

Denny Wayne Robinson  
County Executive

Kim England  
Executive Assistant

1 East Bockman Way, Room 205  
Sparta, Tennessee 38583  
P 931.836.3203  
F 931.836.3204

executive@whitecountyttn.gov

**WHITE COUNTY, TENNESSEE**  
Office of County Executive

**Notice of Public Meeting**

**Regular Call Meeting  
of the White County Board of Commissioners**

Pursuant to T.C.A. § 8-44-103: a public meeting of the White County Board of Commissioners will be held, and will transact such business as may lawfully come before them on **Monday, August 17, 2020 at 6:00pm at White County Courthouse (3rd Floor Courtroom) 1 E. Bockman Way, Sparta, TN.**

**White County Board of Commissioners**

<u>District 1</u>	Cain Rogers	and	Andy Haston	<u>District 2</u>	Terry Alley	and	T.K. Austin
<u>District 3</u>	Lonnie Crouch	and	Robert McCormick	<u>District 4</u>	Lanny Selby	and	Dakota White
<u>District 5</u>	Dillard Quick	and	Dale Bennett	<u>District 6</u>	Roger Mason	and	Lee Broyles
<u>District 7</u>	Stanley Neal	and	Bobby McCulley				

**2019 / 2020 Full Court Commission Appointments**

Cain Rogers, Chairman      Roger Mason, Vice Chairman      Lanny Selby, Parliamentarian

---

*AGENDA*

---

1. Call to order by Chairman, Cain Rogers
2. Prayer led by Steve Qualls, Pastor – Christ Point Church
3. Pledge
4. Roll Call
5. Approve and Spread on Minutes Consent Calendar
  - A. Approval of Minutes from Full Court meeting July 20, 2020
  - B. Report of August 3, 2020 Steering Committee A
  - C. Report of August 3, 2020 Steering Committee B
  - D. Report of August 3, 2020 Solid Waste Committee
  - E. Report of August 12, 2020 Beer Board

- F. Reports of Budget Committee**
- G. 911 Agency Call Reports**
- H. White Co. Sherriff's Office**
  - a. Plan of Action**
  - b. Inmate Population Analysis**

**6. Resolutions form Steering B Committee**

- I. Resolution No: 40-08-2020 - Resolution Adopting Regulations Governing Health & Safety**
- II. Resolution No: 41-08-2020 – Resolution to Adopt the Updated UCRA Zoning Map**

**7. Resolutions from Budget Committee**

- I. Resolution No. 42-08-2020 – Resolution to Amend F/Y 2021 General Fund – Human Resource**

- 8. Notaries**
- 9. Recognition from Audience Members**
- 10. Old Business**
- 11. New Business**
- 12. Adjournment**

August 17, 2020

BE IT REMEMBERED THAT THE WHITE COUNTY LEGISLATIVE BODY met in regular session at the White County Courthouse in Sparta, Tennessee on August 17, 2020 at 6:00 p.m.

Present and residing the Hon. Cain Rogers-Chairman, Denny Wayne Robinson-Co. Executive, Sasha Wilson- White County Clerk, Chad Marcum- Finance Director, and John Meadows- County Attorney. The following commissioners were present; T. K Austin, Lonnie Crouch, Lanny Selby, Stanley Neal, Roger Mason, Andy Haston, Bobby McCulley, Lee Broyles, Robert McCormick, Dillard Quick. Absent; Dale Bennett, Terry Alley and Dakota White.

A quorum being present the following proceedings were held.

Motion was made by Commissioner T.K Austin and seconded by Commissioner Lee Broyles to Approve and Spread on Minutes Consent Calendar. Chairman Rogers called for a voice vote, all members in favor of said motion. In this consent calendar was a correction of Resolution sequence numbers from the month of July. Replacing Resolution 35-07-2020 with Resolution 38-07-2020 and Resolution 36-07-2020 with Resolution 39-07-2020.

Motion was made by Commissioner T.K Austin and seconded by Commissioner Stanley Neal to approve Resolution 40-08-2020, Regulations Governing the Health and Safety Standards of Residential and Non-Residential Properties.

# White County, Tennessee

---

## **Steering A Committee Meeting**

Date: 08/03/2020

Time: 5:30pm

Location: White County Courthouse

Recorded by: K. England

The White County Steering Committee A met on Monday, August 3, 2020, at the White County Courthouse. **Members of Committee A present include, Stanley Neal, Chair, Roger Mason, V. Chair, Andy Haston, Dakota White, Robert McCormick.**

Absent were **Secretary, T.K. Austin and Dale Bennett**

Also present were Chad Marcum, Finance Director, Diana Haston, Executive Robinson, Savanna Lovell, County Executive Intern and Gaylen Barlow, Solid Waste Director.

There being a quorum present, the meeting was called to order by Chairman Neal and prayer was led by Commission White.

Chairman Neal requested review and approval of the minutes from the previous meeting, July 6, 2020. Commissioner White made a motion and Commissioner Haston seconded the motion to approve the Report as presented. The motion was approved by all members.

Discussion on the Agenda items began with an update from the White co. Library. Commissioner Mason reported that the WC Library Board conducted a local poll asking the general public if masks should be required inside the public library. According to Mason, the director of the WC Library reported that the majority of participants were in agreement with the masks mandate inside the public library. Effective last week, anyone visiting the public library must wear a mask at all times.

The Census2020 update was given by Kim England, Executive Assistant. England stated that, according to the Census data received July 31<sup>st</sup>, the self-response rate has slightly increased during July; however, White Co. is still below the national average compared to the Census 2010 self-response rate data. Educational information was placed in over 700 backpacks for BAM distribution and England requested that all Commissioners help promote self-responses within their district.

Commissioners Mason and Haston did not have a recent update from Parks & Rec. Mason stated the P&R sub-committee would be meeting Tuesday, August 4, 2020 at 6pm. Ms. Diana Haston spoke briefly about the need for improvements at the WCHS Basketball courts. The storm debris has been cleared and fences were sprayed for overgrown weeds. Diana Haston stated there was a need for new asphalt/pavement and nets for the ball goals. No further action was taken.

## White County, Tennessee

---

---

County Executive Robinson addressed the committee about the need for a Human Resource Director for the county. Robinson stated that the school board was also in need for a qualified HR Director and was willing to help offset the cost to fund the position. Robinson suggested that the Commission begin discussions on how the position would be structured to meet the needs of the county, school board, Hwy dept., etc. Commissioner White made a motion to send the item to Budget committee for consideration and appropriations HR position(s), Commissioner McCormick seconded the motion; with none opposed the motion was approved.

Old Business – there was none

New Business- there was none

The next meeting will be Monday, September 7th, 2020, at 5:30 pm.

There being no further business, Commissioner White made a motion and Commissioner McCormick seconded the motion to adjourn. The motion was approved by all members.

Denny Wayne Robinson  
County Executive

Kim England  
Executive Assistant



1 East Bockman Way, Room 205  
Sparta, Tennessee 38583  
P 931.836.3203  
F 931.836.3204

executive@whitecountyttn.gov

WHITE COUNTY, TENNESSEE  
Office of County Executive

**Steering Committee A**

Notice: **Steering Committee A** will meet on Monday, August 3, 2020 at 5:30 p.m. in the **Executive Conference Room, 2<sup>nd</sup> floor of the White County Courthouse.**

**FY 2019/2020 Steering Committee A members include Commissioners**

**Stanley Neal, Chairman**  
**T.K. Austin**  
**Robert McCormick**

**Roger Mason, V. Chairman**  
**Dale Bennett**

**Andy Haston, Sec.**  
**Dakota White**

**AGENDA**

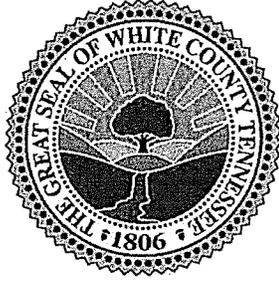
1. Call to order
2. Prayer
3. Approval of Report from July 6, 2020 meeting.
4. Update – White County Library, (Commissioner Mason)
5. Update – Census 2020 (Kim England)
6. Review of P&R Report from 6.9.20 meeting & Updates (Commissioners Mason/ Haston)
7. Discussion on Human Resource Position
8. Old Business
9. New Business
10. Calendar Update
  - Monday, August 17, 2020 at 6:00pm- County Commission Full Court meeting
  - Monday, September 7, 2020 Labor Day WC Courthouse closed
  - Schedule next Steering Committee A meeting
11. Adjourn

