

AGENDA

GREENE COUNTY LEGISLATIVE BODY

Monday, June 18, 2012

10:00 A.M.

The Greene County Commission will meet at the Greene County Courthouse on Monday, June 18, 2012 beginning at 10:00 a.m. in the Criminal Courtroom (Top Floor) in the Courthouse. Caucus meetings will begin at 9:00.

Call to Order

- *Pledge to Flag
- *Invocation
- *Roll Call

Public Hearing

Approval of Prior Minutes

Reports

Reports from Solid Waste Dept.
Committee Minutes

Old Business

Election of Notaries

Resolutions

- A. A resolution of the Greene County Legislative Body to receive and expend funds on and after July 1, 2012;
- B. A resolution to accept the proposal of the Tennessee Dept. of Transportation to construct a project designated as Federal Project No. STP-35(18), State Project No. 30005-2241-14, SR-35 (US-321) from North of Cocke County Line to North of Nolichucky River near Bright Hope Road, Greene County; and
- C. A resolution authorizing the expenditures of funds to update the computer server for the Clerk and Masters office;
- D. A resolution to allocate a contribution of five thousand dollars to each of the fifteen Volunteer Fire Departments serving Greene County, Tennessee;
- E. A resolution to amend the 2012 fiscal year budget for draw down of funds on bulletproof vest grant to the Sheriff's Dept.;
- F. A resolution to amend the 2012 fiscal year budget for Insurance Recovery to the Sheriff's Dept.;

Other Business

Adjournment

ELECTION OF NOTARIES
June 18, 2012

Ralph Boswell	Renewal
Jack Bryant	New
Diane Eastep	Renewal
Rheta Finigan	Renewal
Rosella Gass	Renewal
Jo Hopson	Renewal
Betty Hughes	Renewal
Herbert Hughes	Renewal
Sandra Hughes	Renewal
Patrick Johnson	New
Rhonda Malone	New
Tammy McGinnis	New
Janet Medcalf	New
Stephanie Parman	New
Darin Patterson	New
Douglas Payne	New
Matthew Renner	New
Marguerita Ward	New
Helen White	Renewal

A RESOLUTION OF THE GREENE COUNTY LEGISLATIVE BODY
TO RECEIVE AND EXPEND FUNDS ON AND AFTER JULY 1, 2012

WHEREAS, The County should be authorized to receive funds and the county should be authorized to expend funds in the same amounts and for the same purposes as was appropriated for the 2011-2012 fiscal year from July 1, 2011 until the 2012-2013 budget is adopted by the County legislative Body for all departments within all funds including General, School, Road, Solid Waste, Insurance, and others; and

WHEREAS, Tennessee Code Annotated 5-12-109(b)(2) states that "Pending such final adoption, the director of accounts and budgets is hereby authorized to make temporary allotments for expenditures for essential county services, in amounts not in excess of the comparable allotments for an average quarter of the preceding fiscal year"

NOW, THEREFORE, BE IT RESOLVED, by the Greene County Legislative Body, meeting in regular session on June 18, 2012, a quorum being present and a majority voting in the affirmative that the authorization is hereby given to receive and expend funds on and after July 1, 2012

County Mayor

Budget and Finance Committee

Sponsor

County Clerk

County Attorney

A

A RESOLUTION FOR ACCEPTANCE OF THE PROPOSAL OF THE TENNESSEE DEPARTMENT OF TRANSPORTATION TO COSTRUCT A PROJECT DESIGNATED AS FEDERAL PROJECT NO. STP-35(18), STATE PROJECT NO. 30005-2241-14, S.R.-35,(US-321) FROM NORTH OF COCKE COUNTY LINE TO NORTH OF NOLICHUCKEY RIVER NEAR BRIGHT HOPE ROAD, GREENE COUNTY

WHEREAS, the Tennessee Department of Transportation has presented a proposal to Greene County, Tennessee, concerning Federal Project No. STP-35(18), State Project No. 30005-2241-14, S.R.-35, (US-321) from North of Cocke County Line to North of Nolichucky River near Bright Hope Road, Greene County; and

