

REGULAR MEETING OF
THE HARTSVILLE/TROUSDALE COUNTY COMMISSION
MONDAY, JULY 27, 2015
7:00 P.M.

AGENDA

1. Open Court
2. Invocation -- Johnny Kerr
3. Pledge to the American Flag – Richard Harsh
4. Roll Call – Rita Crowder
5. Approval of Minutes
The minutes of the previous meeting have been distributed. Are there any changes or corrections to the minutes? If there are no corrections, the minutes are approved as distributed.
6. Announcements...
 - Goose Gala – August 29th – Dr. Ray Miller’s Home
 - Trousdale County Fair – August 13th-15th – Trousdale County High School
7. Amendments to Agenda/Approval of Agenda

8. Citizens’ Response to Agenda Items

9. COUNTY MAYOR REPORT – Carroll Carman
 1. Update on Disaster Grant funded projects – Old Coop Bldg & Radio Tower
 2. Fire Hall Construction
 3. Broadband Update
 4. Pedestrian Bridge Update

10. COMMITTEE ACTIONS AND REPORTS...

- A. Audit Committee – Bill Fergusson
- B. Budget and Finance Committee – Mark Beeler
- C. Charter Review Committee – Jim Falco
- D. Codes & Zoning Enforcement Committee – Wayne Brown
- E. County Buildings Committee – John Oliver
- F. Economic Development Committee – Andy Jellison
- G. Emergency Services Committee – David Nollner
- H. Employee/Personnel Committee – Bill Fergusson
- I. Insurance Committee – Bubba Gregory
- J. Law Enforcement Committee – Bubba Gregory
- K. Local Emergency Planning Committee – Ken Buckmaster/Peggy Taylor
- L. Metro Communications Committee – Mark Beeler
- M. Parks & Recreations Committee – Bubba Gregory
- N. Professional Services Committee – Mayor Carroll Carman
- O. Prison Oversight Committee – Mark Beeler
- P. Purchasing Oversight – Jerry Ford
- Q. Solid Waste Committee – Richard Johnson
- R. Other Committee Reports ...

11 OLD BUSINESS –

12. NEW BUSINESS -

A. Appointments to Committees, Boards, and Commission

B. Resolutions:

1. Resolution #2015-35-514 – A Resolution in Support of an Application for the U.S. Department of Commerce, Economic Development Agency’s Economic Development Program Funds

2. Resolution #2015-36-515 – Broadband Communications Capital Outlay Note For \$150,000

C. Acknowledgements and Reviews:

1. Approval and acceptance of bid for bank building roof

D. Ordinance

1. First Reading – Ordinance #115-2015-06 - An Ordinance to Amend Article IV, Section 4.050, and Article VIII, Section 8.060 of The Zoning Resolution of Trousdale County, and to Amend Article IV, Section 4.040 of The Zoning Ordinance of Hartsville, Tennessee – Home Occupations

2. First Reading – Ordinance #116-2015-07 - Rezoning Property at corner of Broadway and White Oak St from C-1 to C-2, Trousdale County Tax Map 019K, Parcel 018.00 (Roddy)

3. First Reading – Ordinance #117-2015-08 - Rezoning Property at the corner of Andrews Ave and Rogers St from R-1 to R-2, Trousdale County Tax Map 019K, Parcel 005.01 (Whittemore)

E. BUDGET AMENDMENTS:

F. Notaries: Teena Inman

G. Request by Mr. Jerry Thigpen to address Commission – 5 Minute Time Limit

G. Adjournment

JUNE 29, 2015 – HARTSVILLE/TROUSDALE COUNTY COMMISSION MEETING

BE IT REMEMBERED, That the Honorable Hartsville/Trousdale County Commission met pursuant to adjournment, with the Honorable Mark Beeler, Commission Chairman presiding and the following commissioners present to wit: Kendra Belcher, Wayne Brown, Gary Claridy, Don Coker, James Falco, Bill Fergusson, Jerry Ford, Bubba Gregory, Richard Harsh, Andy Jellison, Linda Sue Johnson, Richard Johnson, Johnny Kerr, James McDonald, David Nollner, John Oliver, Michael Satterfield, and Steve Whittaker.

1. Open Court – Sheriff Ray Russell
2. Invocation – James McDonald
3. Pledge to the American Flag – Bubba Gregory
4. Roll Call – Rita Crowder
5. Approval of Minutes – Minutes are approved as distributed.
6. Announcements... A delinquent tax sale was held. The back taxes owed were \$127,167.00 and the sale brought in \$260,386.00. Another tax sale is scheduled for later on this year. Steve Paxton announced the 4th of July festivities: Music in the Park begins @ 1:00 p.m., Parade begins at 3:00 p.m., and the fireworks begin @ dark.
7. Amendments to Agenda/Approval of Agenda – Add the Grand Jury Report; Appointments of Kathy Atwood and Leslie Fitzpatrick to the Health and Educational Facilities Board; Add Richard Johnson to the Building Committee; Resolution #2015-34-513 – School Board; 4 Budget Amendments for the schools.
Motion this court approve this agenda as amended.
Motion by James Falco, Second by James McDonald

MOTION CARRIED
8. Citizens' Response to Agenda Items – None presented.
9. County Mayor Report – Carroll Carman - Mayor Carman reported that the county had closed on the People's State Bank Building. Bids for the roof for the bank building will be opened on 07/17/2015. Trousdale did not receive the TDOT Corridor Grant, but we are still hopeful that we will receive the Grant for the Sr. Citizen Center vans. The construction for the new cell tower on Pumpkin Branch and the new Fire Hall are right on track.
10. Committee Action & Reports...
 - A. Audit Committee – Bill Fergusson – No action.
 - B. Budget and Finance Committee – Mark Beeler – Reviewed and recommended for approval the Budget being presented tonight. They did not receive the 4 Budget Amendments for the schools to review before tonight's meeting. They came in afterwards; mostly just housekeeping amendments.
 - C. Charter Review Committee – Jim Falco – No action. A meeting is scheduled for 7-14-15 @ 7:00 p.m.

- D. Codes & Zoning Enforcement Committee – Wayne Brown - No action.
- E. County Building Committee – John Oliver – No quorum at the last scheduled meeting. Will schedule another meeting in a couple of weeks.
- F. Economic Development Committee – Andy Jellison – No action.
- G. Emergency Service Committee – David Nollner – Matt Batey spoke about the billing process.
- H. Employee/Personnel Committee – Bill Fergusson – Met on 6-17-15. An MTAS representative met with the committee. They discussed the different Personnel Policies. He is going to send them some changes that could be made and then each dept. will be able to review them. The next meeting is scheduled for 7-2-15 @ 6:00 pm.
- I. Insurance Committee – Bubba Gregory – No action.
- J. Law Enforcement Committee – Bubba Gregory – No action.
- K. Local Emergency Planning Committee – Ken Buckmaster/Peggy Taylor – A meeting is scheduled for 7-7-15 @ 6:00 pm.
- L. Metro Communication Committee – Mark Beeler – No action.
- M. Parks & Recreations Committee – Bubba Gregory – Met on 6-18-15 and were updated on the progress that had been made at the park/preparations for the 4th of July.
- N. Professional Services Committee – Mayor Carroll Carman – No action.
- O. Prison Oversight Committee – Mark Beeler - No action.
- P. Purchasing Oversight – Jerry Ford – No action.
- Q. Solid Waste Committee – Richard Johnson – No action.
- R. Other Committee Reports...None presented.

11. OLD BUSINESS –

12. NEW BUSINESS –

A. Appointments to Committees, Boards, and Commissions:

1. Urban Services Council – Bubba Gregory, Richard Johnson, Johnny Kerr
2. Library Board - Mary Beth Hoffman, Martha Joe Jewell, Grace Moreland
3. Health and Educational Facilities Board – Kathy Atwood and Leslie Fitzpatrick
4. Building Committee – Richard Johnson

Motion this court approve all of these appointments.
Motion by David Nollner, Second by Andy Jellison

MOTION CARRIED

B. Acknowledgments:

Form CT-0253 – Report on Debt Obligation - \$7MM Bridge Loan

This document will be added as part of the official county court minutes.

Grand Jury Report – This will be added as part of the official county court minutes.

C. Certificate of Compliance Approval – Dawn Jellison d/b/a Southern Spirits and More
Motion this court approve this Certificate of Compliance.

Motion by John Oliver, Second by Richard Harsh

VOICE VOTE WAS TAKEN – 18 YES, 1 ABSENT, 1 ABSTAINED

MOTION CARRIED

***Commissioner Jellison abstained from voting due to a conflict of interest. Mrs. Jellison is his wife.**

D. Resolutions:

Resolution #2015-34-513 – A Resolution to Commit Future Tax Dollars to the General Purpose School Fund 141 for Fiscal Year 2016-17

Motion this court approve this Resolution.

Motion by Jerry Ford, Second by James Falco

MOTION CARRIED

1. Resolution #2015-29-508 – A Resolution Authorizing Sheriff Ray Russell to Accept the Donation of a Boat to the Sheriff's Department.

