the buffer zone, provided that doing so will not block reasonable access for the solar farm.
 - 2. Solar Farm Buffer Strips. Solar farm buffer strips shall:
 - (a) Be located outside required fencing.

- (b) Be planted with evergreen shrubs and/or trees that are at a minimum of six feet in height at the time of planting and are staggered ten (10) feet on center.
 - (c) The applicant may request credit or a waiver of buffer planting requirements if existing vegetation exists that meets the buffer planting standard.
 - (d) Be maintained even if the solar farm is no longer operational and/or falls into disuse, unless and until the solar farm is dismantled and removed from the parcel(s) upon which it was constructed.
 - (e) Required where the solar farm fencing would be visible off-site.
 - (f) Be required where lease lines overlay exterior property lines, provided that separate tax parcels under the same ownership are considered one property for the purposes of this sub section.
 - (g) Not be required within the interior of a solar farm development where areas leased from different property owners abut one another.
 - (h) Be shown on plans submitted to and approved by the Enforcing Officer, who shall approve the design, width, height, opacity, growing period to maturity, time schedule for installation, and responsibility for perpetual maintenance.
3. Setbacks. Setback requirements to the lease/property line for any building or solar array shall be a minimum of fifty feet, except that the setback from any Residential Dwelling existing at the time of approval of the solar panel farm shall be three hundred (300) feet from the corner of the residential dwelling to the closest solar array. Residential Dwelling shall mean a permanent, not temporary, improvement used for residential purposes.
4. Fencing. All solar farms shall be enclosed with a fence measuring a minimum of six (6) feet in height that is topped with at least three strands of barbed wire that shall be maintained in good condition to the satisfaction of the Enforcing Officer.
5. Land Development. Unless a variance is granted by the board of zoning appeals, the following requirements must be met.
- (a) Pre-development drainage patterns shall be maintained so that post development surface water run-off does not exceed pre-development surface water run-off for a 25 year storm event.
 - (b) Soil shall be retained on-site through the appropriate use of silt fencing, straw bales, or other effective manner.
 - (c) The area of the solar farm located to the interior of the buffer zone shall be maintained in a grassed condition, with the exception of access driveways, building pads, utility facilities and necessary equipment supports.
 - (d) Grassed areas within the solar array shall be maintained in accordance with established and recommended procedures for maintaining hay crop and pasture weed management as recommended by the University of Tennessee Extension Service.
6. Glare. Glare studies shall be as required by state and/or federal regulations.
7. Additional Requirements. The following information shall be submitted to the Enforcing Officer prior to construction of the site. Proof that:
- (a). The project has been approved by the utility, all applicable interconnection procedures necessary to deliver electricity to the local utility have been completed, as well as an executed interconnection agreement.
 - (b). The lease for the project contains wording to the effect that, at the end of the lease period or if the solar farm is no longer operational for a period of twelve consecutive months and the lessee or the landowner does not, within such twelve month period commence a good faith effort to make such solar farm operational, the solar farm shall be deconstructed within twelve months

thereafter, and the land returned to the owner in substantially the same condition as prior to development.

(c) The property owner is ultimately responsible for the removal of the solar farm array.

EFFECTIVE DATE. These amendments shall take effect on the 20th day of July, 2015, the welfare of the County requiring it.

Approved for recommendation
By the Sponsor/Greene County Regional
Planning Commission

6-9-2015

Date

Date of Public Hearing
By the Greene County Legislative Body:

7-20-2015

Date

Approved by the Greene
County Legislative Body:

Date

Approved and signed in Open Meeting:

County Mayor
David Crum

Attest:

County Court Clerk
Lori Bryant

Approved as to Form:

County Attorney
Roger Woolsey

**A RESOLUTION REQUIRING ALL COUNTY VEHICLES TO
HAVE A PERMANENT NON-MAGNETIC COUNTY DECAL
AFFIXED TO THE FRONT DOORS OF EACH VEHICLE EXCEPT
CERTAIN LAW ENFORCEMENT VEHICLES**