*Completed*  
 July-2020

	26-Jul	5-Jul	Final 2010	Variance from 2010 (percentage points)	Number of Households (2014-2018)*	Average Person s per House hold (2014-2018)*	Approximate Number of Households Left to Respond	Approximate Number of People Left to Respond
US	62.6%	61.9%	76.0%	-14.1	119,730, 128	2.63	44779068	117768 949
Tennessee	61.9%	61.4%	67.1%	-5.7	2,567,061	2.53	978050	247446 7
UCDD	55.2%	54.8%	65.0%	-10.2	140,322	2.47	62914	155129
Upper Cumberland Counties								
Putnam	65.8%	65.3%	69.0%	-3.7	31,110	2.36	10640	25110
Cumberland	60.3%	59.9%	68.5%	-8.6	25,347	2.28	10063	22943
Warren	60.2%	59.7%	67.1%	-7.4	15,655	2.54	6231	15826
Cannon	60.1%	59.6%	69.0%	-9.4	5,513	2.50	2200	5499
White	58.2%	57.8%	70.7%	-12.9	9,951	2.63	4160	10940
Van Buren	57.9%	57.6%	61.9%	-4.3	2,163	2.59	911	2359
Smith	55.8%	55.3%	66.0%	-10.7	7,584	2.54	3352	8514
Overton	55.6%	55.3%	69.8%	-14.5	8,974	2.42	3984	9642

Upon the roll being called for Resolution 40-08-2020, Adopting Regulations Governing the Health and Safety Standards of Residential and Non-Residential Properties as amended.

YES	NO	ABSENT
Bobby McCulley	Lee Broyles	Dale Bennett
Dillard Quick	Cain Rogers	Terry Alley
T.K Austin		Dakota White
Robert McCormick		
Stanley Neal		
Lonnie Crouch		
Andy Haston		
Roger Mason		
Lanny Selby		



## WHITE COUNTY, TENNESSEE

### RESOLUTION NO. 41-08-2020

#### A Resolution to Adopt the Updated Upper Cumberland Regional Airport Zoning Map

**WHEREAS**, the Resolution to approve the updated Upper Cumberland Regional Airport Zoning Map; and

**WHEREAS**, the approval and adoption of the updated Upper Cumberland Regional Airport Zoning Map depicts various height limitations of objects around the Upper Cumberland Regional Airport as referenced in the "Zoning Ordinance".

**NOW THEREFORE BE IT RESOLVED**; by the White County Board of Commissioners, in a regular scheduled meeting, that this legislative body hereby approves and adopts the updated Upper Cumberland Regional Airport Zoning Map consisting of one sheet, accompanying this document, prepared by Richard C. Rinks & Associates, Inc., July 1, 1998 and updated July 22, 2020. Depicting various height limitations of objects around the Upper Cumberland Regional Airport and referenced in the "Zoning Ordinance" to limit height of objects around Upper Cumberland Regional Airport passed by the White County Commission in 1998.

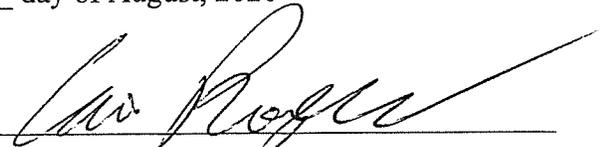
Motion made by Stanley Neal and seconded by T.K Austin that the above resolution be adopted.

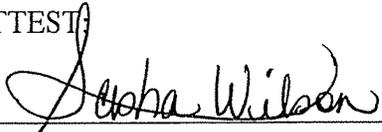
On roll call, the vote was recorded as follows:

AYES 11

NAYS \_\_\_\_\_

The above resolution was passed on the 17 day of August, 2020

  
Cain Rogers, Chairman  
County Legislative Body

ATTEST  
  
Sasha Wilson, County Clerk



Approved the 17 th day of August, 2020.

  
Denny Wayne Robinson  
White County Executive

Motion was made by Commissioner Stanley Neal and seconded by Commissioner T.K Austin to approve Resolution 41-08-2020, Adopt the Updated Upper Cumberland Regional Airport Zoning Map. Upon the roll being called the following voted.

YES

NO

ABSENT

Dillard Quick  
Stanley Neal  
Andy Haston  
Cain Rogers  
Lonnie Crouch  
Bobby McCulley  
Roger Mason  
T. K Austin  
Lanny Selby  
Lee Broyles  
Robert McCormick

Terry Alley  
Dale Bennett  
Dakota White



## WHITE COUNTY, TENNESSEE

### RESOLUTION NO. 42-08-2020

#### RESOLUTION TO AMEND FISCAL YEAR 2021 GENERAL FUND

WHEREAS, the budget of White County is made a year in advance and is basically an estimate of revenues and expenditures that will be available and required for that year, AND

WHEREAS, at certain times revenues are received and appropriations required which were not budgeted nor anticipated in the making of the original budget document.

IT IS HEREBY RESOLVED to amend the budget as follows by appropriating funds for the County General Fund's portion of county-wide human resources department.

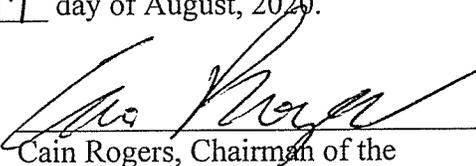
<u>Description</u>	<u>Account</u>	<u>Major Category</u>	<u>Line Item</u>	<u>Debit</u>	<u>Credit</u>
Decrease	39000	Unassigned Fund Balance		100,000	
Increase	51310-105	Human Resources	Supervisor/Director		60,000
Increase	51310-201	Human Resources	Social Security		3,722
Increase	51310-204	Human Resources	State Retirement		3,806
Increase	51310-207	Human Resources	Medical Insurance		5,400
Increase	51310-212	Human Resources	Employer Medicare		872
Increase	51310-307	Human Resources	Communication		1,500
Increase	51310-320	Human Resources	Dues and Memberships		500
Increase	51310-348	Human Resources	Postal Charges		1,000
Increase	51310-355	Human Resources	Travel		3,000
Increase	51310-399	Human Resources	Other Contracted Services		200
Increase	51310-414	Human Resources	Duplicating Services		1,000
Increase	51310-435	Human Resources	Office Supplies		4,000
Increase	51310-524	Human Resources	In-service/Staff Development		2,000
Increase	51310-709	Human Resources	Data Processing Equipment		8,000
Increase	51310-711	Human Resources	Furniture and Fixtures		5,000
				<u>100,000</u>	<u>100,000</u>

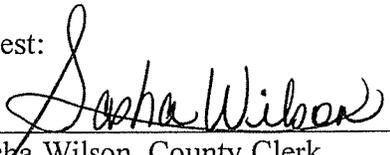
Motion made by T.K Austin and seconded by Andy Heston that the above resolution be adopted.

On roll call, the vote was recorded as follows:

AYES: 10  
NAYES:           

The above Resolution was passed on the 17 day of August, 2020.

  
Cain Rogers, Chairman of the  
White County Legislative Body

Attest:   
Sasha Wilson, County Clerk



Approved the 17 day of August, 2020

  
Denny Wayne Robinson  
County Executive

Motion was made by Commissioner T.K Austin and seconded by Commissioner Andy Haston to approve Resolution 42-08-2020, To Amend Fiscal Year 2021 General Fund. Upon the roll being called the following voted.

YES	NO	Pass	ABSENT
Bobby McCulley		Roger Mason	Dale Bennett
Lee Broyles			Terry Alley
Dillard Quick			Dakota White
T.K Austin			
Robert McCormick			
Stanley Neal			
Lonnie Crouch			
Andy Haston			
Cain Rogers			
Lanny Selby			

Chairman Rogers asked if any members from the audience would like to address the county commission. Terry Bailey a representative from Camp Belle Air Lake Association expressed his concern about wanting to build a play park for children. However, there are some concerns with three abandoned buildings surrounding the park. Mr. Bailey presented the commission with a signed petition to address the buildings in question.