Motion this court approve this Resolution.

Motion by Bubba Gregory, Second by Andy Jellison

MOTION CARRIED

2. Resolution #2015-30-509 – A Resolution Authorizing Funding to the Chamber of Commerce

3. Resolution #2015-31-510 – A Resolution Authorizing Funding to Mid-Cumberland Human Resource Agency - \$5,666

Motion this court approve both Resolutions - #2015-30-509 and #2015-31-510.

Motion by Richard Harsh, Second by Richard Claridy

MOTION CARRIED

4. Resolution #2015-32-511 – A Resolution to Affirm Compliance of Title VI Civil Rights Regulations

Motion this court approve this Resolution.

Motion by James McDonald, Second by Gary Claridy

MOTION CARRIED

5. Resolution #2015-33-512 – A Resolution Authorizing Application for a Fast Track Infrastructure Grant – ARC – PowerComm Industrial Park

Motion this court approve this Resolution.
Motion by Johnny Kerr, Second by David Nollner

MOTION CARRIED

A. Ordinances:

1. Public Hearing – Ordinance #110-2015-01 – Creation of County Communications Department
Motion this court close this Public Hearing.
Motion by David Nollner, Second by Wayne Brown

MOTION CARRIED

2. Second Reading – Ordinance #110-2015-01 – Creation of County Communications Department
Motion this court approve this Ordinance.
Motion by James Falco, Second by Bubba Gregory

MOTION CARRIED

3. **2015-16 Budget Ordinances – First Reading**

1. Ord. #111-2015-02 – General Services Fund Appropriations
Motion this court approve this Ord. – **1st reading**
Motion by Jerry Ford, Second by Bubba Gregory

ROLL CALL, BOOK PAGE 116 – 17 YES, 1 NO, 1 ABSTAINED, 1 ABSENT

MOTION CARRIED

2. Ord. #112-2015-03 – General Services Tax Levy - \$3.10
Motion this court approve this Ord. – **1st reading**
Motion by Jerry Ford, Second by Andy Jellison

ROLL CALL, BOOK PAGE 116 – 18 YES, 1 NO, 1 ABSENT

MOTION CARRIED

3. Ord. #113-2015-04 – Urban Services Fund Appropriations
Motion this court approve this Ord. – **1st reading**
Motion by Richard Harsh, Second by Gary Claridy

ROLL CALL, BOOK PAGE 116 – 18 YES, 1 NO, 1 ABSENT

MOTION CARRIED

4. Ord. #114-2015-05 – Urban Services Tax Levy (Urban Services Council) - \$1.1399
Motion this council approve this Ord. – **1st reading**
Motion by Bubba Gregory, Second by Richard Johnson

ROLL CALL, BOOK PAGE 116 – 3 YES, 0 NO

MOTION CARRIED

E. BUDGET AMENDMENTS:

1. County General Fund – Housekeeping - \$79,873
Litter Grant - \$1,065
Motion this court approve this budget amendment.
Motion by Gary Claridy, Second by Michael Satterfield

MOTION CARRIED

2. Urban Services – Housekeeping - \$1,000
Motion this court approve this budget amendment.
Motion by Bubba Gregory, Second by James McDonald

MOTION CARRIED

3. Solid Waste – Increase Revenue and Expenditures - \$33,000
Motion this court approve this budget amendment.
Motion by James Falco, Second by Gary Claridy

MOTION CARRIED

4. Schools – Vocational Instruction Program - \$7,700
Regular Instruction Program - \$19,500.00
Transportation - \$10,400.00
Food Service Program - \$257,841.91/\$216.00
Motion this court approve these school budget amendments.
Motion by Bubba Gregory, Second by Richard Harsh

MOTION CARRIED

- F. NOTARIES: Amanda K. Calvert
Motion this court approve this Notary application.
Motion by David Nollner, Second by James McDonald

MOTION CARRIED

- G. ADJOURNMENT
Motion this court adjourn.
Motion by David Nollner, Second by Bill Fergusson

MOTION CARRIED

JUNE 30, 2015 – SPECIAL CALLED SESSION OF THE HARTSVILLE/TROUSDALE COUNTY COMMISSION

BE IT REMEMBERED, THAT THE Honorable Hartsville/Trousdale County Commission met in a Special Called Session with the Honorable Mark Beeler, Commission Chairman presiding and the following commissioners present to wit: Kendra Belcher, Wayne Brown, Shane Burton, Gary Claridy, Don Coker, James Falco, Bill Fergusson, Jerry Ford, Bubba Gregory, Richard Harsh, Linda Johnson, Richard Johnson, Johnny Kerr, James, McDonald, David Nollner, John Oliver, Michael Satterfield, Steve Whittaker, and Rance Muirhead.

1. Open Court – Chairman Mark Beeler
2. Invocation – James McDonald
3. Pledge to the American Flag – Bubba Gregory
4. Roll Call – Rita Crowder
5. Announcements – Commissioners need to turn in their time sheets.
6. Citizens’ Response to Agenda Items...None presented.
7. Old Business:

A. Public Hearing:

2015-2016 Budget Ordinances:

1. Ordinance #111-2015-02 – General Services Department Appropriations
2. Ordinance #112-2015-03 – General Services Dept. Tax Levy - \$3.10
3. Ordinance #113-2015-04 – Urban Service Department Appropriations
4. Ordinance #114-2015-05 – Urban Services Tax Levy - \$1.1399 – Urban Services Council

Motion this court close this Public Hearing.
Motion by Jerry Ford, Second by James Falco

MOTION CARRIED

8. Ordinances – Second Readings:
2015-2016 Budget Ordinances:

1. Ordinance #111-2015-02 General Services Department Appropriations
Motion this court approve this Ord. – **2nd reading**
Motion by John Oliver, Second by Richard Harsh
ROLL CALL, BOOK PAGE 117 – 17 YES, 1 NO, 1 ABSTAINED, 1 ABSENT

MOTION CARRIED

2. Ordinance #112-2015-03 – General Services Department Tax Levy - \$3.10
Motion this court approve this Ord. – **2nd reading**
Motion by Jerry Ford, Second by Richard Johnson
ROLL CALL, BOOK PAGE 117 – 18 YES, 1 NO, 1 ABSENT

MOTION CARRIED

3. Ordinance #113-2015-04 – Urban Services Department Appropriations

Motion this court approve this Ord. – **2nd reading**
Motion by Bubba Gregory, Second by Michael Satterfield
ROLL CALL, BOOK PAGE 117 – 18 YES, 1 NO, 1 ABSENT

MOTION CARRIED

4. Ordinance #114-2015-05 – Urban Services Tax Levy - \$1.1399
- Urban Services Council

Motion this council approve this Ord. - **2nd reading**
Motion by Bubba Gregory, Second by Richard Johnson
ROLL CALL, BOOK PAGE 117 – 3 YES, 0 NO

MOTION CARRIED

9. **Vote to Consider Budget Ordinances on Third Reading**

Motion this court approve this Third Reading.
Motion by James McDonald, Second by Shane Burton

MOTION CARRIED

10. Ordinances Third Readings:
2015-2016 Budget Ordinances:

1. Ordinance #111-2015-02 – General Services Department Appropriations

Motion this court approve this Ord. – **3rd reading**
Motion by Richard Johnson, Second by Gary Claridy
ROLL CALL, BOOK PAGE 117 – 17 YES, 1 NO, 1 ABSTAINED, 1 ABSENT

MOTION CARRIED

2. Ordinance #112-2015-03 – General Services Department Tax Levy - \$3.10

Motion this court approve this Ord. – **3rd reading**
Motion by Jerry Ford, Second by Michael Satterfield
ROLL CALL, BOOK PAGE 117 – 18 YES, 1 NO, 1 ABSENT

MOTION CARRIED

3. Ordinance #113-2015-04 – Urban Services Department Appropriations

Motion this court approve this Ord. – **3rd reading**
Motion by Richard Johnson, Second by James Falco
ROLL CALL, BOOK PAGE 117 – 18 YES, 1 NO, 1 ABSENT

MOTION CARRIED

4. Ordinance #114-2015-05 – Urban Services Tax Levy - \$1.1399
- Urban Services Council

Motion this council approve this Ord. – **3rd reading**
Motion by Bubba Gregory, Second by Richard Johnson
ROLL CALL, BOOK PAGE 117 – 3 YES, 0 NO

MOTION CARRIED

11. Adjournment

Motion this court adjourn.
Motion by David Nollner, Second by Linda Johnson

MOTION CARRIED

RESOLUTIONS

RESOLUTION #2015-35-514

A RESOLUTION IN SUPPORT OF AN APPLICATION FOR THE U.S. DEPARTMENT OF COMMERCE, ECONOMIC DEVELOPMENT AGENCY'S ECONOMIC DEVELOPMENT PROGRAM FUNDS.