WHEREAS, almost all citizens of Greene County believe that county owned or leased vehicles should be utilized only as it pertains to county matters or business and that all county vehicles should be clearly identified with markings, decals and/or seals so that those county services that often go unnoticed are more visible and citizens can be assured that there is no waste in the county's finances by employees of Greene County using county vehicles for personal business or reasons; and

WHEREAS, making county vehicles easily recognizable allows citizens to see that their tax dollars are appropriately used to provide public services; and

WHEREAS, all county owned vehicles, shall display a county tag and be clearly marked on the front doors of the vehicle with a permanent non-magnetic County seal, assigned department, and a vehicle number. Exceptions to such policy would only be for vehicles assigned to sensitive jobs (not be marked such as law enforcement, undercover vehicles, etc.); and

NOW THEREFORE BE IT RESOLVED by the Greene County Legislative Body meeting in regular session on the 20th day of July, 2015, a quorum being present and a majority voting in the affirmative, that all county vehicle be required to display a county tag and be clearly marked on the front doors of the vehicle with a permanent non-magnetic County seal, assigned department, and a vehicle number. Exempting from this requirement would be such vehicles assigned to sensitive jobs such as law enforcement, undercover vehicles, etc.

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

F,

BE IT FURTHER RESOLVED that all department heads and elected and/or
appointed office holders comply strictly with the mandates of this resolution.

Eddie Jennings
Sponsor

County Clerk

County Mayor

Roger A Woolsey
County Attorney

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

A RESOLUTION TO REORGANIZE AND/OR REAPPOINT THE EMS BOARD

WHEREAS, the Greeneville/Greene County Ambulance Authority (now Greeneville/Greene County EMS Board) was established and approved by Resolution of the Quarterly County Court of Greene County, Tennessee (now Greene County Legislative Body) on April 9, 1973, to provide emergency medical services for the citizens and residents of Greene County; and

WHEREAS, in conjunction with the establishment of the Greeneville/Greene County Emergency Medical Services Board, certain individuals have been appointed to serve on the Emergency Medical Services Board; and

WHEREAS, the EMS Board is charged along with other responsibilities of ensuring that the citizens of Greene County are served by viable, efficient and professional ambulance service, including determining whether outside private ambulances are permitted to transport individuals and patients within the geographic confines of Greene County; and

WHEREAS, it appears that many of the individuals serving on the EMS Board are serving based on their respective positions in the community or government and are appointed by the County Mayor and the City Mayor subject to the approval by their respective boards; and

WHEREAS, it would appear that since Greene County and the Town of Greeneville have the responsibility overall for ensuring the vital operations and services of ambulances within Greene County including providing such financial supplementation as is required in order to operate the county/town owned ambulance service, that all members of the EMS Board

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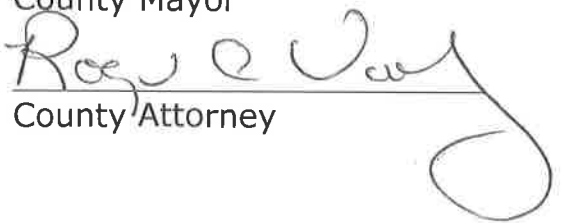
should be filled by individuals elected to serve on the Greene County Legislative Body or the Town of Greeneville Board of Mayor and Alderman.

NOW, THEREFORE BE IT RESOLVED, by the Greene County Legislative Body, meeting in regular session on this the 20th day of July, 2015, a quorum being present and a majority voting in the affirmative, that the EMS Board as it is presently exist should be disbanded and that a new board should be appointed by the County Mayor and the City Mayor in such numbers as representative of the ownership interest that each entity has in the Emergency Medical Services and that all members of the EMS Board shall be composed solely by the County Mayor and City Mayor and members of the County Legislative Body and members of the Town of Greeneville Board of Mayor and Alderman.

BE IT FURTHER, RESOLVED that the new appointments to the EMS Board should be made with the effective date for the reconstructed board being September 1, 2015.