WHEREAS, the Greene County Commission has determined that the above referenced project will benefit Greene County, Tennessee and the citizens thereof; and

WHEREAS, the Greene County Commission wishes to cooperate with the State of Tennessee, Dept. of Transportation in making road improvements in Greene County; and

WHEREAS, said proposal is incorporated herein by referenced, the same as if copied herein verbatim, with a copy of said proposal attached hereto; and

WHEREAS, the terms and conditions of said proposal to Greene County as submitted by the State of Tennessee, Dept. of Transportation, are accepted and approved by the Greene County Commission, and shall fulfill all obligations concomitant thereto; now

THEREFORE, BE IT RESOLVED, by the Greene County Commission that this resolution is duly passed and approved this 18th day of June, 2012, and shall take affect from and after its passage.

DONE THIS _____ DAY OF _____ 2012.

Alan D. Broyles, County Mayor

M. C. Rollins
Sponsor

County Clerk

County Attorney

B.

PROPOSAL
OF THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF TENNESSEE
TO THE COUNTY OF GREENE COUNTY, TENNESSEE

The DEPARTMENT OF TRANSPORTATION of the State of Tennessee, hereinafter "DEPARTMENT", proposes to construct a project designated as No. STP-35(18); 30005-2241-14 that is described as S.R. 35 (U.S. 321) From North of Cocke County Line to North of Nolichucky River Near Bright Hope Road in the COUNTY of GREENE, hereinafter COUNTY, provided the COUNTY agrees to cooperate with the DEPARTMENT as set forth in this proposal, so that the general highway program may be carried out in accordance with the intent of the General Assembly of the State.

Accordingly, if the COUNTY will agree:

1. That in the event any civil actions in inverse condemnation or for damages are instituted by reason of the DEPARTMENT, or its contractor, going upon the highway right of way and easements, and constructing said project in accordance with the plans and as necessary to make the completed project functional, it will notify in writing the Attorney General of the State, whose address is 404 James Robertson Parkway, Nashville, Tennessee 37243-0487, of the institution of each civil action, the complaint and all subsequent pleadings, within ten (10) days after the service of each of the same, under penalty of

defending such actions and paying any judgments which result therefrom at its own expense; and

2. To close or otherwise modify any of its roads or other public ways if indicated on the project plans, as provided by law; and

3. To transfer or cause to be transferred to the DEPARTMENT without cost to it, all land owned by the COUNTY or by any of its instrumentalities as required for right of way or easement purposes, provided such land is being used or dedicated for road or other public way purposes; and

4. Where privately, publicly or cooperatively owned utility lines, facilities and systems for producing, transmitting or distributing communications, power, electricity, light, heat, gas, oil, crude products, water, steam, waste, storm water not connected with highway drainage, and other similar commodities, including publicly owned facilities such as fire and police signal systems and street lighting systems are located within the right of way of any road or other public way owned by the COUNTY, or any of its instrumentalities, the COUNTY agrees that it will take action necessary to require the removal or adjustment of any of the above described facilities as would conflict with the construction of the project. But the foregoing may not be a duty of the COUNTY since it shall become operative only after the DEPARTMENT has been unsuccessful in its efforts to provide for said removals or adjustments for the benefit of the COUNTY.

The foregoing does not apply to those utility facilities which are owned by the COUNTY or one of its instrumentalities, it being understood that the COUNTY has the duty to relocate or adjust such facilities, if required, provided the

COUNTY is notified to do so by the DEPARTMENT with detailed advice as to this duty of the COUNTY; and

5. To maintain any frontage road to be constructed as part of the project; and

6. That after the project is completed and open to traffic, to accept for jurisdiction and maintenance such parts of any existing DEPARTMENT highway to be replaced by the project, as shown on the attached map; and

7. That the COUNTY will make no changes or alter any segment of a road on its road system that lies within the limits of the right of way acquired for any interchange to be constructed as part of the project and will not permit the installation or relocation of any utility facilities within the right of way of any such a segment of one of its roads without first obtaining the approval of the DEPARTMENT; and