Cameron Selby addressed the commission stating that he felt like this Resolution was a waste of time and money because the EPA covers everything in the resolution.

Frank Nash was in agreeance that there needs to be some regulations.

Rick Gerard had some concerns about the 500-yard regulation to make a complaint.

Motion was made by commissioner Roger Mason and seconded by Commissioner Lanny Selby to approve the following notaries: Dara Haston and Joey David Jones. Chairman Rogers called for a voice vote; all members in favor of said motion.

Old Business: None

New Business: Chairman Rogers asked for a recess to be able to discuss the White County Sheriffs Dept lawsuit with the County Commission. He asked that all members of the audience recess as well.

Motion was made by Commissioner Stanley Neal and seconded by Commissioner Lee Broyles to accept offer and settle the lawsuit brought against the White County Sheriff's Department by Craig Capps, Chris Isom, Shannon Jenkins, Jimmy Hill, Jewell Bilbrey and Greg Matthews for \$225,000; and send to budget committee for funding recommendations. Upon the roll being called the following voted.

YES

NO

ABSENT

Bobby McCulley  
Lee Broyles  
Dillard Quick  
T.K Austin  
Robert McCormick  
Stanley Neal  
Lonnie Crouch  
Andy Haston  
Roger Mason  
Cain Rogers  
Lanny Selby

Dale Bennett  
Terry Alley  
Dakota White

Motion was made by Commissioner Roger Mason and seconded by Commissioner Lee Broyles to adjourn the meeting. Chairman Rogers called for a voice vote; all members in favor of said motion.

# White County, Tennessee

---

---

## **Steering B Committee Meeting**

Date: 8/3/2020

Time: 5:30pm

Location: White County Courthouse

Recorded by: P. Hine

The White County Steering Committee B met on Monday, August 3, 2020, at the White County Courthouse. Members present were Commissioners Dillard Quick, Cain Rogers, Lonnie Crouch, and Terry Alley. Also present were Denny Wayne Robinson, County Executive, Savannah Lovell, and Commissioner Stanley Neal. Absent were Commissioners Lanny Selby, Bobby McCulley, and Lee Broyles.

There being a quorum present, the meeting was called to order by Dillard Quick, Secretary and prayer was led by Terry Alley.

Dillard Quick asked for approval of the minutes from the previous meeting. Lonnie Crouch made a motion and Cain Rogers seconded the motion to approve the minutes as presented. The motion was approved by all members.

### Census Update:

Denny Wayne Robinson advised that White County is still falling behind on the nationwide census. He stated that the Complete Count Committee handed out census information to over 700 students/families through the annual BAM program. Members discussed ideas on getting people to complete the census, and Mr. Robinson stated he would discuss the ideas with Kim England.

### Health & Safety Exploratory Sub-Committee Report:

Dillard Quick stated there was no meeting that day due to there being no quorum and there was no report to approve. Dillard Quick and Denny Wayne Robinson discussed the final draft of the resolution presented and members found it acceptable. Terry Alley made a motion and Cain Rogers seconded the motion to send the resolution to full court. The motion was approved by all members.

### Resolution Adopting Updated Upper Cumberland Regional Airport Zoning Map:

Denny Wayne Robinson discussed the zoning ordinance presented for the airport. Mr. Robinson advised it was an updated and computer-friendly version of the height recommendation. Terry Alley made a motion and Cain Rogers seconded the motion to send the resolution to full court. The motion was approved by all members.

### EMA Update:

Stanley Neal informed members he was the new interim EMA Director. Mr. Stanley said there had been great concern over the Covid-19 response for White County. He stated there had been 1,400 masks

## White County, Tennessee

---

---

issued to various people, including those with the court system, as well as face shields. Mr. Neal advised that he has been driving the old EMA work truck to conduct business and that it was not feasible for the job that needed to be done. He requested that a newer vehicle be purchased for the EMA Director to properly do the job. Terry Alley made a motion and Cain Rogers seconded the motion to send the request to the Budget Committee to purchase an EMA vehicle. The motion was approved by all members.

### Old Business:

Terry Alley stated the bridge at the Putnam County and White County line had been completed. Mr. Alley questioned when the bridge further back on that road will be started. Dillard Quick stated it was unknown at this time.

Cain Rogers and Dillard Quick discussed the matter that White Oak Flatt had not been completed and was still a mess.

### New Business:

None.

Full Court meeting will be Monday, August 17, 2020, at 6:00 pm.

Courthouse will be closed Monday September 7, 2020, for Labor Day.

Members discussed when the next Steering Committee B meeting should be held. Cain Rogers made a motion and Lonnie Crouch seconded the motion that the meeting should take place on Monday, September 14, 2020, at 5:30 pm. The motion was approved by all members.

Dillard Quick asked if anyone present wanted to speak and there was no one who wished to do so.

There being no further business, Lonnie Crouch made a motion and Terry Alley seconded the motion to adjourn. The motion was approved by all members.

---

Chairman, Steering Committee B

---

Secretary, Steering Committee B

# White County, Tennessee

---

## **Solid Waste Committee Meeting**

Date: 8/03/2019

Time: Immediately Following Steering Committee A

Location: White County Courthouse

The White County Solid Waste Committee met on Monday, August 3, 2020 immediately following Steering Committee A at the White County Courthouse. Members present were **Andy Haston, Dakota White, Roger Mason, Robert McCormick and Stanley Neal**. Also present were **Finance Director Chad Marcum, Landfill Director, Gaylon Barlow, Savanna Lovell, County Executive Intern and County Executive Denny Robinson**. Absent were **Dale Bennett, TK Austin**,

There being a quorum present, the meeting was called to order by Chairman Mason who asked for approval of the minutes from the previous meeting. Commissioner White made a motion and Commissioner McCormick seconded the motion to approve the minutes as presented. The motion was approved.

The Director's report was given by Gaylen Barlow, Solid Waste Director. Barlow stated that the diesel tank at the Landfill had a leak and he would be getting quotes on repairing or replacing the tank. Barlow reviewed the Materials Data report and stated that 1,329.1 tons of trash was collected in Class I during the month of July and 987.66 tons collected in Class III.

Executive Robinson gave a brief summary of the Engineers' Report received from John Drewnowski, P.E., TriAd Environmental Consultants, Inc. regarding the ongoing items at the White County Landfill. The summary was as follows.

### **Class I Annual Engineering Report**

- TriAD will submit the annual engineering report requested by TDEC documenting the current elevations of the Class I landfill, remaining landfill life, and 2019 leachate generation volume on Friday, July 31, 2020. The annual report is due to TDEC by August 1, 2020.

### **Class I Landfill Expansion/Hydrogeologic Investigation**

- TriAD is continuing to coordinate with the new TDEC administration to determine what additional hydrogeologic information would be required to demonstrate that the high ground elevations measured by Doug Brady with TDEC Cookeville Field Office within the proposed expansion area represent perched water rather than the upper most aquifer.

### **Class III/IV Landfill Vertical Expansion**

## White County, Tennessee

---

The draft Class III/IV landfill vertical expansion permit application documents were sent for White County's review on July 1, 2020. Subsequent to the receipt of White County's comments, the documents will be revised accordingly and submitted to TDEC. Based on the 2019 Class III/IV waste volume received, the anticipated additional life of the vertical expansion is approximately 15 years

Old Business – there was none

New business- there was none

The next Solid Waste meeting will be held on Monday, September, 7<sup>th</sup> immediately following Steering Committee A meeting

There being no further business, Commissioner Neal made a motion and Commissioner McCormick seconded the motion to adjourn. The motion was approved.