WHEREAS, funds are available from the US Department of Commerce's Economic Development Agency (EDA), Economic Development Assistance Program (EDAP) to provide grant funds to local governments to upgrade their physical infrastructure, to attract and retain new industry, encourage business expansion, diversify local economies, and generate or retain long-term, private sector jobs and private investment; and

WHEREAS, the Hartsville/Trousdale County Government, in order to attract and retain new industry, encourage business expansion, diversify local economies and generate or retain long-term, private sector jobs and private investment, is desirous to apply for EDA Economic Development Assistance Program (EDAP) funds in the amount of \$1,400,000 to assist with water infrastructure needs;

NOW, THEREFORE, BE IT RESOLVED by the Hartsville/Trousdale County Commission that an application be filed for Economic Development Assistance Program (EDAP) funds in the amount of one million, four hundred thousand dollars (\$1,400,000) and that County Mayor Carroll Carman is authorized to sign the application and all necessary assurances and agreements necessary to consummate the application and implement the project.

BE IT FURTHER RESOLVED that the Hartsville/Trousdale County Government will provide matching funds in the amount of \$1,400,000 which will be made available upon award and unencumbered, said funds being private & local funds in the amount of one million, four hundred thousand dollars (\$1,400,000), with such funds being presently held in an escrow account at Citizens Bank of Hartsville, Tennessee, and pledged to this project by an owner of the said account, being the Hartsville Trousdale Water and Sewer Utility District.

BE IT FURTHER RESOLVED that this Resolution shall be effective only upon the passage of a companion Resolution of the Hartsville Trousdale Water and Sewer Utility District which pledges such funds as the guarantee matching funds on behalf of the Hartsville/Trousdale County Government for the above styled grant as indicated in the grant application.

READ, ADOPTED, AND APPROVED in open regular session on the ____ day of July, 2015.

Mark Beeler, Commission Chairman

Rita Crowder, County Clerk

RESOLUTION NO 2015-36-515

RESOLUTION OF THE HARTSVILLE/TROUSDALE COUNTY GOVERNMENT AUTHORIZING THE ISSUANCE OF INTEREST BEARING COMMUNICATIONS DEPARTMENT CAPITAL OUTLAY NOTES, SERIES 2015, IN AN AMOUNT NOT TO EXCEED \$150,000 AND PROVIDING FOR THE PAYMENT OF SAID NOTES

WHEREAS, the Hartsville/Trousdale County Commission (the "Commission") of the Hartsville/Trousdale County Government (the "County"), has determined that it is necessary and desirable to authorize, issue, sell, and provide for the payment of its interest bearing capital outlay notes to finance certain public works projects, consisting of the construction of a communications department for the County, for the purpose of providing a broadband network for all department of the County government, to provide communication related services for such County government, primarily phone and internet services, including the acquisition and installation of equipment for such purpose, the acquisition of all other property real and personal appurtenant thereto and connected with such work, and to pay all legal, fiscal, administrative, and engineering costs incident thereto (collectively, the "Project");

WHEREAS, the County certifies that the economic life of such Project is at least five (5) years;

WHEREAS, the County finds and determines that the Project will promote or provide a traditional governmental activity or otherwise fulfill a public purpose;

WHEREAS, in order to proceed as expeditiously as possible with such an essential Project, it is necessary that interest bearing capital outlay notes be issued for the purpose of providing funds to finance the Project; and,

WHEREAS, the County is authorized by the provisions of Title 9, Chapter 21, Tennessee Code Annotated, as amended, to issue such notes for said purposes upon the approval of the Director of the Office of State and Local Finance (the "Director of State and Local Finance").

NOW, THEREFORE, BE IT RESOLVED BY THE HARTSVILLE/TROUSDALE COUNTY COMMISSION OF THE HARTSVILLE/TROUSDALE COUNTY GOVERNMENT, AS FOLLOWS:

Section 1. Authority. The Notes herein authorized shall be issued pursuant to Title 9, Chapter 21, Tennessee Code Annotated, as amended, and other applicable provisions of law.

Section 2. Authorization. For the purpose of providing funds to finance the costs of the Project, there shall be issued pursuant to, and in accordance with, the provisions of Title 9, Chapter 21, Tennessee Code Annotated, as amended, and other applicable provisions of law, the interest bearing capital outlay notes of the County, in the aggregate principal amount of not to exceed \$150,000, or such lesser amount as may be determined by the County Mayor of the County (the "County Mayor") at the time of sale (collectively, the "Notes", individually, the "Note").

Section 3. Terms of the Notes. The Notes shall be designated "Broadband Network Capital Outlay Notes, Series 2015". The Notes shall be issued in registered form, without coupons, in minimum denominations of \$5,000. The Notes shall be numbered from 1 upwards, shall be dated the date of issuance and delivery, or such other date as the County Mayor shall determine, shall be sold at not less than the par amount thereof, and shall bear interest at a rate not to exceed 3% per annum, such interest being payable at such times as agreed upon with the purchaser of such Notes, but in no event less than semiannually each year commencing six months from the dated date or such date as shall be designated by the County Mayor (the "Interest Payment Date"), and shall mature not later than the end of the fifth fiscal year following the fiscal year in which the Notes are issued. Each year the Notes are outstanding the County shall retire principal on

the Notes in an amount that is estimated to be at least equal to an amortization which reflects level debt service on the Notes. The Notes shall contain such terms, conditions, and provisions other than as expressly provided or limited herein as may be agreed upon by the County Mayor of the County and the purchaser of the Notes.

Interest on the Notes shall be payable by wire transfer or by check or other form of draft of the "Note Registrar," as such term is hereinafter defined, deposited by the Note Registrar in the United States mail, first class postage prepaid, in sealed envelopes, addressed to the owner of such Notes, as of the applicable Interest Payment Date, at their respective addresses as shown on the Registration Books of the County maintained by the Note Registrar as of the close of business fifteen (15) calendar days preceding the next Interest Payment Date. All payments of the principal of and interest on the Notes shall be made in any coin or currency of the United States of America which, on the date of payment thereof, shall be legal tender for the payment of public and private debts.

Section 4. Redemption. The Notes shall not be subject to redemption, in whole or in part, prior to maturity; provided however, at the option of the County, upon fifteen (15) calendar days written notice to the registered owner, and with the consent of the registered owner, the County may prepay the Note in full at the price of par plus a 1% premium, and accrued interest to the date of redemption. Provided, further, the County may pay, from time to time, additional principal payments, after giving fifteen (15) calendar day's written notice to the Registered Owner of such intent to pay additional principal.

Section 5. Execution. The Notes shall be executed in the name of the County; shall bear the manual signature of the County Mayor; shall be countersigned by the County Clerk of the County (the "County Clerk"), with his or her manual signature; and, shall have printed or impressed thereon the official seal of the County. In the event any officer whose signature appears on the Notes shall cease to be such officer, such signature shall nevertheless be valid and sufficient for all purposes. The Notes shall be issued in typed, printed, or photocopied form, or any combination thereof, substantially in the form attached hereto as Exhibit "A", with such minor changes therein or such variations thereof as the County Mayor may deem necessary or desirable, the blanks to be appropriately completed by the County Mayor prior to the issuance of the Notes.

Section 6. Registration, Negotiability, and Payment. (a) The County Clerk of the County is hereby appointed the note registrar and paying agent (the "Note Registrar"), and as such shall establish and maintain suitable books (the "Registration Books"), for recording the registration, conversion, and payment of the Notes, and shall also perform such other duties as may be required in connection with any of the foregoing. The Note Registrar is hereby authorized to authenticate and deliver the Notes to the original purchaser thereof, or as he or she may designate, upon receipt by the County of the proceeds of the sale thereof and to authenticate and deliver Notes in exchange for Notes of the same principal amount delivered for transfer upon receipt of the Notes to be transferred in proper form with proper documentation as herein described. The Notes shall not be valid for any purpose unless authenticated by the Note Registrar by the manual signature of the Note Registrar on the certificate set forth in Exhibit "A" hereto. The Notes shall be fully registered as to both principal and interest and shall be fully negotiable upon proper endorsement by the registered owner thereof. No transfer of any Notes shall be valid unless such transfer is noted upon the Registration Books and until such Note is surrendered, cancelled, and exchanged for a new Note which shall be issued to the transferee, subject to all the conditions contained herein. Principal on the Notes shall be paid at maturity upon presentation or surrender of the Notes at the principal office of the Note Registrar, and payment in such manner shall forever discharge and release the obligation of the County to the extent of the principal and interest so paid.

(b) The County may from time to time at its discretion remove the Note Registrar and appoint a successor Note Registrar to whom all records, documents, and instruments relating to its duties as Note

Registrar shall be delivered. Any successor Note Registrar shall be appointed by resolution of the County, and shall be a trust company or bank having the powers of a trust company, having, at the time of such appointment, a combined capital, surplus, and undivided profits aggregating at least Ten Million Dollars (\$10,000,000), and be willing and able to accept the office of Note Registrar on reasonable and customary terms, and authorized by law to perform all duties imposed upon it by this Resolution.