Eddie Jennings
Sponsor

County Clerk

County Mayor

County Attorney

Roger A. Woolsey
County Attorney
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**A RESOLUTION AUTHORIZING THE COUNTY MAYOR TO ENTER
INTO A LICENSE AGREEMENT BETWEEN THE STATE OF
TENNESSEE DEPARTMENT OF ENVIRONMENT AND
CONSERVATION AND GREENE COUNTY**

WHEREAS, the State of Tennessee Department of Environment and Conservation currently has one fulltime environmentalist whose primary job function is to approve and grant septic tank permits and provide other essential functions as it relates to issues concerning the environment in Greene County, Tennessee; and

WHEREAS, previously the State employed as many as three environmentalist and previously Greene County Health Department provided office space, utilities and janitorial services at that location for the environmentalists; and

WHEREAS, in 2006 the Health Department needed more space so the environmentalists were relocated to the Greene County 911 building; and

WHEREAS, pursuant to contract, the County provides to the State of Tennessee (for the environmentalist) a minimum of 500 sq. ft. of office space, utilities, upkeep, maintenance, janitorial supplies and service and also supplied staff to review and process routine applications for environmental services which would include collecting appropriate fees and issuing receipts, preparing certificates of deposits according to state policies and procedure and other essential functions for the State of Tennessee; and

WHEREAS, that original contract expired June 30, 2015 and the State of Tennessee has requested that Greene County enter into a new agreement with the State to continue to provide office space, utilities, maintenance, janitorial supplies and service and staff to assist environmentalists in performing their necessary job function in Greene County, (a copy of said Agreement is attached as Exhibit "A" to this Resolution); and

WHEREAS, after reviewing said Agreement it would appear to be in the best interest of Greene County and the citizens of Greene County to enter into said Agreement which would of course permit the State to locate environmentalists in Greene County and to avoid the necessity

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of its citizens traveling to adjacent counties to secure needed permits related to septic systems and environmental services.

NOW, THEREFORE, BE IT RESOLVED, by the Greene County Legislative Body meeting in regular session on the 20th day of July, 2015, a quorum being present and a majority voting in the affirmative, to authorize the County Mayor to enter into a License Agreement with the State of Tennessee Department of Environment and Conservation to provide office space, utilities, janitorial supplies and service and staff to assist environmentalist in performing their necessary job functions in Greene County for a contractual rate of Six Hundred Twenty Five Dollars (\$625.00) per month as specifically specified in the attached Agreement as Exhibit "A".

Budget and Finance
Sponsor

County Mayor

County Clerk

County Attorney

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

AGENCY: Environment and Conservation
ALLTOMENT CODE: 327.34

This Instrument Prepared By:
State of Tennessee
Dept. of Environment & Conservation
William R. Snodgrass TN Tower
312 Rosa L. Parks Avenue, 10th Floor
Nashville, Tennessee 37243

LICENSE AGREEMENT BETWEEN
STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
AND
GREENE COUNTY

This Agreement is made and entered into as of this the ____ day of _____, 2015, by and between the State of Tennessee, Department of Environment and Conservation, hereinafter referred to as "State," and Greene County, hereinafter referred to as "Licensor" for office space to be utilized by the State.

WITNESSETH

1. **PREMISES:** Licensor agrees to provide the State with approximately 500 square feet of office and related space at 129 Charles Street, Greeneville, Tennessee 37743.
2. **TERM:** The term of this Agreement shall commence on July 1, 2015 and shall end on June 30, 2016. Either party may terminate this Agreement by giving written notice to the other party at least ninety (90) days prior to the date when such termination becomes effective.
3. **PURPOSE:** Licensee will use the premises for the purpose of office space for Water Resources staff.
4. **NOTICES:** All notices herein provided to be given, or which may be given, by either party to the other, shall be deemed to have been fully given when made in writing and deposited in the United States mail, certified and postage prepaid and addressed as follows:

TO THE LICENSOR:

Greene County
Attn: David Crum, County Mayor
204 North Cutler Street
Greeneville, Tennessee 37745
Phone: 423-798-1766

