

AGENDA

GREENE COUNTY LEGISLATIVE BODY

Monday, November 17, 2014

6:00 P.M.

The Greene County Commission will meet at the Greene County Courthouse on Monday, November 17, 2014 beginning at 6:00 p.m. in the Criminal Courtroom (Top Floor) in the Courthouse.

Call to Order

- *Invocation (Pastor Todd Abbey, Central Baptist Church)
- *Pledge to Flag (County JROTC)
- *Roll Call

Public Hearing

- Jack Stewart with NAMI of Greene County

Approval of Prior Minutes

Reports

Reports from Solid Waste Dept.
Committee Minutes

Old Business

Election of Notaries

Resolutions

- A. A resolution to amend the Greene County Schools General Fund Budget for the Fiscal Year 2014-2015
- B. A resolution to budget carryover funds for a Chronic Disease CDC Grant 1305 in the amount of \$10,000 from the Tennessee Department of Health for the Fiscal Year ending June 30, 2015
- C. A resolution to budget for an increase in the Chronic Disease CDC Grant 1305 in the amount of \$16,100 from the Tennessee Department of Health for the Fiscal Year Ending June 30, 2015
- D. A resolution to amend the General Fund 2014-2015 Fiscal Year Budget \$2,586 for carryover funds received in prior year as contributions to the Greene County Health Department
- E. A resolution to budget for a Recovery Drug Court Grant in the amount of \$50,000 from the Tennessee Department of Mental Health and Substance Abuse Services for the Fiscal Year ending June 30, 2015
- F. A resolution to budget \$4500 for sexual offender registration reserve
- G. A resolution on the regulations governing the use of the County Right-Of-Way
- H. A resolution appointing the Greene County Junior ROTC as curator of the Tennessee Army National Guard Memorial Garden located near U.S. Highway 11-E
- I. A resolution to adopt a development fee schedule for Greene County, Tennessee (REVIEW AND CONSIDER ONE OF THE FOLLOWING RESOLUTIONS: RESOLUTION I-1 OR RESOLUTION I-2)
- J. A resolution for amending the Greene County Zone Resolution to remove the Article IX, Enforcement, Section 907 through 907.6 from the Zoning Resolution of Greene County, Tennessee
- K. A resolution to amend the 2015 Fiscal Year General Fund's budget to transfer \$1,300 from the General Fund's unassigned balance to pay for competency evaluations of defendants with Misdemeanor charges
- L. A resolution authorizing the County Highway Superintendent to enter into agreements with the municipalities within Greene County, the Greene County Board of Education, the Greene County Health Department and the Greene County Solid Waste Department to perform work
- M. A resolution to budget \$200,000 from the General Fund Balance for additional Emergency Medical Personnel expenditures

Other Business

Adjournment

REGULAR COUNTY COMMITTEE MEETINGS

NOVEMBER 2014

TUESDAY, NOV 4	HOLIDAY	OFFICES CLOSED	
WEDNESDAY, NOV 5	9:00 A.M.	BUDGET & FINANCE	ANNEX – DOWNSTAIRS
TUESDAY, NOV 11	HOLIDAY	OFFICES CLOSED	
WEDNESDAY, NOV 12	8:30 A.M.	INSURANCE	ANNEX
WEDNESDAY, NOV 12	1:00 P.M.	PLANNING	ANNEX
THURSDAY, NOV 13	6:00 P.M.	COURTHOUSE WORKHOUSE AND LAW ENFORCEMENT (JOINT MEETING)	WORKHOUSE ON SUMMER ST.
MONDAY, NOV 17	6:00 P.M.	COUNTY COMMISSION MEETING	COURTHOUSE
MONDAY, NOV 24	6:00 P.M.	HIGHWAY COMMITTEE (IF BUSINESS)	HIGHWAY DEPARTMENT
WEDNESDAY, NOV 26	8:30 A.M.	ZONING APPEALS	ZONING OFFICE
THURSDAY, NOV 27	HOLIDAY	OFFICES CLOSED	
FRIDAY, NOV 28	HOLIDAY	OFFICES CLOSED	
<u>DECEMBER 2014</u>			
THURSDAY, DEC 4	9:00 A.M.	BUDGET & FINANCE	ANNEX
TUESDAY, DEC 9	8:30 A.M.	BEVERAGE BOARD	ANNEX
TUESDAY, DEC 9	1:00 P.M.	PLANNING	ANNEX
WEDNESDAY, DEC 10	8:30 A.M.	INSURANCE	ANNEX
MONDAY, DEC 15	10:00 A.M.	COUNTY COMMISSION MEETING	COURTHOUSE
MONDAY, DEC 22	3:30 P.M.	EDUCATION COMMITTEE	SCHOOL OFFICE
MONDAY, DEC 22	6:00 P.M.	HIGHWAY COMMITTEE (IF BUSINESS)	HIGHWAY DEPARTMENT
WEDNESDAY, DEC 24	HOLIDAY	OFFICES CLOSED	
THURSDAY, DEC 25	HOLIDAY	OFFICES CLOSED	
FRIDAY, DEC 26	HOLIDAY	OFFICES CLOSED	

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 NOVEMBER 17, 2014 MEETING OF THE GOVERNING BODY:

NAME	HOME ADDRESS	HOME PHONE	BUSINESS ADDRESS	BUSINESS PHONE	SURETY
1. JULIA ANN BALL	1106 TIMBERS EAST GREENEVILLE TN 37745	423-335-4427	800 S GAY STREET KNOXVILLE TN 37929	423-335-4427	JULIA ANN BALL
2. RHONDA FRENCH BANKS	280 FALCON CIRCLE AFTON TN 37616	423-426-2436	711 CAMPBELL DRIVE GREENEVILLE TN 37745	423-798-6160	
3. SONYA GAIL BIBLE	121 HOPEVILLE AVE GREENEVILLE TN 37745	865-805-8756	929 APPLE ST, B4 GREENEVILLE TN 37745	423-787-0112	
4. KATHY BOWMAN	659 CM JONES RD GREENEVILLE TN 37745	423-329-6386	1513 E AJ HWY GREENEVILLE TN 37745	423-798-2075	
5. ROSALIE ELIZABETH BROOKS	1302 UPLAND AVENUE GREENEVILLE TN 37743	423-972-1419	121 E DEPOT STREET GREENEVILLE TN 37743	639-3511	
6. CAROL J CLARK	2060 MILBURTON ROAD LIMESTONE TN 37681	317-544-8282	305 W OAKLAND SUTIE 130 JOHNSON CITY TN TN 37604	423-328-9332	CAROL CLARK
7. THOMAS DANIEL COBBLE	1082 W VANN RD GREENEVILLE TN 37743	423-639-1960			
8. ANDREW JON COGGINS	109 WAYFAIR DR GREENEVILLE TN 37743	423-483-1071	2330 E AJ HWY GREENEVILLE TN 37745	787-7730	
9. LORI ANN DUNN	506 BIG SPRINGS DRIVE MOSHEIM TN 37818	423-422-7302	401 TAKOMA AVENUE GREENEVILLE TN 37743	423-639-3151	YES
10. SHARON K FLETCHER	570 STEPHEN BROOKS RD GREENEVILLE TN 37743	638-9501	92 SAM DOAK DR GREENEVILLE TN 37745	423-787-7700	
11. WANDA M GIBSON	215 FORTIONS RD LIMESTONE TN 37681	423-257-5290	92 SAM DOAK DR GREENEVILLE TN 37745	423-787-7700	
12. RHONDA J GLOVER	840 TYNE GRAY RD AFTON TN 37616	423-972-9011	1513 E ANDREW JOHNSON HWY GREENEVILLE TN 37745	423-798-2075	
13. KAREN S. KNIGHT	299 S. RUFE TAYLOR ROAD GREENEVILLE TN 37745	423-638-5477	1505 W. MAIN STREET GREENEVILLE TN 37743	423-638-4818	
14. MARGARET E KNIGHT	4835 MARVIN RD BULLS GAP TN 37711	423-422-6742	116 E DEPOT ST GREENEVILLE TN 37743	423-798-1800	
15. TERRY JOE LAWS	2855 OLD KENTUCKY RD S GREENEVILLE TN 37743	639-6131	3634 E AJ HWY GREENEVILLE TN 37745	639-6131	
16. MAUREEN L MALONE	121 RUSH RD BULLS GAP TN 37711	423-588-0478	1431 W MAIN ST GREENEVILLE TN 37743	423-639-7212	SURETY BONDING COMP OF AMERICA
17. ASHLEY RENE' MATHES	920 SINKING SPRINGS ROAD MIDWAY TN 37809	423-620-5491	125 SPRING STREET SOUTH MOSHEIM TN 37818	423-422-6011	NO 10,000 SURETY BOND NO
18. CHRISTINA A MCINTOSH	2621 DOTY CHAPEL RD AFTON TN 37616	423-721-5190	1223 KISER BLVD GREENEVILLE TN 37745	423-525-5743	
19. GLENDA J MOORE	104 HOPEVILLE AVENUE GREENEVILLE TN 37745	720 234 8899	135 N CHURCH ST SPARTANBURG SC 29306	423-787-7730	
20. JANIE DIANNE NEWTON	128 W BARTON RIDGE RD GREENEVILLE TN 37743	636-5019	2014 W CHURCH ST GREENEVILLE TN 37745	636-5000	

Janice Fletcher
 SIGNATURE
 Chief Deputy Clerk

CLERK OF THE COUNTY OF GREENE, TENNESSEE

DATE 11-17-14

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 NOVEMBER 17, 2014 MEETING OF THE GOVERNING BODY:

NAME	HOME ADDRESS	HOME PHONE	BUSINESS ADDRESS	BUSINESS PHONE	SURETY
21. TERRY B. SHELTON	1160 UNION RD GREENEVILLE TN 37745	423-972-3780	3634 E ANDREW JOHNSON HWY GREENEVILLE TN 37745	423-693-6131	
22. LAUREN M TURNER	424 SPRING CREEK PLACE GREENEVILLE TN 37745	423-202-1158	100 N. MAIN STREET GREENEVILLE TN 37745	423-278-3035	
23. MARK A WADDELL	2816 SHILOH ROAD GREENEVILLE TN 37745	423-973-8293	101 AMERICAN ROAD AFTON TN 37616	--	MARK A WADDELL
24. CAROLYN WELLS	6802 ASHEVILLE HWY GREENEVILLE TN 37745	423 798 9412	6858 ASHEVILLE HWY GREENEVILLE TN 37743	423 638 9086	
25. TAMMIE JEAN WINTERS	1708 MOORE AVE GREENEVILLE TN 37745	552 2577	2330 E A J HWY GREENEVILLE TN 37745	787 7730	


 SIGNATURE
 CLERK OF THE COUNTY OF GREENE, TENNESSEE
 11-9-14
 DATE

**THE GENERAL PURPOSE SCHOOL FUND
A RESOLUTION TO AMEND THE GREENE COUNTY SCHOOLS
GENERAL FUND BUDGET
FOR THE FISCAL YEAR 2014-2015**

WHEREAS, the Greene County School System is amending the 2014-2015 Budget for the General Fund to reflect additional funds for four grants: three grant from the Niswonger Foundation (Chuckey-Doak \$13,500.00 and North Greene \$10,800.00 for Distance Learning Monitors, the Four High Schools for textbooks for AP History & AP Biology Classes \$15,418.20), and additional funds from The State of Tennessee for the School Climate Grant \$41,606.42.