(c) In the event that any amount payable on any Note as interest shall at any time exceed the rate of interest lawfully chargeable thereon under applicable law, then any such excess shall, to the extent of such excess, be applied against the principal of such Note as a prepayment thereof without penalty, and such excess shall not be considered to be interest. All rates of interest specified herein shall be computed on the basis of a three hundred sixty (360) day year composed of twelve (12) months of thirty (30) days each.

Section 7. Exchange of Notes. Notes upon surrender thereof at the office of the Note Registrar, together with an assignment of such Notes duly executed by the registered owner thereof, or his, her, or its attorney or legal representative, may be exchanged for an equal aggregate principal amount of Notes of the same maturity, of any denomination or denominations authorized by this Resolution, and bearing interest at the same rate as the Notes surrendered for exchange.

Section 8. Transfer of Notes. Each Note shall be transferable only on the Registration Books maintained by the Note Registrar at the principal office of the Note Registrar, upon the surrender for cancellation thereof at the principal office of the Note Registrar, together with an assignment of such Note duly executed by the owner thereof or his, her or its attorney or legal representative, and upon payment of the charges hereinafter provided, and subject to such other limitations and conditions as may be provided therein or herein. Upon the cancellation of any such Note, the Note Registrar shall, in exchange for the surrendered Note or Notes, deliver in the name of the transferee or transferees a new Note or Notes of authorized denominations, of the same aggregate principal amount, maturity, and rate of interest as such surrendered Note or Notes, and the transferee or transferees shall take such new Note or Notes subject to all of the conditions herein contained.

Section 9. Regulations with Respect to Exchanges and Transfers. In all cases in which the privilege of exchanging or transferring Notes is exercised, the County shall execute, and the Note Registrar shall deliver, Notes in accordance with the provisions of this Resolution. For every exchange or transfer of Notes, whether temporary or definitive, the County and the Note Registrar may make a charge, unless otherwise herein to the contrary expressly provided, sufficient to pay for any tax, fee, or other governmental charge required to be paid with respect to such exchange or transfer, all of which taxes, fees, and other governmental charges shall be paid to the County by the person or entity requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer. Neither the County nor the Note Registrar shall be obligated to exchange or transfer any Note during the fifteen (15) calendar days next preceding the maturity date of the Notes or any call for redemption.

Section 10. Mutilated, Lost, Stolen, or Destroyed Notes. In the event any Note issued hereunder shall become mutilated, or be lost, stolen, or destroyed, such Note shall, at the written request of the registered owner, be cancelled on the Registration Books and a new Note shall be authenticated and delivered, corresponding in all aspects but number to the mutilated, lost, stolen, or destroyed Note. Thereafter, should such mutilated, lost, stolen, or destroyed Note or Notes come into possession of the registered owner, such Notes shall be returned to the Note Registrar for destruction by the Note Registrar. If the principal on said mutilated, lost, stolen, or destroyed Note shall be due within fifteen (15) calendar days of receipt of the written request of the registered owner for authentication and delivery of a new Note, payment therefor shall be made as scheduled in lieu of issuing a new Note. In every case the registered owner shall certify in writing as to the destruction, theft, or loss of such Note, and shall provide

indemnification satisfactory to the County and to the Note Registrar, if required by the County and the Note Registrar.

Any notice to the contrary notwithstanding, the County and all of the officials, employees, and agents thereof, including the Note Registrar, may deem and treat the registered owner of the Notes as the absolute owner thereof for all purposes, including, but not limited to, payment of the principal thereof, and the interest thereon, regardless of whether such payment shall then be overdue.

Section 11. Authentication. Only such of the Notes as shall have endorsed thereon a certificate of authentication, substantially in the form set forth in Exhibit "A" hereto duly executed by the Note Registrar shall be entitled to the rights, benefits, and security of this Resolution. No Note shall be valid or obligatory for any purpose unless, and until, such certificate of authentication shall have been duly executed by the Note Registrar. Such executed certificate of authentication by the Note Registrar upon any such Note shall be conclusive evidence that such Note has been duly authenticated and delivered under this Resolution as of the date of authentication.

Section 12. Source of Payment and Security. The Notes, as to both principal and interest, shall be payable from funds of the County legally available therefor and to the extent necessary from ad valorem taxes to be levied on all taxable property within the urban services district of the County without limitation as to time, rate, or amount. Said Notes shall be a direct general obligation of the County, for which the punctual payment of the principal of and interest on the Notes, the full faith and credit of the County is irrevocably pledged.

Section 13. Levy of Taxes. For the purpose of providing for the payment of the principal of and interest on the Notes, to the extent necessary, there shall be levied in each year in which such Notes shall be outstanding a direct tax on all taxable property in the urban services district of the County, fully sufficient to pay all such principal and interest falling due prior to the time of collection of the next succeeding tax levy. Said tax shall be assessed, collected, and paid at the time, and in the same manner, as the other taxes of said County, shall be in addition to all other taxes, and shall be without limitation as to time, rate, or amount, and for that purpose there is hereby levied a direct annual tax in such amount as may be found necessary each year to pay said principal of and interest on the Notes maturing in said year. Principal or interest falling due at any time when there shall be insufficient funds on hand from such tax levy for the payment thereof shall be paid from the general fund or other available funds of the County, but reimbursement therefor may be made from the taxes herein provided when the same shall have been collected. Such taxes levied and collected therefor shall be deposited in the County's debt service fund and used solely for the payment of principal of and interest on the Notes as the same shall become due.

Section 14. Approval of Director of State and Local Finance. Anything herein contained to the contrary notwithstanding, no Notes authorized under this Resolution shall be issued, sold, or delivered, unless and until such Notes shall first have been duly approved by the Director of State and Local Finance, as provided by Section 9-21-601 et. seq. Tennessee Code Annotated, as amended. The County Mayor, County Clerk, and Attorney for the County, are hereby authorized to take or cause to be taken such steps as are necessary to obtain such approval. After the issuance and sale of the Notes, and for each year that any of the Notes are outstanding, the County shall submit its annual budget to the Director of State and Local Finance for approval immediately upon the County's adoption of the budget.

Section 15. Sale of Notes. The Notes herein authorized are authorized to be sold by the County Mayor by the informal bid process at a price of not less than par and accrued interest.

Section 16. Disposition of Note Proceeds. The proceeds from the sale of the Notes shall be paid to the official of the County designated by law as the custodian of the funds thereof to be deposited in a

special fund known as the "Broadband Network Capital Outlay Notes Project Fund" (the "Project Fund"), which is hereby authorized to be created, to be kept separate and apart from all other funds of the County. The monies in the Project Fund shall be disbursed solely to finance the Project. Monies in the Project Fund may be invested and shall be secured in the manner prescribed by applicable statutes relative to the investment and securing of public or trust funds. Any monies remaining in the Project Fund after completion of the Project shall be transferred to the County's debt service fund and used to pay debt service on the Notes.

Section 17. Reimbursement Provisions. The County is in the process of causing certain capital expenditures to be made with respect to the Project, including, but not necessarily limited to, planning, design, and architectural expenses, and the County desires to establish its official intent that certain of the expenditures related to the Project and certain other related expenditures be reimbursed from the proceeds of the Notes. Therefore, the Commission of the County finds and determines, as follows:

- (a) that it is in the best interest of the County to proceed immediately with the Project, thereby incurring certain capital expenditures;
- (b) that the County has certain funds available which may be used temporarily for this purpose, pending the issuance of the Notes;
- (c) that pursuant to the provisions of this Resolution, the Commission anticipates that the County will issue the Notes for the purpose of financing the Project;
- (d) that the Commission reasonably expects to reimburse such amounts to such fund or source from which such expenditures may be made on a temporary basis as soon as proceeds from the issuance of such Notes are available; and,
- (e) that this declaration of official intent is consistent with the budgetary and financial circumstances of the County.

The Commission of the County by this Resolution hereby establishes its official intent to issue the Notes to finance the costs of the Project and other related expenditures in an amount not to exceed \$150,000. Pending the issuance of such Notes, funds necessary to finance such costs shall be advanced from such source of funds on hand and available for such purpose, and any amounts so advanced shall be reimbursed from the proceeds of the Notes.

Section 18. Designation of Notes as Qualified Tax-Exempt Obligations. The County hereby designates the Notes as "qualified tax-exempt obligations" within the meaning and for the purpose of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended. The County reasonably anticipates that the amount of tax-exempt obligations (other than obligations described in Section 265(b)(3)(C)(ii)) which will be issued during the calendar year by the County (i) any issuer with respect to which the County is deemed to be an "on behalf of" issuer, and (ii) all subordinate entities which are treated as one issuer under Section 265(b)(3)(E) of the Code, will not exceed \$10,000,000, and not more than \$10,000,000 of obligations issued by the County (together with those issued by any other issuers that are treated as on issuer under such Section 265(b)(3)) during the 2015 calendar year will be designated as "qualified tax-exempt obligations".