### Material Analysis Report by Material

Inbound and outbound materials for the period 07/01/2020 - 07/31/2020  
Summary Report for Sites: 2

Accounts 0 - 999999 Customer Types - 2 Materials - 2222222222 Material Types - 22

Date	Material Type	Customer Type	Tickets	Count	Est. vol.	Act. Vol.	Est. Wt.	Actual Wt.	Charge
	PAINT								
	Total		14	0	0	0	2.87	6.87	0.00
	Average			0	0	0	0.20	0.49	0.00
	Total		140	0	0	0	129.00	129.00	0.00
	Average			0	0	0	9.21	9.21	0.00
	Total		1400	0	0	0	267.60	267.60	0.00
	Average			0	0	0	1.91	1.91	0.00
	Total		6	0	0	0	12.12	12.12	0.00
	Average			0	0	0	2.02	2.02	0.00
	Total		3	0	0	0	22.32	22.32	0.00
	Average			0	0	0	7.44	7.44	0.00
	Total		14	0	0	0	28.41	28.41	0.00
	Average			0	0	0	2.03	2.03	0.00
	Total		11	0	0	0	17.10	17.10	0.00
	Average			0	0	0	1.55	1.55	0.00
	Total		5	0	0	0	1.72	1.72	0.00
	Average			0	0	0	0.34	0.34	0.00
	Total		100	0	0	0	0.00	0.00	0.00
	Average			0	0	0	0.00	0.00	0.00
	Total		28	0	0	0	16.65	16.65	0.00
	Average			0	0	0	0.59	0.59	0.00
	Total		4	0	0	0	0.00	0.00	0.00
	Average			0	0	0	0.00	0.00	0.00
	Total		61	0	0	0	0.00	0.00	0.00
	Average			0	0	0	0.00	0.00	0.00
	Total		51	0	0	0	0.00	0.00	0.00
	Average			0	0	0	0.00	0.00	0.00
	Total		1	0	0	0	0.00	0.00	0.00
	Average			0	0	0	0.00	0.00	0.00

Date 08/03/20  
Time 09:07:45

White County, TN

### Material Analysis Report by Material

Inbound and outbound materials for the period 07/01/2020 - 07/31/2020  
Summary Report for Sites: 2

Accounts 0 - 999999 Customer Types - 2 Materials - ZZZZZZZZZZ Material Types - ZZ

Date	Material Type	Customer Type	Tickets	Count	Est. vol.	Acc. Vol.	Est. Wt.	Actual Wt.	Charge
	TOTAL		14	14			11.80	11.80	0.00
	Average			1			1.11	1.11	0.00
	TOTAL		4	4			14.44	14.44	0.00
	Average			1			13.62	13.62	0.00
	TOTAL		14	14			15.50	15.50	426.00
	Average			1			1.11	1.11	30.43
	TOTAL		19	19			0.00	0.00	361.00
	Average			1			0.00	0.00	10.00
	Report Total		1773	1403	0	0	2708.28	2708.28	45,668.89
	Report Average			1	0	0	1.53	1.53	25.76

# NO LITTERING NO DUMPING

up to \$4,000 Fine and  
60 DAYS IN JAIL

Violators Will Be  
Prosecuted

Sponsored By



TDOT

Department of  
Transportation



TCA Sec. 39-15-501-506

# White County, Tennessee

---

## **Budget Committee Meeting**

Date: 08/03/2020

Time: Following Solid Waste Committee

Location: White County Courthouse

The White County Budget Committee met on Monday, August 3, 2020 following the Solid Waste Committee at the White County Courthouse. Members present were Mr. Andy Haston, Mr. Stanley Neal, Mr. Cain Rogers, Mr. Roger Mason, and Mr. Denny Wayne Robinson. Also present were Mr. Chad Marcum, Mr. Robert McCormick, Ms. Diana Haston, and Ms. Savanna Lovell.

There being a quorum present, the meeting was called to order by Mr. Mason.

Mr. Mason asked for approval of the minutes from the July 6, 2020 meeting. Mr. Rogers made a motion and Mr. Robinson seconded the motion to approve the minutes as presented. On a voice vote, the motion was unanimously approved.

The committee considered approval of the 2020-2021 fiscal year budget for School Federal Projects Fund - Sub-Fund 931 Elementary & Secondary School Emergency Relief (ESSER) CARES Act Grant in the amount of \$928,876.18. Mr. Rogers made a motion and Mr. Robinson seconded the motion to approve the budget as presented. On a voice vote, the motion was unanimously approved.

The committee discussed providing additional funding for contracted janitorial services at the White County Health Department due to the increased building size from the recent addition. Mr. Mason suggested that the current monthly cost be divided by the previous square footage and then used to calculate a new rate based upon the addition. Mr. Marcum agreed to discuss the issue further with the department director. No formal action was taken.

The committee considered a School Federal Projects Fund budget amendment for the ESSER (CARES Act) – Subfund 931 in the amount of \$157,603.00 to reallocate funds within the grant to better align with needs for a safe return to school. Mr. Robinson made a motion and Mr. Rogers seconded the motion to approve the amendment as presented, contingent upon school board approval. On a voice vote, the motion was unanimously approved.

The committee considered a General Fund budget amendment in the amount of \$37,773 to reclassify funding for a supervisory position within the Sheriff's Department to a detective position. The amendment would result in a zero net number of new positions. Mr. Rogers made a motion and Mr. Mason seconded the motion to approve the amendment as presented. On a voice vote, Mr. Rogers, Mr. Robinson, and Mr. Mason voted aye while Mr. Neal and Mr. Hasted voted nay. The motion was approved.

Mr. Mason asked the committee for any old business:

Mr. Rogers inquired as to the need and potential funding for a new animal control truck. The committee held a brief discussion regarding the matter. No formal action was taken.

## White County, Tennessee

---

Mr. Mason asked the committee for any new business:

Coming from Steering Committee A, the committee considered funding for a county-wide human resources department. Mr. Robinson stated that after discussions with Mr. Kurt Dronebarger, Director of Schools, the school system would be very interested in perusing a partnership with the county for this. Mr. Robinson asked that the committee approve up to \$100,000 for an initial contribution from the County General Fund to establish the department and get it up and running. Mr. Robinson further indicated, that upon preliminary discussions with the school system, the costs of this department would be split 50%/50% . After discussion, Mr. Robinson made a motion and Mr. Neal seconded the motion to appropriate \$100,000 from the County General Fund to establish a county-wide human resources department. On a voice vote, the motion was unanimously approved.

Coming from Steering Committee B, the committee considered providing funding for a used vehicle for use by the Emergency Management Agency (EMA). Mr. Neal stated that as interim EMA Director, the agency is in need of a vehicle which can be used more easily than the flatbed truck that they currently have. The committee discussed the possibility of using grant funding to purchase the vehicle. No formal action was taken.

After discussion, the next meeting was set for Monday, September 14, 2020 following Solid Waste Committee.

There being no further business, Mr. Neal made a motion and Mr. Robinson seconded the motion to adjourn. On a voice vote, the motion was unanimously approved.

---

Roger Mason, Chairman  
Budget Committee

---

Cain Rogers, Secretary  
Budget Committee

# White County, Tennessee

---

---

## **Beer Board**

Date: 08.12.2020

Time: 12:00pm

Location: White County Courthouse

Recorded by: K. England

The White County Beer Board met on Wednesday, August 12, 2020, at the White County Courthouse. Members of the **White County Beer Board are Commissioners Lanny Selby, Chairman, Bobby McCulley and Robert McCormick.**

Members present for the meeting were Lanny Selby, Chairman, Robert McCormick and by phone, Bobby McCulley.

There being a quorum present, the meeting was called to order by Lanny Selby, Chairman and prayer was led by Commissioner McCormick.

Chairman Selby asked members to review Report from the previous Beer Board meeting held March 12, 2020. After review and no discussion, Selby entertained a motion to approve the Report. Commissioner McCormick made a motion to approve the Report as presented and Commissioner McCulley, seconded the motion, with none opposed, the motion was approved.

## **Applications**

Mr. Herbert W. Winstead, DMD MD submitted application for a beer permit for a business he plans to operate by the name of "The Quarterdeck", located at 11716 McMinnville Hwy., Walling, TN 38587. Mr. Winstead was not in attendance. Upon review of the application and brief discussion about the On-Premise use, Commissioner McCormick made a motion to approve the application, seconded by Commissioner McCulley, with none opposed, the Beer Board approved the application for permit.