TO THE STATE:

Environment and Conservation
William R. Snodgrass TN Tower
312 Rosa L. Parks Avenue, 10th Fl.
Nashville, Tennessee 37243
Phone: 615-532-0118

5. **FEE:** The State shall make payment in arrears on the last day of the payment period as follows: Payment in installments of \$625.00 per month. Fees shall be paid to the Licensor at the address specified in paragraph 4 or to such other address as the Licensor may designate by a notice in writing.
6. **SERVICES:** Licensor agrees to furnish all utilities, upkeep, maintenance, janitorial supplies and service. Space and restrooms shall be handicap (ADA) accessible. The Licensor shall review and process routine Applications for Environmental Services. Processing will include collecting appropriate fees, issuing receipts and preparing Certificates of Deposit according to State policies and procedures, as well as making deposits at a bank designated by the state and providing revenue reports to the state. In addition, the Licensor shall prepare and process Requests for Refund and provide completed permits, letters and other paperwork to applicants.
7. **HEATING AND AIR CONDITIONING:** Adequate heating and air conditioning shall be furnished by the Licensor at his expense.

In witness whereof, this License Agreement has been executed by the parties
hereto.

LICENSOR:

STATE OF TENNESSEE

David Crum Date
County Mayor

Commissioner Date
Environment and Conservation

APPROVED:

Director of Real Estate Compliance Date
General Services - STREAM

**A RESOLUTION
ESTABLISHING PROCEDURES FOR ACCESSING
AND COPYING PUBLIC RECORDS**

WHEREAS, the Greene County Legislative Body recognizes the findings of the General Assembly of Tennessee that it is vital in a democratic society that public business be performed in an open and public manner so that public citizens shall be advised of the performance of public officials and of the decisions that are reached in public activity and in the formulation of public policy; and

WHEREAS, in order to ensure that Greene County conducts public business in an open and public manner, it shall be the policy of Greene County to comply with both the letter and the spirit of the Open Records Law (T.C.A. § 10-7-504, *et seq.*) as amended; and

WHEREAS, the Greene County Legislative Body has determined that a formal policy regarding the submission and processing of request for access to public records under the Open Records Law should be adopted to provide the public and employees with clear requirements and practices that will permit the County to operate in an open and public manner.

NOW, THEREFORE, BE IT RESOLVED by the Legislative Body of Greene County, Tennessee as set forth below:

- A. Pursuant to the findings above, the Legislative Body hereby adopts its Policy Regarding Requests for Public Records Under the Public Records Act (the "**Policy**"), a copy of which is attached hereto as "Exhibit A".
- B. Consistent with the Public Records Act of Tennessee, personnel of Greene County shall provide full access and assistance in a timely

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and efficient manner to persons who request access to open public records.

- C. Employees of Greene County shall protect the integrity and organization of public records with respect to the manner in which the records are inspected and copied. All inspections of records must be performed under the supervision of employees of Greene County. All copying of public records must be performed by employees of Greene County.
- D. To prevent excessive disruptions of the work, essential functions, and duties of employees of the County persons requesting inspection and/or copying of public records shall complete a records request form to be furnished by the County. If the requesting party refuses to complete a request form, a County employee shall complete the form with the information provided by the requesting party. Persons requesting access to open public records shall describe the records with particularity so that the records may be located and copied by employees.
- E. When voluminous records are requested in writing using the designated form, the person requesting access shall make an appointment with the records supervisor or his/her designee of the department holding the records. Appointments for inspection of records may be for no longer than two (2) hours in one day per request. If further inspection is needed by the requesting party, another appointment may be scheduled. The purpose of this policy is to prevent monopolization of working hours of County Employees and interference with their work duties. Employees shall make every effort to schedule appointments and copying of records so as to provide full access to the requesting party.
- F. Persons may further request that copies be made of open public records. The charge for copies shall be in accordance with the policy. Payment of copying fees is due when the copies are received by the requesting party. If voluminous copies are requested, the County reserves the right to take 48 hours, during the work week, to prepare the copies. No open public records may be removed from the County office for the purpose of copying.