Section 19. Non-Arbitrage Certification. The County certifies and covenants with the owner of the Notes that so long as the principal of any Note remains unpaid, monies on deposit in any fund or account in connection with the Notes, whether or not such monies were derived from the proceeds of the sale of the Notes or from any other source, will not be used in a manner which will cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code, and any lawful regulations promulgated thereunder, as the same presently exist, or may from time to time hereafter be amended, supplemented or revised. The County reserves the right, however, to make any investment of such monies permitted by Tennessee law and

this Resolution if, when and to the extent that said Section 148 or regulations promulgated thereunder shall be repealed or relaxed or shall be held void by final decision of a court of competent jurisdiction, but only if any investment made by virtue of such repeal, relaxation, or decision would not, in the opinion of counsel of recognized competence in such matters, result in making the interest on the Notes subject to inclusion in gross income of the owner thereof for federal income tax purposes.

The County covenants that it shall comply with Section 148(f) of the Code, unless legally exempted therefrom and it represents that in the event it shall be required by Section 148(f) of the Code to pay "Rebatable Arbitrage," as defined in the regulations promulgated under the Code, to the United States Government, it will make such payments as and when required by said Section 148(f) and will take such other actions as shall be necessary or permitted to prevent the interest on the Notes from becoming subject to inclusion in federal gross income of the owner of the Notes for purposes of federal income taxation.

Section 20. Resolution a Contract. The provisions of this Resolution shall constitute a contract between the County and the owner of the Notes, and after the issuance of the Notes, no change, variation, or alteration of any kind in the provisions of this Resolution shall be made in any manner, until such time as all installments of the principal of and interest on the Notes shall have been paid in full or the consent of the registered owner of the Notes has been obtained; provided, however, that the County is hereby authorized to make such amendments to this Resolution as will not impair the rights or security of the owner of the Notes.

Section 21. No Action to be Taken Affecting Validity of the Notes. The County hereby covenants and agrees that it will not take any action, that would in any manner affect the validity of the Notes or limit the rights and remedies of the owner from time to time of such Notes. The County further covenants that it will not take any action that will cause the interest on the Notes to be subject to inclusion in gross income of the owner thereof for purposes of federal income taxation.

Section 22. Miscellaneous Acts. The County Mayor, the County Clerk, the County Trustee, and all other appropriate officials of the County are hereby authorized, empowered, and directed to do any and all such acts and things, and to execute, acknowledge, and deliver all such documents, instruments, and certifications in connection with the purchase of the Notes, in addition to those acts, things, documents, instruments, and certifications hereinbefore authorized and approved, as may in their discretion, be necessary or desirable to implement or comply with the intent of this Resolution; or any of the documents herein authorized and approved; or for the authorization, issuance, and delivery of the Notes.

Section 23. Failure to Present Notes. Subject to the provisions of Section 3 hereof, in the event any Note shall not be presented for payment when the principal becomes due at maturity and in the event monies sufficient to pay such Note shall be held by the Note Registrar for the benefit of the owner thereof, all liability of the County to such owner for the payment of such Note shall forthwith cease, terminate, and be completely discharged. Thereupon, the Note Registrar shall hold such monies, without liability for interest thereon, for the benefit of the owner of such Note who shall thereafter be restricted exclusively to such monies for any claim under this Resolution or on, or with respect to, said Note, subject to escheat or other similar law, and any applicable statute of limitation.

Section 24. Payments Due on Saturdays, Sundays, and Holidays. Whenever the interest on or principal of any Note is due on a Saturday or Sunday or, at the place designated for payment, a legal holiday or a day on which banking institutions are authorized by law to close, then the payment of the interest on, or the principal of, such Note need not be made on such date but must be made on the next succeeding day not a Saturday, Sunday, or a legal holiday or a day upon which banking institutions are authorized by law to close, with the same force and effect as if made on the date of maturity; and no interest shall accrue for the period after such date.

Section 25. No Recourse Under Resolution or on Notes. All stipulations, promises, agreements, and obligations of the County contained in this Resolution shall be deemed to be the stipulations, promises, agreements, and obligations of the County and not of any officer, director, or employee of the County in his or her individual capacity, and no recourse shall be had for the payment of the principal of or interest on the Notes or for any claim based thereon or under this Resolution against any officer, director, or employee of the County or against any official or individual executing the Notes.

Section 26. Severability. If any section, paragraph, or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision shall not affect any of the remaining provisions hereof.

Section 27. Repeal of Conflicting Resolutions and Effective Date. All resolutions and orders, or parts thereof, in conflict with the provisions of this Resolution, are, to the extent of such conflict, hereby repealed, and this Resolution shall be in effect as of the date of its adoption the welfare of the County requiring it.

Approved and adopted this 27th day of July, 2015.

County Mayor

Attest:

County Clerk

STATE OF TENNESSEE)
COUNTY OF TROUSDALE)

I, Rita Crowder, hereby certify that I am the duly qualified and acting County Clerk of the Hartsville/Trousdale County Government (the "County"), and, as such official, I further certify as follows: (1) that attached hereto is a copy of a resolution excerpted from the minutes of the meeting of the Hartsville/Trousdale County Commission of said County held on July 27, 2015; (2) that I have compared said copy with the original minute record of said meeting in my official custody; (3) that said copy is a true, correct, and complete copy of such resolution authorizing the issuance of not to exceed \$150,000 Broadband Network Capital Outlay Notes, Series 2015, by said County; (4) that the actions by said Hartsville/Trousdale County Commission including the aforementioned, at said meeting were promptly and duly recorded by me in a book kept for such purpose; and, (5) that a quorum of the members of said Hartsville/Trousdale County Commission was present and acting throughout said meeting.

WITNESS my official signature and the seal of said County this 27th day of July, 2015.

County Clerk

(SEAL)

FORM OF NOTE ---- EXHIBIT "A"

Registered
No. _____

Registered
\$ _____

UNITED STATES OF AMERICA
STATE OF TENNESSEE
HARTSVILLE/TROUSDALE COUNTY
BROADBAND NETWORK CAPITAL OUTLAY NOTE,
SERIES 2015

Interest Rate:

Maturity Date:

Dated Date:

Registered Owner:

Principal Amount:

THE HARTSVILLE/TROUSDALE COUNTY GOVERNMENT (the "County"), lawfully organized and existing under the laws of the State of Tennessee, for value received, hereby acknowledges itself indebted and promises to pay, as hereinafter set forth, in the manner hereinafter provided, to the Registered Owner identified above, or registered assigns as hereinafter provided, on the Maturity Date identified above, upon the presentation and surrender hereof at the office of the County Clerk, Hartsville/Trousdale County Courthouse, Hartsville, Tennessee, or its successor as registrar and paying agent (the "Note Registrar"), the Principal Amount identified above, and to pay interest on said Principal Amount from the date hereof, or such later date as to which interest has been paid, to the Maturity Date, semiannually on _____ and _____ of each year, commencing _____, 2016, at the Interest Rate per annum set forth above, by check, draft, or warrant to the Registered Owner hereof at the address shown on the registration books of the Note Registrar on the fifteenth (15th) calendar day next preceding an interest payment date, in any coin or currency of the United States of America which on the date of payment thereof is legal tender for the payment of public and private debts.

In the event that any amount payable hereunder as interest shall at any time exceed the rate of interest lawfully chargeable on this note under applicable law, any such excess shall, to the extent of such excess, be applied against the principal hereof as a prepayment thereof without penalty, and such excess shall not be considered to be interest. All rates of interest specified herein shall be computed on the basis of a three hundred sixty (360) day year composed of twelve (12) months of thirty (30) days each.

The principal hereof and interest hereon shall bear interest from and after their respective due dates (whether by acceleration, demand, or otherwise) at the same rate of interest payable on the principal hereof.

Section 9-21-117, Tennessee Code Annotated, as amended, provides that this Note and the income therefrom are exempt from all state, county, and municipal taxation in the State of Tennessee, except inheritance, estate, and transfer taxes and except as otherwise provided in said Code.

This Note is one of a series of notes known as "Broadband Network Capital Outlay Notes, Series 2015" (the "Notes"), issued by the County in the aggregate principal amount of \$150,000. The Notes which are issued for the purpose of financing certain public works projects, consisting of the construction of a

communications department for the County, for the purpose of providing a broadband network for all department of the County government, to provide communication related services for such County government, primarily phone and internet services, including the acquisition and installation of equipment for such purpose, the acquisition of all other property real and personal appurtenant thereto and connected with such work, and to pay all legal, fiscal, administrative, and engineering costs incident thereto, are authorized by an appropriate resolution of the Commission of Commissioners and particularly that certain Resolution of the Hartsville/Trousdale County Commission adopted on July 27, 2015, as such resolution may be from time to time amended or supplemented in accordance with its terms (such resolution, as so amended or supplemented, being herein called, the "Resolution"), and are issued pursuant to, and in full compliance with, the Constitution and the statutes of the State of Tennessee, including, but not limited to, Title 9, Chapter 21, Tennessee Code Annotated, as amended (the "Act"). Copies of the Resolution are on file at the office of the County Clerk of the County, and reference is hereby made to the Resolution and the Act, for a more complete statement of the terms and conditions upon which the Notes are issued thereunder, the rights, duties, immunities, and obligations of the County, and the rights of the Registered Owner hereof.