THEREFORE, the following appropriations will be amended:

REVENUES

Account Number	Description	Increase	Decrease
44570	Contributioin & Gifts (Niswonger Foundation Grants)	\$ 39,718.20	\$ -
46590	Other State of Education Funds (School Climate Grant)	41,606.42	-
		\$ 81,324.62	\$ -

EXPENDITURES

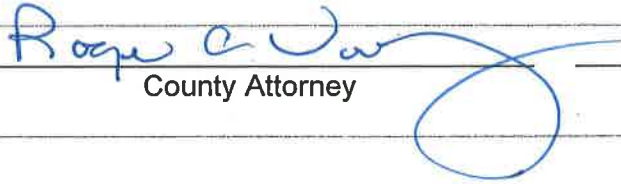
Account Number	Description	Increase	Decrease
71100 195	Certified Substitute Teachers (Distance Learning Monitors)	\$ 23,191.00	\$ -
71100 201	Social Security (Distance Learning Monitors)	773.00	-
71100 212	Medicare Tax (Distance Learning Monitors)	336.00	-
71100 449	Textbooks (AP History & AP Biology Classes)	15,418.20	-
	Total Niswonger Foundation Grants	39,718.20	
72130 189	Other Salaries & Wages (School Climate Grant)	9,140.00	-
72130 201	Social Security (School Climate Grant)	567.00	-
72130 204	State Retirement (School Climate Grant)	830.00	-
72130 212	Employer Medicare (School Climate Grant)	133.00	-
72130 355	Travel (School Climate Grant)	34,784.42	-
72130 499	Other Supplies & Materials (School Climate Grant)	-	5,848.00
72130 524	Staff Development (School Climate Grant)	2,000.00	-
	Total for School Climate Grant	47,454.42	5,848.00
	Grand Total	\$ 87,172.62	\$ 5,848.00



NOW, THEREFORE, BE IT RESOLVED by the Greene County Legislative Body meeting in regular session, this 17th day of November 2014, a quorum being present and a majority voting in the affirmative, that the funds be appropriated as shown above.

County Mayor

Greene County Education Committee
Sponsor


County Attorney

County Clerk

**A RESOLUTION TO BUDGET CARRYOVER FUNDS FOR A CHRONIC DISEASE
CDC GRANT 1305 IN THE AMOUNT OF \$10,000 FROM THE TENNESSEE
DEPARTMENT OF HEALTH FOR THE FISCAL YEAR ENDING JUNE 30, 2015**

WHEREAS, during the fiscal year ended June 30, 2014 the Tennessee Department of Health awarded to the Greene County Health Department a grant in the amount of \$10,000 to provide funds to prevent and control Diabetes, Heart Disease, Obesity and Associated Risk Factors and Promote School Health, and the Health Department of Greene County was unable to earn those funds during fiscal year 2013-2014, and

WHEREAS, Greene County is one of 13 counties targeted to receive this grant. The goal of the grant is to improve the health of Greene County by developing and implementing policies and strategies to promote and reinforce healthful behaviors and fight chronic disease in Greene County. This grant has been awarded for five (5) years and is for \$10,000 each year for a total of \$50,000. This is the second year of the five (5) year grant. The Tennessee Department of Health has agreed to allow Greene County to carryover the \$10,000 for FYE June 30, 2014 and expend those funds during the FYE June 30, 2015, and

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

INCREASE ESTIMATED REVENUE:

47590	Other Federal Through State Grant	<u>\$ 10,000</u>
	Total increase to estimated revenues	<u>\$ 10,000</u>

INCREASE IN APPROPRIATIONS:

55900	OTHER PUBLIC HEALTH AND WELFARE	
429	Other Supplies and Materials	<u>\$ 10,000</u>
	Total increase in appropriations	<u>\$ 10,000</u>

NOW, THEREFORE; be it resolved by the Greene County Legislative Body meeting in regular session this 17th day of November, 2014, 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

B

A RESOLUTION TO BUDGET FOR AN INCREASE IN THE CHRONIC DISEASE CDC GRANT 1305 IN THE AMOUNT OF \$16,100 FROM THE TENNESSEE DEPARTMENT OF HEALTH FOR THE FISCAL YEAR ENDING JUNE 30, 2015

WHEREAS, the Tennessee Department of Health has increased the awarded to the Greene County Health Department Chronic Disease CDC Grant 1305 in the amount of \$16,100 to provide funds for the salary and related benefits of the public health educator already employed by Greene County Health Department. The effective date of the grant increase is November 1, 2014 and will extend through June 30, 2015, and

WHEREAS, Greene County is one of 13 counties targeted to receive this grant. The goal of the grant is to improve the health of Greene County by developing and implementing policies and strategies to promote and reinforce healthful behaviors and fight chronic disease in Greene County. This grant has been awarded for five (5) years and the total to be received at the end of the five years will be \$142,900. This is the second year of the five (5) year grant, and

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

INCREASE ESTIMATED REVENUE:

47590	Other Federal Through State Grant	<u>\$ 16,100</u>
	Total increase to estimated revenues	<u>\$ 16,100</u>

DECREASE IN PREVIOUSLY BUDGETED FUND BALANCE

39000	FUND BALANCE	<u>\$ 16,100</u>
	Total decrease in Budgeted Fund Balance	<u>\$ 16,100</u>

NOW, THEREFORE; be it resolved by the Greene County Legislative Body meeting in regular session this 17th day of November, 2014, 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

C

Robert C. Ward
County Attorney

**A RESOLUTION TO AMEND THE GENERAL FUND 2014-2015 FISCAL YEAR
BUDGET \$2,586 FOR CARRYOVER FUNDS RECEIVED IN PRIOR YEAR AS
CONTRIBUTIONS TO THE GREENE COUNTY HEALTH DEPARTMENT**

WHEREAS the Greene County Health Department received a restricted donation of \$4,744 in the prior fiscal year honoring Tony Williams for his public service in the Wood Ministry of which \$150 was expended during the during fiscal year ended June 30, 2012, \$1,507 was expended during the fiscal year ended June 30, 2013, and \$501 was expended during the fiscal year ended June 30, 2014. This donation was restricted in nature; and

WHEREAS the restricted donation has a balance of \$2,586 available to be budgeted in the current fiscal year; and

WHEREAS the Health Department wishes to expend the remaining funds of \$2,586 during the current fiscal year; and

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

INCREASE BUDGETED FUND BALANCES

34530 Restricted for Public Health & Welfare	<u>\$ 2,586</u>
Total Increase in Budgeted Fund Balances	<u><u>\$ 2,586</u></u>

INCREASE IN APPROPRIATIONS

55110 Local Health Center	
340 Medical and Dental Services	<u>\$ 2,586</u>
Total Increase in Appropriations	<u><u>\$ 2,586</u></u>

NOW, THEREFORE; be it resolved by the Greene County Legislative Body meeting in regular session this 17th day of November, 2014, a quorum being present and a majority voting in the affirmative, that the General Fund budget be amended as above.

County Mayor

Budget and Finance Committee
Sponsor

County Clerk

D 

County Attorney

**A RESOLUTION TO BUDGET FOR A RECOVERY DRUG COURT GRANT IN
THE AMOUNT OF \$50,000 FROM THE TENNESSEE DEPARTMENT OF
MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES
FOR THE FISCAL YEAR ENDING JUNE 30, 2015**

WHEREAS, The Tennessee Department of Mental Health and Substance Abuse Services has awarded a grant to the Greene County Government Court System to provide funds for the Drug Court Program.

WHEREAS, The target population is adult male or female non-violent offenders who meet the criteria of a recovery court program under TCDCP and voluntarily want to participate in a drug court program under the TCDCP.

WHEREAS, This is the second year of this Grant which was awarded midyear last year and during the budget process, the revenue for this Grant was inadvertently left out of the final version of the approved budget, and

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

INCREASE ESTIMATED REVENUE:

46190	Other State of Tenn General Government Grants	\$ 50,000
Total increase to estimated revenues		<u>\$ 50,000</u>

DECREASE IN PREVIOUSLY BUDGETED FUND BALANCE

39000	FUND BALANCE	\$ 49,550
Total decrease in Budgeted Fund Balance		<u>\$ 49,550</u>

INCREASE IN EXPENDITURES

53330	DRUG COURT	
	316 Contributions	\$ 2,126

DECREASE IN EXPENDITURES

53330	DRUG COURT	
	355 Travel	\$ 1,676

NET INCREASE IN BUDGETED EXPENDITURES	<u>\$ 450</u>
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NOW, THEREFORE; be it resolved by the Greene County Legislative Body meeting in regular session this 17th day of November, 2014, 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

E



County Attorney

RESOLUTION TO BUDGET \$4500 FOR SEXUAL OFFENDER REGISTRATION RESERVE

WHEREAS, the Tennessee Sexual Offender and Violent Sexual Offender Registration, Verification, and Tracking Act of 2004 (Public Chapter 921) imposes a fee to sexual offenders to recover the cost associated with updating the offender's fingerprints, palm prints, photograph, and TBI registration form; and

WHEREAS, the fee can only be used for the administrative cost associated with registering sexual offenders; and

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

INCREASE AMOUNT BUDGETED FROM RESERVES

34157	Reserved For Sexual Offender Registration	\$ 4,500
	Total adjustment to budgeted reserves	<u>\$ 4,500</u>

INCREASE APPROPRIATIONS

54160	Administration of the Sexual Offender Registry	
355	Travel	\$ 1,500
356	Tuition	\$ 500
716	Law Enforcement Equipment	\$ 2,500
	Total increase in appropriations	<u>\$ 4,500</u>

NOW, THEREFORE; be it resolved by the Greene County Legislative Body meeting in regular session this 17th day of November 2014, 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

F

Royce A. Wark

County Attorney

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, 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 17th of November, 2014, 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 persons performing excavation work within the county right-of-way. "Persons" includes, but is not limited to, individuals, utility districts, authorities, governmental entities and companies. "Persons" 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. The regulations apply to the installation, maintenance and removal of utilities unless otherwise provided.

SECTION 2. Except in cases of an emergency as defined herein, persons must obtain a permit from the county highway department prior to performing 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. 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. The 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. Acknowledgment of receipt of a copy of these regulations shall be a part of the permit request. By issuance of a permit, applicants 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, applicants, as recipients of a permit, 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.

SECTION 3. Applicants shall submit a permit fee in the amount of fifty (\$50.00) Dollars along with their permit request. The fee will be used to offset the county administrative and personnel cost related to the enforcement of these regulations.

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.