## **Old Business**

NONE

## **New Business**

NONE

## **Adjourn**

There being no further business, Commissioner McCulley made a motion to adjourn, seconded by Commissioner McCormick, with none opposed, the motion was approved.

---

Beer Board Chairman

---

Beer Board Secretary

## Monthly Agency Call Report

Agency	January	February	March	April	May	June	July	August	September	October	November	December	TOTALS
WCSO	1,914	1,916	1,597	1,305	1,498	1,728	1,883						11,841
SPD	617	680	547	545	601	568	572						4,130
EMS	476	472	567	359	443	455	471						3,243
RS	6	13	21	21	23	18	17						119
EMA	0	4	3	2	2	0	0						11
District 1	11	15	27	11	22	19	16						121
District 2	19	23	32	20	21	14	10						139
District 3	22	18	34	13	26	27	21						161
District 4	22	26	55	17	26	28	23						197
District 5	26	24	35	8	14	33	25						165
District 6	20	16	25	10	10	6	10						97
District 7	24	26	33	23	18	26	17						167
District 8	18	17	38	12	25	19	19						148
District 9	15	22	29	19	20	11	10						126
District 10	19	15	36	17	27	25	19						158



**WHITE COUNTY SHERIFF'S  
OFFICE**  
**Sheriff Steve Page**



August 2020  
POA Supplement

Date: 8/11/2020

Overcrowding issues are currently not a factor inside the Correctional Facility. Today's count reflects 114 inmates with 22 of those being state inmates. A higher number than we have been experiencing but still currently under capacity. We continue to move state inmates to prison when beds become available but due to Covid-19 have been unable to send anyone for several months. We have emailed Mr. Creech about moving our remaining state inmates to the prison but we know that this takes time. Our commissioners are continuing to set lower bonds on certain charges to bond people sooner. We currently have 1 person out on the "Home Detention Program. The district attorney has been working with our city and county departments very well and have worked through several cases. Many being resolved and the remainder released to serve their time on probation. As always, we would appreciate any help that TCI and the State can offer.

8/11/2020

Capt. Kevin Benton

Facility Capacity: 165  
Current Population: 114  
Males: 85  
Females: 29

State Inmates: 22  
Males: 16  
Females: 6

Sheriff: 

Date: 8-12-2020

County Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

Jail Administrator: Capt. Benton #2019

Date: 8-11-2020

July 2020

Inmate Daily Population Analysis

WHITE COUNTY SHERIFFS OFFICE

DATE : 08/13/2020  
TIME : 03:36:53PM

Intake/Release Dates From: 7/1/2020 Intake Dates Thru: 7/31/2020

Date	Male					Female					Count
	W	B	Oth	Juv	Total	W	B	Oth	Juv	Total	
Wednesday, July 1, 2020	65	5	0	0	70	29	0	0	0	29	99
Thursday, July 2, 2020	62	5	0	0	67	30	0	0	0	30	97
Friday, July 3, 2020	63	5	0	0	68	28	0	0	0	28	96
Saturday, July 4, 2020	62	5	0	0	67	28	0	0	0	28	95
Sunday, July 5, 2020	62	5	0	0	67	27	0	0	0	27	94
Monday, July 6, 2020	66	5	0	0	71	30	0	0	0	30	101
Tuesday, July 7, 2020	64	4	0	0	68	28	0	0	0	28	96
Wednesday, July 8, 2020	65	4	0	0	69	27	0	0	0	27	96
Thursday, July 9, 2020	67	4	0	0	71	27	0	0	0	27	98
Friday, July 10, 2020	66	4	0	0	70	27	0	0	0	27	97
Saturday, July 11, 2020	66	4	0	0	70	27	0	0	0	27	97
Sunday, July 12, 2020	69	4	0	0	73	27	0	0	0	27	100
Monday, July 13, 2020	69	4	0	0	73	24	0	0	0	24	97
Tuesday, July 14, 2020	69	5	1	0	75	24	0	0	0	24	99
Wednesday, July 15, 2020	67	5	1	0	73	25	0	0	0	25	98
Thursday, July 16, 2020	67	6	1	0	74	25	0	0	0	25	99
Friday, July 17, 2020	68	6	1	0	75	26	0	0	0	26	101
Saturday, July 18, 2020	68	6	1	0	75	26	0	0	0	26	101
Sunday, July 19, 2020	68	6	1	0	75	27	0	0	0	27	102
Monday, July 20, 2020	70	6	1	0	77	28	0	0	0	28	105
Tuesday, July 21, 2020	68	6	1	0	75	29	0	0	0	29	104
Wednesday, July 22, 2020	68	6	1	0	75	27	0	0	0	27	102
Thursday, July 23, 2020	69	6	1	0	76	27	0	0	0	27	103
Friday, July 24, 2020	70	6	1	0	77	26	0	0	0	26	103
Saturday, July 25, 2020	69	6	1	0	76	26	0	0	0	26	102
Sunday, July 26, 2020	71	6	1	0	78	27	0	0	0	27	105
Monday, July 27, 2020	74	6	1	0	81	27	0	0	0	27	108
Tuesday, July 28, 2020	72	6	1	0	79	28	0	0	0	28	107
Wednesday, July 29, 2020	73	6	1	0	80	27	0	0	0	27	107
Thursday, July 30, 2020	71	6	1	0	78	27	0	0	0	27	105
Friday, July 31, 2020	73	6	1	0	80	27	0	0	0	27	107

**Inmate Daily Population Analysis**

**WHITE COUNTY SHERIFFS OFFICE**

DATE: 08/13/2020

TIME: 03:36:53PM

Page 2 of 2

Intake/Release Dates From: 7/1/2020 Intake Dates Thru: 7/31/2020

Date	Male					Female					Count
	W	B	Oth	Juv	Total	W	B	Oth	Juv	Total	
	2,101		18		2,283		0		0		3,121
		164		0		838		0		838	

Total Days Evaluated: 31

Total Days: 3,121

Average Daily Count: 101

Highest Daily Count: 108

Lowest Daily Count: 94



**WHITE COUNTY SHERIFF'S  
OFFICE  
Sheriff Steve Page**



June 2020  
POA Supplement

Date: 6/11/2020

Overcrowding issues are currently not a factor inside the Correctional Facility. Today's count reflects 95 inmates with 8 of those being state inmates. We continue to move state inmates to prison when beds become available but due to Covid-19 have been unable to send anyone for several weeks. We have emailed Mr. Creech about moving our remaining state inmates to the prison but we know that this takes time. Our commissioners are continuing to set lower bonds on certain charges to bond people sooner. We currently have 1 person out on the "Home Detention Program. The ankle monitoring program that was started by the judge and the judicial commissioners has been suspended. The district attorney has been working with our city and county departments very well and have worked through several cases. Many being resolved and the remainder released to serve their time on probation. As always, we would appreciate any help that TCI and the State can offer.