G. If the public records requested are frail due to age or other conditions, and copying of the records will cause damage to the original records, the requesting party may be required to make an appointment for inspection as provided in paragraph D.

H. The Policy is effective immediately upon the adoption of this Resolution.

Budget and Finance
Sponsor

County Mayor

County Clerk

County Attorney

Roger A. Woolsey
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**POLICY FOR THE INSPECTION AND COPYING OF PUBLIC RECORDS UNDER
THE TENNESSEE OPEN RECORDS LAW
(T.C.A. § 10-7-504 ET SEQ.)**

I. PURPOSE

This policy establishes uniform procedures for handling requests under Tennessee's Public Records Law to inspect and/or copy records and to comply with required confidentiality of records. In accordance with Tennessee Code Annotated § 10-7-503 Records Open to Public Inspection, all records made or received in connection with the transaction of official Greene County business shall at all times during business hours, be open for personal inspection by any citizen of Tennessee unless otherwise provided by law or regulations made pursuant thereto; and, the citizen shall have the right to make copies in accordance with T.C.A. § 10-7-506; Right to Inspect Public Records. Any questions concerning public records should be addressed to the Greene County Department Head from which the records are requested.

II. DEFINITIONS

A. *Records Custodian.* An individual who is an employee of Greene County who lawfully exercises direct care and control over a specific group or collection of records and is responsible for the protection, preservation and release of non-confidential information pursuant to T.C.A. § 10-7-503 Records Open to Public Inspection-Schedule of Reasonable Charges-Costs. A Records Custodian is not necessarily the original preparer or producer of the record. An entity such as Greene County has multiple Records Custodians.

B. *Public Records.* All documents, papers, letters, maps, books, photographs, microfilms, electronic data processing files and electronic mail messages, films, sound recordings, or other material regardless of physical form or characteristic, made or received in connection with the transaction of official County business and required to be open to inspection under the provisions of Tennessee law. It should be noted that disclosure of student records is governed by the Family Educational Rights and Privacy Act (FERPA) and Greene County Board of Education Policy 6.602 Access to Education Records and, therefore, not subject to this policy.

C. *Employee Records.* All records related to current or former employees (staff, faculty, deputies, graduate assistants, etc.) or applicants to such positions, excluding that information deemed confidential by statute, that are maintained in the Human Resource Services Office, Payroll Office, Accounting Office, and any other department that may maintain records that include information on employees.

D. *Confidential Information.* Information in public records that may not be released under the Tennessee Public Records laws, including the following and any other information so defined by statute:

1. *Employee Information.* The following records or information for any employee or former employee:

- a. Home telephone and personal cell phone numbers;
- b. Bank account information and individual health savings account, retirement account and pension account information;
- c. Social Security number;
- d. Residential information, including the street address, city, state and zip code;
- e. Driver's license information, except where driving or operating a vehicle is part of the employee's job description, job duties, or incidental to the performance of his/her job;
- f. The information listed in items a. – e. above concerning immediate family members, whether or not the immediate family member resides with the employee, or household members;
- g. Medical information, sick leave documentation, documentation relating to the Americans with Disabilities Act, as amended, or the Family Medical Leave Act, and Employee Assistance Program (EAP) files.
- h. Emergency contact information;
- i. Personal, nongovernment issued, email address;

j. Job performance evaluations. For purposes of this policy, "job performance evaluations" includes, but is not limited to, job performance evaluations completed by supervisors, communications concerning job performance evaluations, self-evaluations of job performance prepared by employees, job performance evaluation scores, drafts, notes, memoranda, and all other records relating to job performance evaluations.

2. *Audit Working Papers.* Records of an audit may include paper documents and/or electronic documents. Working papers are prepared from the time auditor's first launch their assignments until they write the final reports. The working papers include, but are not limited to, the records of planning and surveys, the audit program, the results of field work, auditee records, intra-agency and interagency communications, draft reports, schedules, notes, memoranda and all other records relating to the audit or investigation.