SECTION 5. The Department of Commerce and Insurance of the State of Tennessee (the "department") requires that all persons 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. 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 not of an emergency nature, 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. In the event of an emergency, persons will not be required to comply with the regular permitting requirements set forth herein. For purposes of these regulations,

“emergency” means an imminent danger to life, health, or property, whenever there is a substantial likelihood that loss of life, health or property will result before the procedures in these regulations can be fully complied with. In the event of an emergency, person will not be required to comply with the regular permitting requirements set forth herein. In the event of an emergency, notice of any excavation work within the county right-of way shall be given to the chief administrative officer of the county highway department in writing in the manner provide in Section 2 or by telephone, within two (2) hours of the beginning of any such activity. If notice is given by telephone, the agent of the person making the call shall enter the date and time of the call, 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 chief administrative officer of the county highway department by the next business day.

SECTION 8. The chief administrative officer of the county highway department may require an applicant to post collateral 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 collateral. Should the chief administrative officer of the county highway department execute settlement of the collateral, the proceeds from such execution shall be payable to the Greene County Highway Fund. In the event of an emergency, as defined herein, the chief administrative officer of the county highway department may require the person to post collateral as provided herein for non-emergency excavation work as a condition for continuing excavation work in the county right-of-way. 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 will be returned to the applicant.

SECTION 9. (a) Persons 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, 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.

(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 persons 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 persons as to whether he/she has elected, in his/her sole discretion, to immediately execute settlement of the collateral and use the proceeds to repair the damage or to allow the persons to repair the damage themselves. If the chief administrative officer elects to allow the persons 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 persons shall reimburse the county highway department for the cost of such repairs within ninety (90) days of receipt of an invoice from the county highway department.

SECTION 10. Persons 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. Persons 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. Persons 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, persons 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 applicant 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. 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.

SECTION 14. By approving the 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 five hundred dollars (\$500) per violation, pursuant to Tennessee Code Annotated Section 5-1-121. A "violation" is defined as each day a person 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 or obtaining a permit under the emergency provision when no emergency exists, 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 individual 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).

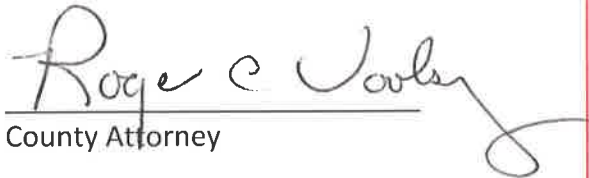
SECTION 21. These regulations shall be effective from and after January 1, 2015. Acknowledgment of receipt of a copy of these regulations shall be a part of the permit request.

SECTION 22. This resolution shall be effective from and after its passage, the public welfare requiring it.

Robin Quillen
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

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 Fifty and 00/100 Dollars \$50.00 along with the permit request. ****

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

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

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.**

RESOLUTION
A RESOLUTION TO ADOPT A DEVELOPMENT FEE SCHEDULE FOR
FOR GREENE COUNTY, TENNESSEE

WHEREAS, the Greene County Commission adopted planning and zoning within the unincorporated territory of Greene County, Tennessee and regulations for the use of property therein;

PURSUANT to TCA 13-3-104, TCA 13-7-202 and TCA 13-7-110

WHEREAS, a proposal has been made to adopt new development fees and to incorporate the current building permit fees and proposed planning fees into one document;

WHEREAS, the Greene County Budget Committee on the 8 of October, 2014 and Greene County Regional Planning Commission on the 14 of October, 2014 did study this proposal and unanimously recommended that the Greene County Commission to adopt this resolution; and

NOW, THEREFORE BE IT RESOLVED by the Greene County Legislative Body, meeting in regular session, on the 17 of November, 2014, a quorum being present and a majority of the full County Commission membership voting affirmatively to adopt as follows:

Schedule of Permit Fees - The fee schedule is established to partially defray the processing and administrative costs associated with the Zoning Resolution, Flood Damage Prevention Resolution and Subdivision Regulations. All fees are to be paid at the time of filing. The fee shall be collected by the Greene County Zoning and Building Office. All values for the purposes of calculating the applicable permit fee for any construction shall be determined by the multiplying the median square footage value as utilized by the Greene County Property Assessor.

- Building Permit Fees:

For all single wide mobile homes	\$150.00
For all double wide manufactured homes	\$250.00
For all portable accessory buildings	\$50.00

- For all construction the following non-refundable permit fee schedule shall apply:

\$0 to \$2,000.00	\$35.00
\$2,001.00 to \$4,000.00	\$45.00
\$4,001.00 to \$6,000.00	\$55.00
\$6,000.00 to \$8,000.00	\$65.00
\$8,001.00 to \$25,000.00	\$150.00
\$25,001.00 to \$50,000.00	\$150.00 for first \$25,000.00 Plus \$5.00 for each additional thousand or fraction thereof, and to include \$50,000.00
\$50,000.00 to \$100,000.00	\$270.00 for the first \$50,000 plus \$4.00 for each additional thousand or fraction thereof, and to include \$100,000.00
\$100,000.00 to \$500,000.00	\$470.00 for the first \$100,000.00 plus \$3.00 for each additional thousand or fraction thereof, and to include \$500,000.00

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\$500,000.00 and up \$1670.00 for the first \$500,000.00 plus \$2.00 for each additional thousand or fraction thereof.

- Moving Fee:
For the moving of any building or structure \$100.00

- Demolition Fees:
Residential (1-4 Units) \$100.00
All others \$200.00

- After hours Inspection Fees:
Inspections outside of normal business hours, the fee shall be \$75.00 per hour. A minimum of 2 hours will be charged.