This Note and interest hereon is payable from funds of the County legally available therefor and to the extent necessary from ad valorem taxes to be levied on all taxable property in the urban services district of the County without limitation as to time, rate, or amount. For the prompt payment of this Note, both principal and interest, as the same shall become due, the full faith and credit of the County are hereby irrevocably pledged.

The County has designated the Notes as "qualified tax-exempt obligations" pursuant to Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

This Note is transferable by the Registered Owner hereof in person or by his, her, or its attorney or legal representative at the office of the Note Registrar, but only in the manner and subject to the limitations and conditions provided in the Resolution and upon surrender and cancellation of this Note. Upon any such transfer, the County shall execute, and the Note Registrar shall authenticate and deliver in exchange for this Note, a new fully registered note or notes, registered in the name of the transferee, in authorized denominations, in an aggregate principal amount equal to the principal amount of this Note, of the same maturity and bearing interest at the same rate. For every exchange or transfer of notes, whether temporary or definitive, the County and the Note Registrar may make a charge, unless otherwise herein to the contrary expressly provided, sufficient to pay for any tax, fee, or other governmental charge required to be paid with respect to such exchange or transfer, all of which taxes, fees, or other governmental charges shall be paid to the County by the person or entity requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer.

The County and the Note Registrar may deem and treat the person or entity in whose name this Note is registered as the absolute owner hereof, whether such note shall be overdue or not, for the purpose of making payment of the principal of and interest on, this Note and for all other purposes. All such payments so made shall be valid and effectual to satisfy and discharge the liability upon this Note to the extent of the sum or sums so paid, and neither the County nor the Note Registrar shall be affected by any notice to the contrary.

The Notes are issuable only as fully registered Notes, without coupons, in minimum denominations of \$5,000. At the office of the Note Registrar, in the manner and subject to the limitations, conditions, and charges provided in the Resolution, fully registered Notes may be exchanged for an equal aggregate principal amount of fully registered Notes of the same maturity, of authorized denominations, and bearing interest at the same rate.

The Note shall not be subject to redemption, in whole or in part, prior to maturity; provided however, at the option of the County, upon fifteen (15) calendar days written notice to the Registered Owner, and with the consent of the Registered Owner, the County may prepay the Note in full at the price of par plus a 1% premium, and accrued interest to the date of redemption. Provided, further, the County may pay, from time to time, additional principal payments, after giving fifteen (15) calendar day's written notice to the Registered Owner of such intent to pay additional principal.

This Note shall have all the qualities and incidents of, and shall be, a negotiable instrument under, the Uniform Commercial Code of the State of Tennessee, subject only to provisions respecting registration of such note. This Note is issued with the intent that the laws of the State of Tennessee shall govern its construction.

It is hereby certified, recited, and declared that all acts and conditions required to be done and to exist precedent to the issuance of, this Note in order to make this Note a legal, valid, and binding obligation of the County, have been done, and did exist in due time and form as required by the Constitution and statutes of the State of Tennessee; and that this Note and the issue of which it is a part, together with all other indebtedness of such County, does not exceed any limitation prescribed by the Constitution or statutes of the State of Tennessee.

IN WITNESS WHEREOF, THE HARTSVILLE/TROUSDALE COUNTY COMMISSION OF THE HARTSVILLE/TROUSDALE COUNTY GOVERNMENT, has caused this Note to be signed by the manual signatures of the County Mayor and the County Clerk and its official seal to be impressed or imprinted hereon, all as of _____, 2015.

ORDINANCES

HARTSVILLE/TROUSDALE COUNTY, TENNESSEE

ORDINANCE # 115-2015-06

AN ORDINANCE TO AMEND ARTICLE IV, SECTION 4.050, AND ARTICLE VIII, SECTION 8.060 OF THE ZONING RESOLUTION OF TROUSDALE COUNTY, AND TO AMEND ARTICLE IV, SECTION 4.040 OF THE ZONING ORDINANCE OF HARTSVILLE, TENNESSEE TO WIT:

WHEREAS, the land use controls of Hartsville/Trousdale County, Tennessee have been adopted for the purpose of promoting the public health, safety, morals, convenience, order, prosperity, and general welfare of the community;

WHEREAS, the Hartsville/Trousdale County Regional Planning Commission has duly reviewed and recommended these requests to the County Commission; and

WHEREAS, the County Commission has reviewed such recommendation and has conducted a public hearing thereon.

NOW, THEREFORE, BE IT ORDAINED BY THE HARTSVILLE/TROUSDALE COUNTY COMMISSION:

Section 1: That Article IV, Section 4.050 of The Zoning Resolution of Trousdale County, Tennessee be deleted in its entirety and replaced with new language; and that Article VIII, Section 8.060 (G) be deleted in its entirety, which reads as follows:

See 'ATTACHMENT, Section 1'

Section 2: That Article IV, Section 4.040 of The Zoning Ordinance of Hartsville, Tennessee be deleted in its entirety and replaced with new language which reads as follows:

See 'ATTACHMENT, Section 2'

BE IT ENACTED that this Ordinance shall take effect from and after its adoption, the public welfare requiring it.

Recommended by Planning Commission June 8, 2015

Passes 1st Reading:
Public Hearing Held on
Passes 2nd Reading:

APPROVED

Mark Beeler, Hartsville/Trousdale County Commission Chairman

ATTEST

Rita Crowder, County Clerk

ATTACHMENT

Section 1:

THE ZONING RESOLUTION OF TROUSDALE COUNTY, TENNESSEE

ARTICLE IV

SUPPLEMENTARY PROVISIONS APPLYING TO SPECIFIC DISTRICTS

4.050 CUSTOMARY INCIDENTAL HOME OCCUPATIONS

A home occupation is a gainful occupation or profession conducted entirely within the principal dwelling unit or approved accessory building by members of the household residing on the premises. The use of the dwelling unit or approved accessory building for the home occupation shall be clearly incidental and subordinate to residential purposes of the land. This section classifies all home occupations as "Minor Home Occupations" or "Major Home Occupations" and subject to the respective limitations prescribed. All other uses that are not considered under one of these classifications is prohibited under these regulations.

A. Minor Home Occupations

A minor home occupation is a limited accessory activity conducted on premises that in no way alters the residential character of the structure. Minor home occupations shall include offices for accountants, architects, artists, engineers and the like, and other uses that will not require an increased amount of traffic to and from the residence. Uses such as barber or beauty shops, auto or appliance repair, cabinet making and upholstery shops, dance or music studios with more than four (4) students at a time, or any similar use shall not be considered as minor home occupations. Due to the small scale of operation, minor home occupations are not required to obtain approval from the Board of Zoning Appeals. However, in order to assure that such activities remain within the limited scope of this provision, a use permit shall be obtained from the Building Inspector by the owner of the premises, or the renter provided prior consent in writing from the owner. The effective period for the use permit shall not exceed three (3) years. At the end of the period, renewal shall be granted upon receipt of properly documented certification that the minor home occupation continues to be operated within the limitations as described below:

1. A minor home occupation shall be conducted within a dwelling and shall be clearly incidental to the use of the structure as a dwelling. No more than twenty-five (25) percent of the floor area of the dwelling, whichever is less, may be utilized by the minor home occupation.
2. In no way shall the appearance of the structure be altered or the occupation within the residence be conducted in a manner that would cause the premises to differ from its residential character either by use of colors, materials, construction, lights, signs, or the emission of noise or vibration. Signs for minor home occupations are prohibited.

3. No traffic shall be generated by such minor home occupation by persons other than the occupants of the dwelling and any limited off-street parking as a result of the conduct of such home occupation.
4. Deliveries and pickups are permitted only by parcel post, United Parcel Service, or similar local delivery service trucks.
5. No minor home occupation shall involve the on-site use or storage of tractor trailers, semi-trucks, buses or heavy construction equipment.
6. No equipment or process shall be used in any minor home occupation that creates noise, vibration glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or processes shall be used which creates visual or audible interference in any radio or television receivers off the premises.
7. No outdoor display of goods or outside storage of equipment or materials used in the home occupation shall be permitted.
8. No home occupation shall require internal or external alterations or involve construction features or the use of mechanical or electrical equipment that would change the fire rating of the structure or the district in which the structure is located.
9. No more than one (1) person other than residents of the dwelling shall be employed at the location in the conduct of a minor home occupation.

The Building Inspector shall have the discretionary review of all minor home occupations, including whether or not a proposed activity is minor or major in nature. Any applicant aggrieved by the decision of the Building Inspector shall have the prerogative to appeal the decision to the Board of Zoning Appeals as an Administrative Review per Article VIII, Section 8.070 of this Resolution.