8. That no provision hereof shall be construed as changing the maintenance responsibility of the COUNTY for such part of the project as may presently be on its highway, street, road or bridge system; and

9. That it is understood and agreed between the DEPARTMENT and the COUNTY that all traffic control signs for the control of traffic on a street under the jurisdiction of the COUNTY and located within the DEPARTMENT's right of way shall be maintained and replaced by the COUNTY; and

10. That when traffic control devices for the direction or warning of traffic, lighting of roadways or signing, or any of them, which are operated or function by the use of electric current are constructed or installed as part of the project, they will be furnished with electricity and maintained by the COUNTY.

11. If, as a result of acquisition and use of right of way for the project, any building improvements become in violation of a COUNTY setback/building line requirement, the COUNTY agrees to waive enforcement of the COUNTY setback/building line requirement and take other proper governmental action therefor.

The acceptance of this proposal shall be evidenced by the passage of a resolution, or by other proper governmental action, which shall incorporate this proposal verbatim, or by reference thereto. Thereafter, the DEPARTMENT will acquire the right of way and easements, construct the project and defend any inverse condemnation or damage civil actions of which the Attorney General has received the notice and pleadings provided for herein.

The project plans hereinbefore identified by number and description are incorporated herein by reference and shall be considered a part of this proposal, including any revisions or amendments thereto, provided a copy of each is furnished the COUNTY.

IN WITNESS WHEREOF, the DEPARTMENT has caused this proposal to be executed by its duly authorized official on this ____ day of _____, 2012.

THE COUNTY OF GREENE

BY: _____ **DATE:** _____
COUNTY MAYOR

**STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION**

BY: _____ **DATE:** _____
**John Schroer
Commissioner**

APPROVED AS TO FORM AND LEGALITY:

BY: _____ **DATE:** _____
**John Reinbold
General Counsel**

**RESOLUTION AUTHORIZING THE EXPENDITURES OF FUNDS
TO UPDATE THE COMPUTER SERVER FOR THE
CLERK AND MASTERS OFFICE**

WHEREAS, the computer server in the Clerk and Master's Office provides software to allow the Clerk and Master to perform her statutory duties as well as provides internet access to all the computers in the courthouse; and

WHEREAS, the present server utilized by the Clerk and Master's office is 13 years old, outdated, and is overdue for an upgrade; and

WHEREAS, the Clerk and Master's office is in need of computer software that will allow the office to be more efficient and better serve the citizens of Greene County; and

WHEREAS, in order to update the server that provides internet access to all computers in the courthouse, which server also backs up the Clerk and Master's computers and allows her to perform her statutory duties, the Clerk and Master Office needs to expend Nine Thousand Eight Hundred Seventy-Six and No/100 Dollars (\$9,876.00), to purchase the server necessary to perform these functions; and

WHEREAS, the budget for the Clerk and Master's Office shall be amended to reflect an additional budgetary line of Nine Thousand Eight Hundred Seventy-Six and No/100 Dollars (\$9,876.00), which amounts shall be derived from the capital projects fund balance for Greene County.

C.

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NOW THEREFORE BE IT RESOLVED by the Greene County Legislative
Body meeting in regular session on the 18th day of June 2012, a quorum being present
and a majority voting in the affirmative that the budget for the Clerk and Master shall be
amended to reflect an additional appropriation of Nine Thousand Eight Hundred
Seventy Six and No/100 Dollars (9,876.00) for a new server and that these funds be
transferred from the county's capital projects fund balance.