- Reinspection Fees: \$40.00

- Plan Review Fee: Commercial and Multifamily (4 or more units)
\$25,000.00 to \$100,000.00 \$50.00
\$100,001.00 to \$150,000.00 \$65.00
\$150,001.00 to \$500,000.00 \$165.00
\$501,000.00 and up \$250.00

- Cell Tower Site Plan Review Fee
In reviewing cell tower site plans, the fee shall be \$200.00

- Certificate of Occupancy Fees:
Certificate of Occupancy for Change of Use \$50.00
Certificate of Occupancy for Temporary \$100.00
Certificate of Occupancy for Existing Facility \$50.00

- Letter Fees:
Zoning Letter \$25.00
Code Compliance Letter \$25.00

- Copy Fees:
Black and White Copies \$0.15
Color Copies \$2.00

- Filing Fee:
Board of Zoning Appeals \$300.00
Flood Variance Request \$200.00
Building Code Appeals Committee \$200.00
Rezoning Request \$300.00

- Plumbing and Gas Fees:
\$1.00-up \$25.00 for the first \$1000.00 plus \$5.00
Per fixture or appliance

Residential & Commercial Sanitation Drains

\$25.00 for first 10' plus \$5.00 for each 10' section

• Subdivision Regulation Fees:

Minor Subdivision Plat Review 1 or 2 lots

\$50.00 Plat / \$10.00 per lot

Major Subdivision Plat Review 3 or more lots

\$100.00 Plat / \$10.00 per lot

Planned Unit Development Review Fee

\$100.00

Planning Commission Review Fee

\$100.00

On site review Inspection

\$40.00

EFFECTIVE DATE. This resolution shall take effect on the 17 of November, 2014, the welfare of the County requiring it.

Approved for recommendation

By the Sponsor/

Greene County Budget Committee

10-08-2014

Date

Approved for recommendation

By the Sponsor/Greene County

Regional Planning Commission

10-14-2014

Date

Date of Public Hearing

By the Greene County Commissioner:

11-17-2014

Date

Approved by the Greene

County Commission:

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

**RESOLUTION
A RESOLUTION TO ADOPT A DEVELOPMENT FEE SCHEDULE FOR
FOR GREENE COUNTY, TENNESSEE**

WHEREAS, the Greene County Commission adopted planning and zoning within the unincorporated territory of Greene County, Tennessee and regulations for the use of property therein;

PURSUANT to TCA 13-3-104, TCA 13-7-202 and TCA 13-7-110

WHEREAS, a proposal has been made to adopt new development fees and to incorporate the current building permit fees and proposed planning fees into one document;

WHEREAS, the Greene County Regional Planning Commission on the 14 of October, 2014 did study this proposal and unanimously recommended that the Greene County Commission to adopt this resolution; and

NOW, THEREFORE BE IT RESOLVED by the Greene County Legislative Body, meeting in regular session, on the 17 of November, 2014, a quorum being present and a majority of the full County Commission membership voting affirmatively to adopt as follows:

Schedule of Permit Fees - The fee schedule is established to partially defray the processing and administrative costs associated with the Zoning Resolution, Flood Damage Prevention Resolution and Subdivision Regulations. All fees are to be paid at the time of filing. The fee shall be collected by the Greene County Zoning and Building Office. All values for the purposes of calculating the applicable permit fee for any construction shall be determined by the multiplying the median square footage value as utilized by the Greene County Property Assessor.

- Building Permit Fees:

For all single wide mobile homes	\$150.00
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\$0 to \$2,000.00	\$35.00
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\$4,001.00 to \$6,000.00	\$55.00
\$6,000.00 to \$8,000.00	\$65.00
\$8,001.00 to \$25,000.00	\$150.00
\$25,001.00 and up	\$150.00 for first \$25,000.00 Plus \$5.00 for each additional thousand

- Moving Fee:

For the moving of any building or structure	\$100.00
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- Demolition Fees:

Residential (1-4 Units)	\$100.00
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All others	\$200.00								
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<ul style="list-style-type: none"> <u>Reinspection Fees:</u> 	\$40.00								
<ul style="list-style-type: none"> <u>Plan Review Fee: Commercial and Multifamily (4 or more units)</u> <table border="0"> <tr> <td>\$25,000.00 to \$100,000.00</td> <td>\$50.00</td> </tr> <tr> <td>\$100,001.00 to \$150,000.00</td> <td>\$65.00</td> </tr> <tr> <td>\$150,001.00 to \$500,000.00</td> <td>\$165.00</td> </tr> <tr> <td>\$501,000.00 and up</td> <td>\$250.00</td> </tr> </table> 		\$25,000.00 to \$100,000.00	\$50.00	\$100,001.00 to \$150,000.00	\$65.00	\$150,001.00 to \$500,000.00	\$165.00	\$501,000.00 and up	\$250.00
\$25,000.00 to \$100,000.00	\$50.00								
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<ul style="list-style-type: none"> <u>Copy Fees:</u> <table border="0"> <tr> <td>Black and White Copies</td> <td>\$0.15</td> </tr> <tr> <td>Color Copies</td> <td>\$2.00</td> </tr> </table> 		Black and White Copies	\$0.15	Color Copies	\$2.00				
Black and White Copies	\$0.15								
Color Copies	\$2.00								
<ul style="list-style-type: none"> <u>Filing Fee:</u> <table border="0"> <tr> <td>Board of Zoning Appeals</td> <td>\$300.00</td> </tr> <tr> <td>Flood Variance Request</td> <td>\$200.00</td> </tr> <tr> <td>Building Code Appeals Committee</td> <td>\$200.00</td> </tr> <tr> <td>Rezoning Request</td> <td>\$300.00</td> </tr> </table> 		Board of Zoning Appeals	\$300.00	Flood Variance Request	\$200.00	Building Code Appeals Committee	\$200.00	Rezoning Request	\$300.00
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<ul style="list-style-type: none"> <u>Plumbing and Gas Fees:</u> <table border="0"> <tr> <td>\$1.00-up</td> <td>\$25.00 for the first \$1000.00 plus \$5.00 Per fixture or appliance</td> </tr> <tr> <td>Residential & Commercial Sanitation Drains</td> <td>\$25.00 for first 10' plus \$5.00 for each 10' section</td> </tr> </table> 		\$1.00-up	\$25.00 for the first \$1000.00 plus \$5.00 Per fixture or appliance	Residential & Commercial Sanitation Drains	\$25.00 for first 10' plus \$5.00 for each 10' section				
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Planned Unit Development Review Fee	\$100.00								
Planning Commission Review Fee	\$100.00								