6/11/2020

Capt. Kevin Benton

Facility Capacity: 165  
Current Population: 95  
Males: 67  
Females: 28

State Inmates: 8  
Males: 7  
Females: 1

Sheriff: <u>Steve Page</u>	Date: <u>6-11-2020</u>
County Mayor: <u>[Signature]</u>	Date: <u>8/12/20</u>
Jail Administrator: <u>Capt. Benton #2219</u>	Date: <u>6-11-2020</u>

**Inmate Population Analysis  
WHITE COUNTY SHERIFFS OFFICE**

DATE : 07/16/2020  
TIME : 02:20:04PM

Page 1 of 1

Male Inmates White: 65	Female Inmates White: 25	% Males: 73.96
Male Inmates Black: 5	Female Inmates Black: 0	% Females: 26.04
Male Inmates Other: 1	Female Inmates Other: 0	% Juvenile: 0.00
Male Inmates Juvenile: 0	Female Inmates Juvenile: 0	% White: 93.75
Total Male Inmates: 71	Total Female Inmates: 25	% Black: 5.21
		% Other: 1.04

**Total Inmates: 96**

Age Range	Count	
Less Than 13 or No Date Of Birth:	0	Average Male Age: 36.44
Between 13 and 15:	0	Average Female Age: 35.92
Between 16 and 17:	0	Average Juvenile Age: 0.00
18:	0	Average Age: 36
Between 19 and 21:	9	Average White Age: 36.41
Between 22 and 25:	6	Average Black Age: 37.40
Between 26 and 30:	19	Average Other Age: 21.00
Between 31 and 35:	16	
Between 36 and 40:	12	Total Inmate Days In Jail: 9,690
Between 41 and 50:	24	Average Days In Jail: 100.94
Between 51 and 60:	7	Total Inmate Bond Amount: \$ 3,059,287.50
Between 61 and 70:	2	Average Inmate Bond Amount: 56,653.47
71 and Over:	1	Total Inmate That Have Been In Jail Prior: 81
On Suicide Watch: 2	%: 2.00	Average Number Of Priors: 9.33
Mental Illness: 4	%: 4.00	% Priors To Total Count: 84.38
Sex Offenders: 2		Total Charges Against Inmates: 258
With Holds: 44	%: 46.00	Charged As Misdemeanant: 48
Military Service: 6		Charged As Felon: 48
On Special Diets: 5	%: 5.00	
Foreign Born: 0		On Temporary Release: 0
Weekenders: 0		On School Release: 0
On Work Release: 0		
Violent: 1	%: 1.00	
Sentenced: 54	%: 56.00	Average Days Of Sentence In Days: 766.00
Not Sentenced: 42	%: 44.00	
Past Sentence Time: 0		
Trustees: 26	%: 0.00	
On Medications: 0	%: 0.00	Average Meds Per Inmate Who Are On Meds: 0.00

Inmate Daily Population Analysis

WHITE COUNTY SHERIFFS OFFICE

DATE: 07/16/2020

TIME: 02:17:22PM

Page 1 of 3

Intake/Release Dates From: 4/1/2020 Intake Dates Thru: 6/30/2020

Date	Male					Female					Count
	W	B	Oth	Juv	Total	W	B	Oth	Juv	Total	
Wednesday, April 1, 2020	84	6	0	0	90	34	2	0	0	36	126
Thursday, April 2, 2020	82	6	0	0	88	33	2	0	0	35	123
Friday, April 3, 2020	81	6	0	0	87	34	2	0	0	36	123
Saturday, April 4, 2020	82	6	0	0	88	34	2	0	0	36	124
Sunday, April 5, 2020	83	6	0	0	89	34	2	0	0	36	125
Monday, April 6, 2020	82	6	0	0	88	34	2	0	0	36	124
Tuesday, April 7, 2020	74	5	0	0	79	30	2	0	0	32	111
Wednesday, April 8, 2020	73	5	0	0	78	30	2	0	0	32	110
Thursday, April 9, 2020	75	5	0	0	80	28	2	0	0	30	110
Friday, April 10, 2020	75	5	0	0	80	29	2	0	0	31	111
Saturday, April 11, 2020	75	5	0	0	80	29	2	0	0	31	111
Sunday, April 12, 2020	73	5	0	0	78	29	2	0	0	31	109
Monday, April 13, 2020	71	5	0	0	76	29	2	0	0	31	107
Tuesday, April 14, 2020	68	5	0	0	73	29	2	0	0	31	104
Wednesday, April 15, 2020	64	4	0	0	68	29	2	0	0	31	99
Thursday, April 16, 2020	64	4	0	0	68	29	2	0	0	31	99
Friday, April 17, 2020	66	4	0	0	70	27	2	0	0	29	99
Saturday, April 18, 2020	67	4	0	0	71	26	2	0	0	28	99
Sunday, April 19, 2020	67	4	0	0	71	26	2	0	0	28	99
Monday, April 20, 2020	68 <sup>*</sup>	5	0	0	73	26	1	0	0	27	100
Tuesday, April 21, 2020	64	5	0	0	69	25	1	0	0	26	95
Wednesday, April 22, 2020	63	6	0	0	69	26	1	0	0	27	96
Thursday, April 23, 2020	62	7	0	0	69	26	1	0	0	27	96
Friday, April 24, 2020	62	5	0	0	67	26	1	0	0	27	94
Saturday, April 25, 2020	61	5	0	0	66	26	1	0	0	27	93
Sunday, April 26, 2020	60	5	0	0	65	29	1	0	0	30	95
Monday, April 27, 2020	58	5	0	0	63	29	1	0	0	30	93
Tuesday, April 28, 2020	58	5	0	0	63	28	1	0	0	29	92
Wednesday, April 29, 2020	60	5	0	0	65	29	1	0	0	30	95
Thursday, April 30, 2020	57	5	0	0	62	29	1	0	0	30	92
Friday, May 1, 2020	57	5	0	0	62	29	1	0	0	30	92
Saturday, May 2, 2020	56	5	0	0	61	29	1	0	0	30	91
Sunday, May 3, 2020	56	5	0	0	61	28	1	0	0	29	90
Monday, May 4, 2020	58	6	0	0	64	28	1	0	0	29	93
Tuesday, May 5, 2020	59	7	0	0	66	26	1	0	0	27	93

Inmate Daily Population Analysis

WHITE COUNTY SHERIFFS OFFICE

DATE : 07/16/2020

TIME : 02:17:22PM

Intake/Release Dates From: 4/1/2020 Intake Dates Thru: 6/30/2020

Date	Male					Female					Count
	W	B	Oth	Juv	Total	W	B	Oth	Juv	Total	
Wednesday, May 6, 2020	57	7	0	0	64	25	1	0	0	26	90
Thursday, May 7, 2020	53	7	0	0	60	25	1	0	0	26	86
Friday, May 8, 2020	55	7	1	0	63	25	1	0	0	26	89
Saturday, May 9, 2020	53	7	1	0	61	25	1	0	0	26	87
Sunday, May 10, 2020	53	7	1	0	61	25	1	0	0	26	87
Monday, May 11, 2020	52	7	1	0	60	24	1	0	0	25	85
Tuesday, May 12, 2020	51	7	0	0	58	21	1	0	0	22	80
Wednesday, May 13, 2020	52	7	0	0	59	22	0	0	0	22	81
Thursday, May 14, 2020	53	7	1	0	61	21	0	0	0	21	82
Friday, May 15, 2020	54	7	1	0	62	21	0	0	0	21	83
Saturday, May 16, 2020	55	6	1	0	62	22	0	0	0	22	84
Sunday, May 17, 2020	55	6	1	0	62	22	0	0	0	22	84
Monday, May 18, 2020	56	6	1	0	63	22	0	0	0	22	85
Tuesday, May 19, 2020	58	6	0	0	64	21	0	0	0	21	85
Wednesday, May 20, 2020	60	6	0	0	66	21	0	0	0	21	87
Thursday, May 21, 2020	62	6	0	0	68	23	0	0	0	23	91
Friday, May 22, 2020	67	6	0	0	73	23	0	0	0	23	96
Saturday, May 23, 2020	69	7	0	0	76	23	0	0	0	23	99
Sunday, May 24, 2020	72	6	0	0	78	23	0	0	0	23	101
Monday, May 25, 2020	69	6	0	0	75	25	0	0	0	25	100
Tuesday, May 26, 2020	65	6	0	0	71	25	0	0	0	25	96
Wednesday, May 27, 2020	63	6	0	0	69	26	0	0	0	26	95
Thursday, May 28, 2020	63	6	0	0	69	25	0	0	0	25	94
Friday, May 29, 2020	63	6	0	0	69	26	0	0	0	26	95
Saturday, May 30, 2020	62	6	0	0	68	26	0	0	0	26	94
Sunday, May 31, 2020	62	6	0	0	68	27	0	0	0	27	95
Monday, June 1, 2020	62	6	0	0	68	29	0	0	0	29	97
Tuesday, June 2, 2020	62	7	0	0	69	29	0	0	0	29	98
Wednesday, June 3, 2020	59	7	0	0	66	29	0	0	0	29	95
Thursday, June 4, 2020	61	7	0	0	68	26	0	0	0	26	94
Friday, June 5, 2020	61	7	0	0	68	27	0	0	0	27	95
Saturday, June 6, 2020	60	7	0	0	67	27	0	0	0	27	94
Sunday, June 7, 2020	63	7	0	0	70	27	0	0	0	27	97
Monday, June 8, 2020	64	7	0	0	71	27	0	0	0	27	98
Tuesday, June 9, 2020	60	7	0	0	67	27	0	0	0	27	94