Budget and Finance Committee
Sponsor

County Mayor

County Clerk

County Attorney

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**RESOLUTION TO ALLOCATE A CONTRIBUTION OF FIVE THOUSAND DOLLARS
TO EACH OF THE FIFTEEN VOLUNTEER FIRE DEPARTMENTS SERVING
GREENE COUNTY, TENNESSEE**

WHEREAS, the various volunteer fire departments scattered across the communities in Greene County, Tennessee provide a valuable service to the citizens of Greene County in fighting fires, assisting the municipal fire departments when requested by, providing educational instruction in fire prevention as well as providing valuable assistance in other arenas too numerous to mention; and

WHEREAS, the volunteer fire departments incur great expense for the necessary equipment and training to provide fire protection to the citizens of Greene County, which in turn generally lowers the insurance premiums for the citizens served by each of the volunteer fire departments; and

WHEREAS, individual members of each volunteer fire department are now subject to and participate in certain required training courses and the volunteer fire departments are always in need of funding to maintain and improve their firefighting equipment and vehicles; and

WHEREAS, after careful consideration of all the factors above stated it would be appropriate for the Greene County Legislative Body to make a Five Thousand and No/100 Dollar (\$5,000.00), contribution to each of the fifteen volunteer fire department located in Greene County, Tennessee.

NOW THEREFORE BE IT RESOLVED, by the Greene County Legislative Body, meeting in regular session on the 18th day of June, 2012 a quorum being present and a majority voting in the affirmative, that a Five Thousand and No/100 Dollars (\$5,000.00) contribution shall be made to each of the 15 volunteer fire departments situated in Greene County, Tennessee for a total of Seventy-five Thousand and No/100 Dollars, (\$75,000.00) in order to support each

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D.

volunteer fire department in providing fire coverage and related services to the citizens of Greene County; and

BE IT FURTHER RESOLVED, that the budget is amended as follows:

INCREASE BEGINNING BUDGETED FUND BALANCE

3900 Undesignated Fund	<u>\$75,000.00</u>
Total adjustment to beginning budget fund balance:	<u>\$75,000.00</u>

INCREASE APPROPRIATIONS

58500 Contributions to Other Agencies	
316 Contributions	<u>\$75,000.00</u>

TOTAL INCREASE IN APPROPRIATIONS	<u>\$75,000.00</u>
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Anthony Sauceman Sponsor

Lloyd (Hoot) Bowers Sponsor

Ted Hensley Sponsor

County Mayor

County Clerk

County Attorney

Roger A. Woolsey
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**A RESOLUTION TO AMEND THE 2012 FISCAL YEAR
BUDGET FOR DRAW DOWN OF FUNDS ON BULLETPROOF VEST GRANT
TO THE SHERIFF'S DEPARTMENT**

WHEREAS, the Bulletproof Vest Partnership (BVP), created by the Bulletproof Vest Partnership Grant of 1998 has awarded \$2,987 to the Greene County Sheriff's Department to be used in the purchasing of bulletproof vests.

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

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

INCREASE BUDGETED REVENUES

47250	Law Enforcement Grant	\$	2,987
Total increase in budgeted revenues		\$	<u>2,987</u>

INCREASE APPROPRIATIONS

54120	Special Patrol		
716	Law enforcement Equipment	\$	2,987
Total adjustments to appropriations		\$	<u>2,987</u>

NOW, THEREFORE; be it resolved by the Greene County Legislative Body meeting in regular session this 18th day of June, 2012, a quorum being present and a majority voting in the affirmative, that the budget be amended as above.

Budget and Finance Committee

County Mayor

Sponsor

County Clerk

County Attorney

E

**A RESOLUTION TO AMEND THE 2012 FISCAL YEAR
BUDGET FOR INSURANCE RECOVERY TO THE SHERIFF'S DEPARTMENT**

WHEREAS, the Greene County Sheriff's Dept. has received insurance recovery for a damaged vehicle totaling \$ 3,620.00 in the current fiscal year and

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

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

INCREASE BUDGETED REVENUES

49700	Insurance Recovery	\$	3,620
Total increase in budgeted revenues		\$	3,620

INCREASE APPROPRIATIONS

54110	JAIL		
338	Maintenance and Repair Services-Vehicles	\$	3,620
Total adjustments to appropriations		\$	3,620

NOW, THEREFORE; be it resolved by the Greene County Legislative Body meeting in regular session this 18th day of June, 2012, a quorum being present and a majority voting in the affirmative, that the budget be amended as above.

County Mayor

Budget and Finance Committee

Sponsor

County Clerk

County Attorney

F.