B. Major Home Occupations

Uses classified as major home occupations are those accessory activities conducted on premises that exceed the standards for Minor Home Occupations. Major home occupations may cause an increase in the amount of neighborhood traffic which may be in the form of persons served by the home occupation or by deliveries or pick-ups from the premises. All major home occupations require approval of an application for a permit as an appeal made by the owner of the premises to the Board of Zoning Appeals prior to engaging in the activity, in the process described in Article VIII, Section 8.070 of this Resolution, and subject to compliance with operational limitations imposed upon such use by virtue of being considered accessory to a principal use or activity as listed below. Major home occupations shall include barber and beauty shops, teaching of music and dance for over four (4) students at a time, small engine and appliance repair, upholstery shops, real estate offices, welding shops, woodworking shops, manufacturing or processing of garments, and other similar uses that in the opinion of the Board of Zoning Appeals would meet the criteria of a major home occupation.

The effective period for the major home occupation permit shall not exceed three (3) years. At the end of the period, renewal shall be granted upon receipt of properly documented certification that the major home occupation continues

to be operated as originally approved by the Board of Zoning Appeals within the operational limitations below. Any act of noncompliance may result in revocation of the home occupation permit, unless a new review by the Board of Zoning Appeals holds that the variation maintains the spirit and intent of these conditions.

1. The home occupation is to be conducted only by members of the family residing in the dwelling unit, plus no more than one (1) nonresident assistant or employee. Persons engaged in the building trades or similar fields, using their dwelling units or residential premises as an office for business activities carried on off-premises, may have more employees than the limitation set forth above, if such persons are not employed on the premises. Off-street parking for employees on premises should be incorporated within the proposal as described in 11. below.
2. In no case shall a home occupation be open to the public at times earlier than 8:00 a.m., or later than 10:00 p.m.
3. A home occupation shall be conducted within a dwelling and shall be clearly incidental to the use of the structure as a dwelling. No more than twenty-five (25) percent of the floor area of the dwelling, whichever is less, may be utilized by the home occupation. An accessory structure may be used for the activity provided such structure meets the criteria for accessory structures as defined in this Ordinance.
4. In no way shall the appearance of the dwelling or accessory structure be altered in a manner that would cause the premises to differ from its residential character either by use of colors, materials, construction, lights, signs, or the emission of noise or vibration. However, major home occupations are limited to one (1) sign and restricted to no greater than four (4) square feet in area.
5. No equipment or process shall be used in any home occupation that creates noise, vibration, glare, fumes, odors or electrical interference detectable to the formal senses off-premises. In the case of electrical interference, no equipment or processes shall be used which creates visual or audible interference in any radio or television receivers off-premises.
6. Products or goods produced or fabricated from raw materials, or items repaired on the premises as a result of the home occupation may only be sold and picked up from the premises.
7. Deliveries and pickups are permitted only by parcel post, United Parcel Service, or similar local delivery service trucks.
8. There shall be no storage of equipment, vehicles, bins, trailers, or supplies associated with the home occupation outside the dwelling or accessory building.

9. There shall be no display of products visible in any manner from outside the dwelling, including any on-site use, storage, or repair of vehicles, various repair items and discarded parts, construction machinery, and any equipment related to the home occupation.
10. No home occupation shall require internal or external alterations or involve construction features or the use of mechanical or electrical equipment that would change the fire rating of the structure. No use shall be permitted which involves the manufacture or storage of products that are dangerous in terms of risk of fire, explosion or hazardous emissions.
11. Off-street parking shall be provided with each request, the number determined as adequate by the Board.
 - a) Off-street parking can be provided on premises to accommodate the additional needs generated by the home occupation, including employees.
 - b) Any added parking will not detract from the visual appearance of the residence nor adversely impact adjoining properties or the public street.

ARTICLE VIII

ADMINISTRATION AND ENFORCEMENT

8.060 PROCEDURE FOR AUTHORIZING SPECIAL EXCEPTIONS

G. [Reserved]

ATTACHMENT

Section 2:

THE ZONING ORDINANCE OF HARTSVILLE, TENNESSEE

ARTICLE IV

SUPPLEMENTARY PROVISIONS APPLYING TO SPECIFIC DISTRICTS

4.040 CUSTOMARY INCIDENTAL HOME OCCUPATIONS

A home occupation is a gainful occupation or profession conducted entirely within the principal dwelling unit or approved accessory building by members of the household residing on the premises. The use of the dwelling unit or approved accessory building for the home occupation shall be clearly incidental and subordinate to residential purposes of the land. This section classifies all home occupations as "Minor Home Occupations" or "Major Home Occupations" and subject to the respective limitations prescribed. All other uses that are not considered under one of these classifications is prohibited under these regulations.

A. Minor Home Occupations

A minor home occupation is a limited accessory activity conducted on premises that in no way alters the residential character of the structure. Minor home occupations shall include offices for accountants, architects, artists, engineers and the like, and other uses that will not require an increased amount of traffic to and from the residence. Uses such as barber or beauty shops, auto or appliance repair, cabinet making and upholstery shops, dance or music studios with more than four (4) students at a time, or any similar use shall not be considered as minor home occupations. Due to the small scale of operation, minor home occupations are not required to obtain approval from the Board of Zoning Appeals. However, in order to assure that such activities remain within the limited scope of this provision, a use permit shall be obtained from the Building Inspector by the owner of the premises, or the renter provided prior consent in writing from the owner. The effective period for the use permit shall not exceed three (3) years. At the end of the period, renewal shall be granted upon receipt of properly documented certification that the minor home occupation continues to be operated within the limitations as described below:

1. A minor home occupation shall be conducted within a dwelling and shall be clearly incidental to the use of the structure as a dwelling. No more than twenty-five (25) percent of the floor area of the dwelling, whichever is less, may be utilized by the minor home occupation.
2. In no way shall the appearance of the structure be altered or the occupation within the residence be conducted in a manner that would cause the premises to differ from its residential character either by use of colors, materials, construction, lights, signs, or the emission of noise or vibration. Signs for minor home occupations are prohibited.

3. No traffic shall be generated by such minor home occupation by persons other than the occupants of the dwelling and any limited off-street parking as a result of the conduct of such home occupation:
4. Deliveries and pickups are permitted only by parcel post, United Parcel Service, or similar local delivery service trucks.
5. No minor home occupation shall involve the on-site use or storage of tractor trailers, semi-trucks, buses or heavy construction equipment.
6. No equipment or process shall be used in any minor home occupation that creates noise, vibration glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or processes shall be used which creates visual or audible interference in any radio or television receivers off the premises.
7. No outdoor display of goods or outside storage of equipment or materials used in the home occupation shall be permitted.
8. No home occupation shall require internal or external alterations or involve construction features or the use of mechanical or electrical equipment that would change the fire rating of the structure or the district in which the structure is located.
9. No more than one (1) person other than residents of the dwelling shall be employed at the location in the conduct of a minor home occupation.

The Building Inspector shall have the discretionary review of all minor home occupations, including whether or not a proposed activity is minor or major in nature. Any applicant aggrieved by the decision of the Building Inspector shall have the prerogative to appeal the decision to the Board of Zoning Appeals as an Administrative Review per Article VII, Section 7.050 of this Ordinance.

B. Major Home Occupations

Uses classified as major home occupations are those accessory activities conducted on premises that exceed the standards for Minor Home Occupations. Major home occupations may cause an increase in the amount of neighborhood traffic which may be in the form of persons served by the home occupation or by deliveries or pick-ups from the premises. All major home occupations require approval of an application for a permit as an appeal made by the owner of the premises to the Board of Zoning Appeals prior to engaging in the activity, in the process described in Article VII, Section 7.050 of this Ordinance, and subject to compliance with operational limitations imposed upon such use by virtue of being considered accessory to a principal use or activity as listed below. Major home occupations shall include barber and beauty shops, teaching of music and dance for over four (4) students at a time, small engine and appliance repair, upholstery shops, real estate offices, welding shops, woodworking shops, manufacturing or processing of garments, and other similar uses that in the opinion of the Board of Zoning Appeals would meet the criteria of a major home occupation.

The effective period for the major home occupation permit shall not exceed three (3) years. At the end of the period, renewal shall be granted upon receipt of properly documented certification that the major home occupation continues

to be operated as originally approved by the Board of Zoning Appeals within the operational limitations below. Any act of noncompliance may result in revocation of the home occupation permit, unless a new review by the Board of Zoning Appeals holds that the variation maintains the spirit and intent of these conditions.

1. The home occupation is to be conducted only by members of the family residing in the dwelling unit, plus no more than one (1) nonresident assistant or employee. Persons engaged in the building trades or similar fields, using their dwelling units or residential premises as an office for business activities carried on off-premises, may have more employees than the limitation set forth above, if such persons are not employed on the premises. Off-street parking for employees on premises should be incorporated within the proposal as described in 11. below.
2. In no case shall a home occupation be open to the public at times earlier than 8:00 a.m., or later than 10:00 p.m.
3. A home occupation shall be conducted within a dwelling and shall be clearly incidental to the use of the structure as a dwelling. No more than twenty-five (25) percent of the floor area of the dwelling, whichever is less, may be utilized by the home occupation. An accessory structure may be used for the activity provided such structure meets the criteria for accessory structures as defined in this Ordinance.
4. In no way shall the appearance of the dwelling or accessory structure be altered in a manner that would cause the premises to differ from its residential character either by use of colors, materials, construction, lights, signs, or the emission of noise or vibration. However, major home occupations are limited to one (1) sign and restricted to no greater than four (4) square feet in area.
5. No equipment or process shall be used in any home occupation that creates noise, vibration, glare, fumes, odors or electrical interference detectable to the formal senses off-premises. In the case of electrical interference, no equipment or processes shall be used which creates visual or audible interference in any radio or television receivers off-premises.
6. Products or goods produced or fabricated from raw materials, or items repaired on the premises as a result of the home occupation may only be sold and picked up from the premises.
7. Deliveries and pickups are permitted only by parcel post, United Parcel Service, or similar local delivery service trucks.
8. There shall be no storage of equipment, vehicles, bins, trailers, or supplies associated with the home occupation outside the dwelling or accessory building.