Inmate Daily Population Analysis

WHITE COUNTY SHERIFFS OFFICE

DATE : 07/16/2020

TIME : 02:17:22PM

Page 3 of 3

Intake/Release Dates From: 4/1/2020 Intake Dates Thru: 6/30/2020

Date	Male					Female					Count
	W	B	Oth	Juv	Total	W	B	Oth	Juv	Total	
Wednesday, June 10, 2020	61	7	0	0	68	28	0	0	0	28	96
Thursday, June 11, 2020	60	7	0	0	67	28	0	0	0	28	95
Friday, June 12, 2020	61	7	0	0	68	28	0	0	0	28	96
Saturday, June 13, 2020	60	7	0	0	67	28	0	0	0	28	95
Sunday, June 14, 2020	60	7	0	0	67	27	0	0	0	27	94
Monday, June 15, 2020	63	8	0	0	71	26	0	0	0	26	97
Tuesday, June 16, 2020	59	7	0	0	66	25	0	0	0	25	91
Wednesday, June 17, 2020	58	7	1	0	66	27	0	0	0	27	93
Thursday, June 18, 2020	60	7	1	0	68	28	0	0	0	28	96
Friday, June 19, 2020	62	8	1	0	71	29	0	0	0	29	100
Saturday, June 20, 2020	63	7	1	0	71	29	0	0	0	29	100
Sunday, June 21, 2020	65	7	1	0	73	28	0	0	0	28	101
Monday, June 22, 2020	65	8	1	0	74	28	0	0	0	28	102
Tuesday, June 23, 2020	61	7	0	0	68	29	0	0	0	29	97
Wednesday, June 24, 2020	65	7	0	0	72	29	0	0	0	29	101
Thursday, June 25, 2020	62	6	0	0	68	28	0	0	0	28	96
Friday, June 26, 2020	62	7	0	0	69	28	0	0	0	28	97
Saturday, June 27, 2020	62	7	0	0	69	26	0	0	0	26	95
Sunday, June 28, 2020	62	6	0	0	68	26	0	0	0	26	94
Monday, June 29, 2020	66	5	0	0	71	27	0	0	0	27	98
Tuesday, June 30, 2020	63	5	0	0	68	28	0	0	0	28	96
	5,751	555	15	0	6,321	2,454	61	0	0	2,515	8,836

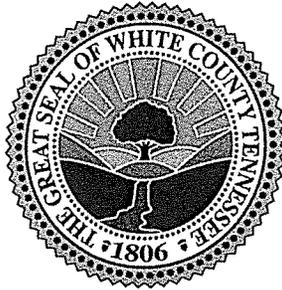
Total Days Evaluated: 91

Total Days: 8,836

Average Daily Count: 97

Highest Daily Count: 126

Lowest Daily Count: 80



WHITE COUNTY, TENNESSEE

**RESOLUTION NO. 40-08-2020**

**RESOLUTION ADOPTING REGULATIONS GOVERNING THE  
HEALTH AND SAFETY STANDARDS  
OF RESIDENTIAL AND NON-RESIDENTIAL PROPERTIES**

**WHEREAS**, the purpose of this resolution is to provide regulatory standards for health and safety conditions of residential and nonresidential properties within the confines of White County; Tennessee; and

**WHEREAS**, Tennessee Code Annotated, Section 5-1-115, authorizes counties to make any rules and regulations necessary for the prevention of dangerous conditions resulting from overgrown vegetation; accumulation of debris, trash, litter and garbage; or the presence of a vacant dilapidated building or structure; and

**WHEREAS**, there is a need in White County for the regulation of residential and non-residential property for the health, safety, convenience and welfare of residents of the County; and

**WHEREAS**, Pursuant to authority granted by Tennessee Code Annotated, Section 6-54-501 - 6-54-506, and for the purpose of establishing a current property maintenance code, the International Property Maintenance Code, 2018 edition, as prepared and adopted by the International Code Council, is hereby adopted by reference and incorporated herein as the White County Property Maintenance Code.

**WHEREAS**, the regulations set out herein are intended to address the

need for health and safety regulations of residential and nonresidential properties within White County, Tennessee and shall be in effect upon the hiring of the county Codes Enforcement Officer and appointments of members of the Hearing Board.

**NOW THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of White County, Tennessee, meeting in regular session **on the 17th day of August, 2020**, in White County, Tennessee, that the following regulations be adopted:

**Regulations Governing the Health and Safety Standards of  
Residential and Non-Residential Properties**

**SECTION I - Appointment of Enforcement Officer and Hearing Board**

- (a) These regulations shall be enforced by the White County Enforcement Officer (or his or her designee), hereinafter referred to as Enforcement Officer.
- (b) These regulations shall be enforced by the White County Enforcement Officer (or his or her designee) who shall also be known as the White County Codes Enforcement Officer (hereinafter referred to as Enforcement Officer).
- (c) The White County Health and Safety Board (hereinafter referred to as Hearing Board) shall consist of seven (7) members, one from each commission district, to be appointed by the County Executive, subject to confirmation by the County Legislative Body. All members of the Hearing Board shall be appointed for four-year terms; however, the initial appointments shall be made on the following terms in an effort to achieve subsequent staggered four-year terms:

**Initial One (1) Year Term**

One (1) member from District #1 and one (1) member from District #7

**Initial Two (2) Year Term**

One (1) member from **District #2** and one (1) member from **District #6**

### **Initial Three (3) Year Term**

One (1) member from **District #3** and one (1) member from **District #5**

### **Initial Four (4)Year Term**

One (1) member from **District #4**

There will be no compensation or reimbursement of expenses for the members of the Hearing Board. Any vacancy, which occurs on the Hearing Board, shall be filled by the County Executive subject to confirmation by the County Legislative Body for the remainder of the term of the vacant position.

In addition to its responsibilities in hearing grievances pursuant to Section VI of these regulations, the Hearing Board shall also be charged with the responsibility of recruiting or coordinating efforts of community organizations, neighbors, religious institutions, and other agencies to provide assistance to persons who are not financially or physically able to comply on their own with the requirements of these regulations.

## **SECTION II - Property Standards**

### **Definitions:**

As used in these regulations, the following terms are defined below. Any term not defined by this regulation shall be interpreted as having the meaning established by the 11th Edition of the Merriam-Webster's Collegiate Dictionary.

Accumulation of debris, trash, litter, or garbage means a state in which a significant quantity of solid waste products, decomposing matter, or personal property that has been discarded, damaged or which has little or no economic value or practical use is located on the property such that one or more of the following conditions results: the accumulation contributes to the infestation of the property by insects, rodents or other vermin; the accumulation creates an attractive nuisance or other danger to children; the debris, trash, litter or garbage spreads to adjacent properties by natural action or wind or water; the accumulation produces offensive odors that affect reasonable enjoyment of adjacent properties;

the accumulation creates a risk to the health and safety of occupants of the property or other residents of the county; or the accumulation noticeably depresses the value of adjacent properties. This term includes the accumulation of one or more junk motor vehicles, as defined below, on the property. This term would not include the brief, temporary storage of debris, trash, litter or garbage for regularly scheduled waste disposal or transfer.

Dilapidated building or structure means a structure that is unfit for human occupation or use due to conditions in or around such structure that are dangerous or injurious to the health or safety of the occupants of such structure, the occupants of neighboring structures or to the health or safety of other residents of the county, assuming ordinary health and sensibilities of a reasonable person. Such conditions may include but are not limited to: defects within the structure increasing the hazard of fire, accidents or other calamities, disrepair; structural defects; and unsanitary conditions.