3. *Donor Records.* In accordance with T.C.A. § 49-7-140 Confidentiality of Gift Records, records and information that concern gifts to the County, that include name, address, telephone number, social security number, driver's license information, or any other personally identifiable information about the donor or members of the donor's family shall not be open for inspection. The County or the Foundation will, however, make available, upon request, an annual report of gifts with the amount of the gift and a general description of its use.

III. PROCEDURES

A. Generally.

1. Except for confidential records as prescribed by law, public records will be open for inspection by citizens of Tennessee in the office of record during business hours. Requests to inspect a record may, but are not required to, be in writing. Requests for copies of records must be made in writing. Persons requesting to inspect or copy records must show identification of Tennessee citizenship with a government-issued photo identification card including the person's address (i.e., driver's license, voter's registration, etc.), and are requested/required to complete a Request to Inspect/Copy Public

Records form which can be downloaded from the link provided. The Records Custodian will maintain the original copy of a completed form to request/inspect records; copies of the form will be sent by the Records Custodian to the Office of the County Attorney and the County Mayor.

2. Requests to inspect/copy records must be made to the Records Custodian, and must be sufficiently detailed to enable the Records Custodian to identify the specific records to be located or copied. When a Records Custodian is unclear as to the records being requested, the Records Custodian should contact the requestor in an effort to clarify and/or narrow the request. If, after attempting to do so, the Records Custodian is still unable to determine what is being requested, the request should be denied based upon the requestor's failure to sufficiently identify the requested records. A Records Request Denial Letter should be sent to the requestor.

3. The County is not required to create records or compile information.

B. Form or Format of Record to be Inspected/Copied. The public records laws require that actual records be produced or used for viewing and/or copying. The nature of certain records and applicable confidentiality requirements, however, may result in providing the requested record/information in a form or format other than the original records form or format. In such cases, the Records Custodian may coordinate with the requestor to find an alternate form or means of providing access to the same desired record or information as available under the open records laws. In the event the records include confidential information, copies of the record will be made and the confidential information will be redacted (stricken) before being made available for inspection or copying.

C. Custody Not Relinquished. Custody of the original record is not to be relinquished. The person requesting to inspect the record must inspect the records in the presence of the Records Custodian. If the request is for copies of the record(s), the County will provide the copied information.

D. Time Required to Produce Records. If the record cannot be produced within seven (7) business days, e.g., they are filed in archives, being

used for official business or it will take additional time to redact confidential information from the record, the requestor shall be advised when the record(s) will be available. All efforts will be made to provide the records within a reasonable period of time. A Records Production Letter using this form must be provided. If the request will be denied, a Records Request Denial Letter must be sent within seven (7) business days.

E. Media Requests. Requests to inspect/copy records submitted by a representative of the news media (newspaper, radio, television, magazine, etc.) must be made through the County Mayor's Office or the Office of the County Attorney, which will arrange for the inspection or copying of the records.

F. Other Offices to be Notified. The Office of County Attorney and the Office of the County Mayor should always be notified when records are requested to be inspected/copied. These offices may be required to assist in answering questions, coordinating release of any additional information, and ensuring correct understanding of the records. Further, these offices will be provided copies of inspected and/or copied records upon request or whenever the Records Custodian believes the circumstances warrant.

G. Inspection of Employee Records.

1. Personnel records of all employees and staff, including former employees, are subject to inspection/copying under Tennessee's Public Records Law, unless designated as confidential by statute. Persons requesting to inspect/copy personnel records are requested to complete the Request to Inspect/Copy Public Records form and must show identification of Tennessee citizenship through a government-issued photo identification card. All confidential information must be redacted before inspection/copying. The current employee will be notified that such a request was made and who made the request.

2. Medical records are maintained separately from personnel records and are considered to be confidential. Examples of medical records include, but are not limited to, sick leave documentation and employee assistance program (EAP) files.

H. *Question if Document is Open Record.* If it cannot be readily determined whether or not the Tennessee Public Records Law covers a requested document, the Records Custodian shall refer the matter to the Office of County Attorney.