RESOLUTION

**A RESOLUTION FOR AMENDING THE GREENE COUNTY ZONING RESOLUTION
TO REMOVE THE ARTICLE IX, ENFORCEMENT, SECTION 907 THROUGH 907.6 FROM THE ZONING RESOLUTION OF
GREENE COUNTY, TENNESSEE**

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

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

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

WHEREAS, the Greene County Regional Planning Commission did study this proposal on the 14 of October, 2014 and unanimously recommended that the Greene County Commission amend the zoning resolution; and

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

NOW, THEREFORE BE IT RESOLVED by the Greene County Legislative Body, meeting in regular session, on the 17 of November, 2014, a quorum being present and a majority of the full county commission membership voting affirmatively to amend the Greene County Zoning Resolution as follows, the Greene County Zoning Resolution is hereby amended as follows:

Article IX, Section 907 through 907.6 to be stricken from this ordinance.

907. Schedule of Permits Fees. The permit fees listed below will be charged for new buildings or to any building increasing its size in square footage. No building permit will be required and no fee will be charged for repair and maintenance of a building. The fee shall be collected by the Greene County Zoning and Building Office. A record shall be kept of all fees collected and these fees shall be placed in the County Treasury and disbursed by the Greene County Board of Commissioners.

a. All values for the purposes of calculating the applicable permit fee for any residential single family residential dwelling, any double wide or manufactured home, or residential addition shall be determined by multiplying the median square footage value as utilized by the Greene County Property Assessor by the square footage of living space or in the event of a garage or attached storage unit, the total square footage. This shall not apply to Commercial or Industrial Construction, which shall be permitted based upon actual value.

907.1 For all single side mobile homes, the permit fee shall be \$150.00.

907.2 For all Single Family Residential, Residential Addition, Double Wide Mobile Home or Manufactured Home, the following Permit Fee Schedule shall apply:

Construction Costs (Based upon Square Footage Calculation)	Permit Fee
\$1.00 - \$2,000.00	\$ 35.00
\$2,001.00 - \$4,000.00	\$ 45.00
\$4,001.00 - \$6,000.00	\$ 55.00
\$6,001.00 - \$8,000.00	\$ 65.00
\$8,001.00 - \$50,000.00	\$150.00
\$50,001.00 - \$100,000.00	\$ 200.00
\$100,001.00 - \$150,000.00	\$ 250.00
\$150,001.00 - \$200,000.00	\$ 300.00
\$200,001.00 - \$250,000.00	\$ 350.00
\$250,001.00 - \$300,000.00	\$ 400.00

J

\$300,001.00 - \$350,000.00	\$ 450.00
\$350,001.00 - \$400,000.00	\$ 500.00
\$400,001.00 - \$450,000.00	\$ 550.00
\$450,001.00 - \$500,000.00	\$ 600.00
Fee Schedule is to continue in \$50,000.00 increments	

907.3 For all accessory buildings, the permit fee shall be \$50.00.

907.4 Apartments – First unit based on fees Subsection 907.2. Second and each additional unit \$50.00.

907.5 For all Commercial and Industrial Structures, Additions, or Installations, or Accessory Structures, the following permit fee schedule shall apply:

Construction Costs (Based upon Value)	Permit Fee
\$1.00 - \$50,000.00	\$ 200.00
\$50,001.00 - \$200,000.00	\$ 300.00
\$200,001.00 - \$400,000.00	\$ 500.00
\$400,001.00 - \$500,000.00	\$ 600.00
Over \$500,000.00	\$ 1,100.00

907.6 Re-inspection Fee \$40.00.

EFFECTIVE DATE. These amendments, shall take effect on the 17 of November, 2014, the welfare of the County requiring it.

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

10-14-2014

Date

Date of Public Hearing
By the Greene County Commissioner:

11-17-2014

Date

Approved by the Greene
County Commission:

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 TO AMEND THE 2015 FISCAL YEAR GENERAL
FUND'S BUDGET TO TRANSFER \$1,300 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 Court 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	\$ 1,300
Total adjustment to beginning budgeted fund balance:		\$ 1,300

INCREASE APPROPRIATIONS

53300	General Sessions Court	
309	Contracts with Government Agencies	\$ 1,300
Total Increase In Appropriations		\$ 1,300

NOW, THEREFORE; be it resolved by the Greene County Legislative Body meeting in regular session this 17th day of November, 2014, a quorum being present and a majority voting in the affirmative, that the General Fund Budget be amended as above.