9. There shall be no display of products visible in any manner from outside the dwelling, including any on-site use, storage, or repair of vehicles, various repair items and discarded parts, construction machinery, and any equipment related to the home occupation.
10. No home occupation shall require internal or external alterations or involve construction features or the use of mechanical or electrical equipment that would change the fire rating of the structure. No use shall be permitted which involves the manufacture or storage of products that are dangerous in terms of risk of fire, explosion or hazardous emissions.
11. Off-street parking shall be provided with each request, the number determined as adequate by the Board.
 - a) Off-street parking can be provided on premises to accommodate the additional needs generated by the home occupation, including employees.
 - b) Any added parking will not detract from the visual appearance of the residence nor adversely impact adjoining properties or the public street.

ORDINANCE # 116-2015-07

AN ORDINANCE TO AMEND ARTICLE V, SECTION 5.020 OF THE ZONING ORDINANCE OF HARTSVILLE, TENNESSEE, BY REZONING OF PARCEL 018.00, GROUP B, Tax Map 019K, FROM C-1 to C-2 (Neighborhood commercial District) TO WIT:

WHEREAS, the land use controls of Hartsville/Trousdale County, Tennessee have been adopted for the purpose of promoting the public health, safety, morals, convenience, order, prosperity, and general welfare of the community;

WHEREAS, the location and boundaries of the zoning districts established by this resolution and ordinance, are bounded and defined as shown on the official zoning map, entitled Zoning Map of Trousdale County, Tennessee, and any amendment thereto;

WHEREAS, the Hartsville/Trousdale County Regional Planning Commission has duly reviewed and recommended these requests to the County Commission; and

WHEREAS, the County Commission has reviewed such recommendation and has conducted a public hearing prior to the second reading.

NOW, THEREFORE, BE IT ORDAINED BY THE HARTSVILLE/TROUSDALE COUNTY COMMISSION:

That the Zoning Map of Trousdale County, Tennessee be amended by the rezoning of one parcel from C-1 to C-2 Neighborhood Commercial District identified as follows:

Trousdale County Tax Map 019K, Parcel 018.00 this being a lot at the Corner of Broadway and White Oak ST, (Lying in the Hartsville Urban Services District)

BE IT ENACTED that this ordinance shall take effect from and after its adoption, the public welfare requiring it.

Recommended by Planning Commission July 13, 2015

Public Hearing Held on

Passes 1st Reading:

Passes 2nd Reading:

APPROVED:

COMMISSION CHAIRMAN

ATTEST:

COUNTY CLERK

HARTSVILLE/TROUSDALE COUNTY

Dwight Jewell - Zoning & Building Inspector
200 East Main ST, Room 11, Hartsville TN 37074
(615) 374-1125 Fax (615)374-1100

Application for Zoning Change

Parcel Information

Current Zoning C-1 Requested Zoning C-2 Reason Construct New Store
Property Owner: Keith Roddy Phone # 615-633-2561
Property Address: Corner Broadway + White Oaks, Hartsville, TN, 37074
Lot Size: 1 Acre Road Frontage: _____ ft. Easments: _____ ft.
Tax Map Number: 019K Group: B Parcel: 018.00 Record/Deed Book: _____
Subdivision Name: _____ Phase: _____ Lot#: 1-2
Water Source: Hartsville Sewer or Septic Sewer

Applicant Information

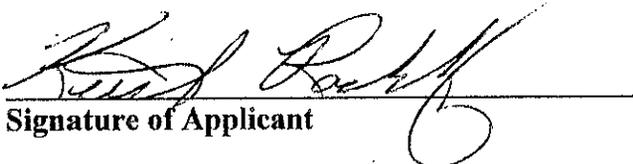
Applicant: Keith Roddy Title: Owner
Mailing Address: 232 River St, Hartsville, TN, 37074
Phone: 615-633-2561 Email: _____@_____

Impact Information

Zoning of Surrounding Properties: C-1-C-2
Names of Surrounding Property Owners: Jubilee Investments,
Hartsville Trousdale Co CRT 8th AVE
Affected Roads: Broadway - White Oaks St
Schools Affected: NA
Public Utilities: Hartsville Water + Sewer

Action Taken

Reviewed by the H/TC Planning Commission: 7-13-15 Action: Approval Referred to CC
Reviewed by the H/TC BZA: _____ Action: _____
First Reading H/TC County Commission: _____ Action: _____
Public Hearing H/TC County Commission: _____ Action: _____
Second Reading H/TC County Commission: _____ Action: _____
Approved: _____ Disapproved: _____
Reason for Disapproval: (if any) _____


Signature of Applicant

5-28-15
Date Submitted

ORDINANCE # 117-2015-08

AN ORDINANCE TO AMEND ARTICLE V, SECTION 5.020 OF THE ZONING ORDINANCE OF HARTSVILLE, TENNESSEE, BY REZONING OF PARCEL 005.01, GROUP C, Tax Map 019K, FROM R-1 to R-2 (Medium Density Residential District) TO WIT:

WHEREAS, the land use controls of Hartsville/Trousdale County, Tennessee have been adopted for the purpose of promoting the public health, safety, morals, convenience, order, prosperity, and general welfare of the community;

WHEREAS, the location and boundaries of the zoning districts established by this resolution and ordinance, are bounded and defined as shown on the official zoning map, entitled Zoning Map of Trousdale County, Tennessee, and any amendment thereto;

WHEREAS, the Hartsville/Trousdale County Regional Planning Commission has duly reviewed and recommended these requests to the County Commission; and

WHEREAS, the County Commission has reviewed such recommendation and has conducted a public hearing prior to the second reading.

NOW, THEREFORE, BE IT ORDAINED BY THE HARTSVILLE/TROUSDALE COUNTY COMMISSION:

That the Zoning Map of Trousdale County, Tennessee be amended by the rezoning of one parcel from R-1 to R-2 Medium Density-Residential identified as follows:

Trousdale County Tax Map 019K, Parcel 005.01 this being a lot at the Corner of Andrews AVE and Rogers ST, (Lying in the Hartsville Urban Services District)

BE IT ENACTED that this ordinance shall take effect from and after its adoption, the public welfare requiring it.

Recommended by Planning Commission July 13, 2015

Public Hearing Held on _____

Passes 1st Reading: _____

Passes 2nd Reading: _____

APPROVED:

COMMISSION CHAIRMAN

ATTEST:

COUNTY CLERK

HARTSVILLE/TROUSDALE COUNTY

Dwight Jewell - Zoning & Building Inspector
200 East Main ST, Room 11, Hartsville TN 37074
(615) 374-1125 Fax (615)374-1100

FILED
JUL 13 2015

Application for Zoning Change

Parcel Information

Current Zoning R-1 Requested Zoning R-2 Reason To Build Duplex
Property Owner: Tony Whittemore Phone # 615-572-0773
Property Address: 112 Rogers St, Hartsville, TN, 37074
Lot Size: 13,750 sq ft Road Frontage: 110 + 120 ft. Easments: _____ ft.
Tax Map Number: 019K Group: C Parcel: 005.01 Record/Deed Book: RB87 633
Subdivision Name: _____ Phase: _____ Lot#: _____
Water Source: Hartsville Sewer or Septic _____

Applicant Information

Applicant: Tony Whittemore Title: Owner
Mailing Address: 15120 Akersville Road, Levy County, TN, 37083
Phone: 615-572-0773 cell Email: TRW2771@NCTC.com

Impact Information

Zoning of Surrounding Properties: R-1
Names of Surrounding Property Owners: Jane Hillville, Mike Potts
Angela Calhoun, Trickett, Timmy Eagon, Aubrey Williams
Affected Roads: Rogers St, Andrews Ave.
Schools Affected: STrousdale County
Public Utilities: Hartsville Water + Sewer

Action Taken

Reviewed by the H/TC Planning Commission: July 13, 15 Action: Approved + Referred to CC
Reviewed by the H/TC BZA: _____ Action: _____
First Reading H/TC County Commission: _____ Action: _____
Public Hearing H/TC County Commission: _____ Action: _____
Second Reading H/TC County Commission: _____ Action: _____
Approved: _____ Disapproved: _____
Reason for Disapproval: (if any) _____

Tony Whittemore
Signature of Applicant

6-18-15
Date Submitted