I. *County Departments.* This procedure shall not apply to County departments that request to inspect and/or receive copies of records for County business purposes or records of employees who report to that department. Notwithstanding, however, the Records Custodian may require the requesting department to certify the business purpose of the request.

IV. COPYING OF PUBLIC RECORDS

A. Upon request, the County will provide copies of public records at the requestor's expense. When a request for copies is received, the Records Custodian should not relinquish the records. Confidential information shall always be redacted before copies are provided.

B. It is the responsibility of the Records Custodian to make copies or arrange for copies to be made as well as to determine copy fees and charges, as stated below. An itemized estimate of the charges to be assessed for copies and labor should be provided to the requestor prior to producing the requested copies. Payment of fees and charges are to be made in advance to the head of the department or at the trustee's office and the requestor shall present the receipt to the Records Custodian. Payment will be credited to the Record Custodian's account or the account of the department responsible for preparing the records.

1. Letters, minutes, maps, court records, blueprints, etc.

- a. The requestor shall be required to complete a Request to Inspect/Copy Public Records form identifying the specific record(s) to be copied. The request form, along with any other documents relevant to the request, shall be maintained in the Records Custodian's file.

- b. If available to do so, the Records Custodian may immediately make the requested copies and provide the documents to the requestor, so long as the requestor has paid for the charges according to the schedule of Fees/Charges listed below.

c. The Records Custodian shall advise the requestor that payment for the copies is to be made to the department head or his/her designee or at the Trustee's office. Upon presentation of an official receipt to the Records Custodian, the requested copies will then be made.

d. All efforts will be made to make the copies within a reasonable period of time. If the Records Custodian is not immediately available to make the copies, the requestor shall be advised that he/she will be notified when and where the copies will be available for pickup and where payment for the copies may be made. If the records will not be available within seven (7) business days of the date of the request, the requestor shall be provided a Records Production Letter.

2. Tape or video recordings, computer tapes, and other electronic documents.

a. The requestor shall be required to complete a Request to Inspect/Copy Public Records form identifying the specific record(s) to be copied. The request form, along with any other documents relevant to the request, shall be maintained in the Records Custodian's file.

b. If there is not an established fee rate for the type of reproduction (copy) to be made, the Records Custodian should expeditiously ascertain the cost for duplication and notify the requestor of the charge. Payment for the charge shall be made in advance to the department head, his/her designee, or at the trustee's office.

c. Upon payment by the requestor, the record should be duplicated and arrangements made for pickup by the requestor.

3. Copy Format

a. Notwithstanding the form of the records, reproduction or copying of records shall be made in a form as best determined by the Records Custodian.

b. Information on computer tapes and other electronic documents should be copied in a printed format whenever possible. An actual reproduction of the computer tape, etc. should not be provided.

c. No records shall be produced or copied in a form to further a commercial, business, or similar purpose, for example, mailing labels, envelopes, lists of telephone numbers, special format on computer disk, etc.

d. If the requested records exist electronically, but not in the format requested; or a new or modified computer program or application is necessary to put the records in a readable and reproducible format; or it is necessary to access backup files, the Records Custodian shall charge the requestor the actual costs incurred in producing the records in the format requested, or in creating or modifying a computer program or application necessary to put the records in a readable and reproducible format, or in accessing backup files.

e. Records should be produced electronically whenever feasible as a means of utilizing the most cost effective method of producing records.

f. If electronic records are provided, they will be produced in read-only format.

4. Fees and Charges.

a. No fees or charges may be imposed for inspection of records.

b. An itemized estimate of the fees and charges should be provided to the requestor. Payment of this amount must occur prior to copies being made. Payment in full of the actual costs must be made prior to release of the requested copies. Both the estimated charges and the actual charges may be included on the Request to Inspect/Copy Public Records form.

c. Fees.

(1) If copies of the document are sought, the price is 15 cents per page (black and white), 50 cents per page (color)

for standard letter and legal pages, plus the actual cost of labor and/or programming to produce the copy, after the first hour. The price per copy for larger documents (such as blueprints and other specialized documents) is the actual cost. Documentation establishing the amount of the actual cost should be maintained.