County Mayor

County Clerk

Budget and Finance Committee
Sponsor



County Attorney

K

KeyCite Yellow Flag - Negative Treatment
Proposed Legislation

West's Tennessee Code Annotated

Title 33. **Mental Health** and Substance Abuse and Intellectual and Developmental Disabilities

Chapter 7. Security Units and Forensic Services (Refs & Annos)

Part 3. Forensic Services

T. C. A. § 33-7-304

§ 33-7-304. Cost of **evaluation** and treatment; inpatient **evaluation** deadline

Effective: May 10, 2012

Currentness

(a) The cost of **evaluation** and treatment under this part, if the defendant is charged with a misdemeanor, will be a charge upon the funds of the county. If the court finds the defendant financially able to pay all or part of the costs and expenses for the **evaluation** and treatment, the court may order the defendant to pay all or part of the costs and expenses. Payment shall be made to the clerk of the general sessions court for remittance to the person, agency or facility to whom compensation is due, or if the costs and expenses have been paid by the county, to the appropriate office of the county.

(b) Costs of the care or treatment of any defendant ordered by the court and who is charged with a misdemeanor shall be paid by the state only when specifically authorized by law.

(c) Where a court orders a defendant charged with a misdemeanor to be **evaluated** under § 33-7-301(a), the court shall order that any inpatient **evaluation** be completed within thirty (30) days of admission to the facility.

Credits

2009 Pub.Acts, c. 531, § 45, eff. June 25, 2009; 2012 Pub.Acts, c. 997, § 1, eff. May 10, 2012.

Relevant Notes of Decisions (3)

[View all 3](#)

Notes of Decisions listed below contain your search terms.

Liability of county

Except in cases in which a trial court finds that a misdemeanor defendant is able to pay some or all of the costs of a **mental health evaluation** or treatment, and in its discretion so orders, the county is liable for such costs. Op.Atty.Gen. No. 11-76, Nov. 1, 2011, 2011 WL 5525979.

RESOLUTION AUTHORIZING THE COUNTY HIGHWAY SUPERINTENDENT TO ENTER INTO AGREEMENTS WITH THE MUNICIPALITIES WITHIN GREENE COUNTY, THE GREENE COUNTY BOARD OF EDUCATION, THE GREENE COUNTY HEALTH DEPARTMENT AND THE GREENE COUNTY SOLID WASTE DEPARTMENT TO PERFORM WORK

WHEREAS, from time to time municipalities within Greene County as well as the Greene County Board of Education, the Greene County Health Department and the Solid Waste Department, have from time to time the need for assistance from the Greene County Highway Department using its expertise, labor, equipment and trucks to excavate, grade, haul, etc. for construction projects deemed necessary by the various departments and municipalities within Greene County; and

WHEREAS, pursuant to T.C.A. § 54-7-202(D) the cost of the labor, equipment, and materials utilized in performing work for the municipalities, the Greene County Board of Education, the Greene County Health Department and the Greene County Solid Waste Department incurred by the Greene County Highway Department must be reimbursed to the Highway Department by the municipalities and/or the various departments of Greene County, Tennessee needing the Highway Department's assistance; and

WHEREAS, the Greene County Legislative Body, desires to cooperate with the municipalities and the various County departments within Greene County to make the improvements deemed necessary by the departments of and municipalities in Greene County, Tennessee which will benefit the citizens of the municipalities as well as the citizens of Greene County as a whole.

NOW THEREFORE BE IT RESOLVED, by the Greene County Legislative Body, meeting in regular session on the 17th day of November, 2014, a quorum being present and a majority voting in the affirmative, that the Greene County Highway Department is authorized to perform work and make such improvements as requested by the municipalities, the Greene County Board of Education, the Greene County Health Department and the Greene County Solid Waste Department subject to an agreement that in each instance the entity seeking the assistance of the Highway Department shall reimburse the Greene County Highway Department for all expenses incurred for doing the work or making such improvements requested.

Pam Carpenter
Sponsor

County Clerk

County Mayor
Roger A. Woolsey
County Attorney

L.

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

**RESOLUTION TO BUDGET \$200,000 FROM THE GENERAL FUND BALANCE FOR
ADDITIONAL EMERGENCY MEDICAL PERSONNEL EXPENDITURES**

WHEREAS, the required wages for full-time medical personnel and some related benefits are expected to exceed the amount originally budgeted by \$169,376, and

WHEREAS, the Emergency Medical Services budget does not have any other available line items to draw from.

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

INCREASE BUDGETED FUND BALANCE

39000	Unassigned Fund	\$	200,000
Total adjustment to budgeted fund balance		\$	200,000

INCREASE IN APPROPRIATIONS:

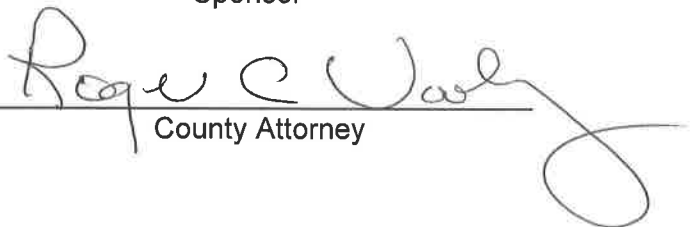
55130	Emergency Medical Services		
164	Attendants	\$	169,376
201	Social Security		10,502
204	State Retirement		17,667
212	Employer Medicare		2,455
Total increase in appropriations		\$	200,000

NOW, THEREFORE; be it resolved by the Greene County Legislative Body meeting in regular session this 17th day of November, 2014, a quorum being present and a majority voting in the affirmative, that the budget be amended as above.

County Mayor

County Clerk

Robin Quillen
Sponsor



County Attorney