(2) If the determined format of the copy is other than paper photocopy, the requestor shall be charged a reasonable fee. Under special circumstances and depending on how best to reproduce/copy the records, the Records Custodian, with the approval of the Office of County Attorney, may negotiate with the requestor the fee to be paid. Documentation establishing the basis of the fee should be maintained.

(3) Any actual delivery costs incurred by the County, such as postal fees, will be added to the final bill for records.

d. Labor/Programming Charges.

(1) Labor is the time reasonably necessary to produce the requested records and includes the time spent locating, retrieving, reviewing, redacting, and reproducing the record. Programming is the time reasonably necessary to extract information requested from a database. All labor and programming charges, after the first hour, must be paid by the requestor to obtain a copy of the record. A receipt upon payment of the fees and charges will be provided.

(2) In calculating the charges for labor and/or programming, the Records Custodian shall determine the number of hours each employee spent producing a request. The first hour, which is not charged to the requestor, shall be subtracted from the number of hours the highest paid employee(s) spent producing the request. The remaining hours are then totaled for each employee, and multiplied by that employee's hourly wage. The results are then added together for the total amount of labor that will be charged. The form to record and calculate the labor cost is located at Calculation of Labor Costs. This form is used to tally these charges, and the totals

are provided to the requestor on the Request to Inspect/Copy Public Records form.

(3) If the requested records exist electronically, but not in the format requested, or a new or modified computer program or application is necessary to put the records in a readable and reproducible format, or it is necessary to access back up files, the requesting party shall be charged the actual costs incurred in producing the records in the format requested or in creating or modifying a computer program or application necessary to put the records in a readable and reproducible format or in accessing back up files.

e. If the total amount of fees, labor/programming charges, and postage is less than \$5.00, the cost will be waived.

V. DUTIES OF THE RECORDS CUSTODIAN

In responding to requests to inspect or copy records, it is anticipated that the Records Custodian will be responsible for the following:

A. Receive the request. If the request is for copies, it must be in writing and the Request to Inspect/Copy Public Records form must be used.

B. Verify Tennessee citizenship. The identification produced should be copied and the copy maintained with the original request form.

C. If the Records Custodian determines that he/she is not the appropriate custodian of record, direct the requestor to the correct Records Custodian, if possible. If the request is from the news media, the requestor must be directed to the Office of the County Attorney or the Office of the County Mayor.

D. Notify the Office of the County Attorney and the Office of the County Mayor of the request.

E. Coordinate compiling the requested records.

F. If the request is to inspect records, arrange a location for the requestor to do so. Inspection must be made in the presence of the Records Custodian.

G. If the request is for copies, provide the requestor with an itemized estimate of the fees and charges using the Request to Inspect/Copy Public Records form, and require payment for such. The receipt should be maintained with the request to inspect/copy. Once payment is received, direct that copies be made.

H. Ensure that the appropriate redactions of confidential information are made whether the request is for inspection or copies.

I. When the copies are available, determine the final amount of the fees and charges using the Labor Cost form, and provide the totals on the Request to Inspect/Copy Public Records form. Provide the requestor with the actual cost amounts and specify that payment in full is required prior to release of the copies.

J. Designate the appropriate account number(s) on the receipt for distribution of the funds.

K. Provide appropriate correspondence to the requestor. Within 7 business days of receipt of a request, the Records Custodian must:

1. Make the records available for inspection or provide the requested copies;
2. Deny the request to inspect or copy using the Records Request Denial Letter, indicating the basis for the denial; or,
3. If the records cannot be made available within seven (7) business days of the request, send the Records Production Letter indicating when the requested records or copies of the records will be available.

L. Maintain documentation regarding the request to include, as appropriate:

1. The Request to Inspect/Copy Public Records form.
2. Proof of Tennessee citizenship.
3. Labor Cost form(s).

4. Copies of receipts for payment of fees and charges.

5. Correspondence with requestor.