Junk motor vehicles, as used in definition one (1) above, means automobiles, motor vehicles or the metal scraps and remains of the foregoing items, which are incapable of being operated and which it would not be economically practical to make operative and which are not fully placed or located within and surrounded by a substantial and durable building. The term shall not include items on the premises of an establishment constituting an automobile graveyard within the meaning of T.C.A. 54-20-201, et seq., 54-777, 54-5-901 and operating in compliance with the requirements of that part or establishments having facilities for processing scrap metal.

Owner means the owner of record of the real property as established in the records of the county Register of Deeds and Assessor of Property.

Neglect and overgrowth of vegetation means a condition where trees, vines, grass, underbrush or other vegetation has been allowed to grow in such a manner as to endanger the health, safety or welfare of occupants of the property or other persons of the county or encourage the infestation of rats, insects or other harmful animals.

Structure means a building or construction intended for human occupation or use for residential, commercial, industrial or storage

purposes. The term includes, but is not limited to houses, garages, commercial and industrial buildings, shops, storage buildings, and sheds. The term does not include structures as referenced in T.C.A 5-1-122, which states the powers granted to counties by T.C.A Section 5-1-115 do not include the regulation of buildings used primarily for agricultural purposes.

**(b) Regulations**

It shall be a violation of these regulations for any owner of property to create, maintain or permit to be maintained on property the obvious neglect and overgrowth of vegetation or the accumulation of debris, trash, litter, or garbage so as to endanger the health, safety, or welfare of other persons.

It shall be a violation of these regulations for any owner of property to create, maintain or permit to be maintained on property a vacant dilapidated building, burnt building or any structure that endangers the health, safety, or welfare of other persons.

It shall be a violation of these regulations for any owner of property to create, maintain or permit to be maintained on property any combination of the preceding elements so as to endanger the health, safety, or welfare of other persons.

It shall be a violation of these regulations for any owner of property to allow any violation identified in one (1) through three (3) above to continue in, on or around any building, structure or property affected by this regulation.

It shall be a violation of these regulations for any person to permit any premises owned, occupied, or controlled by him/her to become or remain in a filthy condition, or permit the use or occupation of same in such a manner as to create noxious or offensive smells and odors in connection therewith, or to allow the accumulation or creation of unwholesome and offensive matter or the breeding of flies, rodents, or other vermin on the premises to the menace of the public health the annoyance of people residing within the vicinity.

It shall be a violation of these regulations for any person to permit any

premises owned, occupied, or controlled by him/her to the owning, harboring, possessing or keeping of any dog, animal or bird which causes frequent, habitual or long continued noise which is plainly audible at a distance of 500 feet from the building, structure or yard in which the dog, animal or bird is located to the boundary of adjoining properties. . Each day that one or more of the conditions described above exists or continues to exist shall constitute a separate violation of these regulations except to the extent that enforcement of the regulations are stayed pending a hearing as described in Section VI, below.

### **SECTION III - Owner Responsibilities**

It is the obligation of the owner(s) of property to maintain such property to as not to endanger the health, safety, or welfare of county residents and/or so as not to violate the terms of these Regulations. If said property fails to comply with the above-stated regulations, the property owner(s) is ultimately responsible and liable regardless of whether such condition was caused by a tenant, leaseholder or other person.

### **SECTION IV - Inspection Procedures**

Whenever a petition is filed with the Enforcement Officer by at least one (1) owner or occupant, the property of the complainant's property boundry must be within five hundred (500) yards of the boundary of the property of the alleged violation(s) of any of these regulations; or whenever the Enforcement Officer can visibly observe a violation from a public road, the Enforcement Officer shall, after making a preliminary investigation which discloses a basis for such violation, issue and cause to be served upon the owner of record of such properties a notice, in accordance with the provisions of Section V, stating the violations and requesting the condition to be remedied within 30 days of the service of the notice

### **SECTION V - Notice of Violation**

The Enforcement Officer shall notify the owner of the property of the violation(s) of these regulations by personal service upon the owner or by United States Certified Mail, Return Receipt Requested, addressed to the last known address of the owner(s) of record. The notice of violation shall state that the owner of the property is entitled to a hearing. The

notice of violation shall be written in plain language and shall also include, but not be limited, to the following elements:

A summary of the requirements of these regulations and a brief statement of the violations by the Enforcement Officer including the date the violation(s) were noted; A brief statement of the authority granted to counties under T.C.A. 5-1-115 and an explanation of the consequences and penalty of failing to remedy the violations; The person, office, address and telephone number of the department or person giving notice; Notice to alleged violator from the Enforcement Officer with instructions regarding what actions should be taken to remedy the violation(s); Written notice from the Enforcement Officer of a ten (10) day time frame which the alleged violator(s) must remedy the violation(s) or request a hearing with the White County Hearing Board. Notice must include information regarding the place wherein the notified party may return a copy of the violation notice, indicating the desire for a hearing or waiver of hearing and agreement to remedy the violation.

If the whereabouts of the owner(s) of record is unknown and the same cannot be ascertained by the Enforcement Officer in the exercise of due diligence, or if for any reason, notice by Certified Mail, Return Receipt Request, cannot be obtained, the Enforcement Officer, after making an affidavit to that effect, may then serve notice of violation(s) upon such person(s) by publishing the same once each week for two (2) consecutive weeks in one (1) newspaper of local circulation and/or public forum. A copy of such notice of violation(s) shall be posted in a conspicuous place on the premises affected by the notice or order. A copy of such notice of violation(s) shall also be filed for record in the county register's office and such filing of the notice of violation or order shall have the same force and effects as other legal or formal notices provided by law.

## **SECTION VI - Compliance and Appeals**

Upon receipt of the notice of violation(s) as provided hereinabove, the property owner(s) shall proceed forthwith to take appropriate measures to comply with these regulations or to request a hearing before the Hearing Board established in Section 1 of these regulations. Pursuant to T.C.A 5-1-115 a request for hearing shall be made within ten (10) business days following receipt of said notice of violation(s). If the property owner(s) does not request a hearing, he or she shall take appropriate action to

remedy the violation within thirty (30) days of receipt of the notice of violation(s), unless the owner of record is a carrier engaged in the transportation of property or is a utility transmitting communications, electricity, gas, liquids, steam, sewerage or other materials in which case the owner(s) shall have thirty (30) business days to remedy the violation, excluding Saturdays, Sundays and legal holidays. (\*See Statute\*)

(a) If the property owner timely requests a hearing as provided herein, the Hearing Board shall, within thirty (30) days following the receipt of the request for a hearing, hold a hearing on the issue of the appropriateness of the requirements imposed on the property owner(s). The time period established herein for remedying violations shall be stayed pending review by the Hearing Board. Failure to make the request for a hearing within the time limit allowed by this regulation shall, without exception, constitute a waiver of right to a hearing and judicial review.

(b) The hearing shall be conducted as an initial hearing with the burden of proof resting on the Enforcement Officer to demonstrate, by a preponderance of the evidence, that the alleged violation(s) exists. Immediately following the hearing, the Hearing Board may:

- 1) Dismiss the notice of violation and such notice shall become ineffective;
- 2) May confirm the notice of violation(s);
- 3) May modify the notice of violation(s); or
- 4) Grant a continuance at the request of either party if the Hearing Board considers the continuance appropriate.

The affirmative vote of a majority of the Hearing Board members present at the meeting shall constitute action by the Hearing Board.

Any person aggrieved by an act of the Hearing Board under the provisions of this regulation may seek judicial review of same under T.C.A. Title 27, Chapter 8, Part 1.

## **SECTION VII - Remedies and Penalties**

(a) If the owner fails to comply with the notice within ten (10) days of receipt of same, subject to stay pending review and any modifications made pursuant to review as provided for above, the Hearing Board may cause such property to be repaired, altered or improved or be vacated and closed, removed or demolished as necessary to remedy the condition. In contracting for such services from a private entity, the Hearing Board shall comply with all applicable purchasing procedures of the county. The costs of such action shall be assessed against the owner of the property. Upon performance, the actual cost of such repairs, alterations or improvements or vacating and closing or removal or demolition by the county or its agent shall, upon the filing of a notice with the office of the Register of Deeds, be a lien in favor of the county against the real property on which such cost was incurred, second only to liens of the state and county for taxes, any lien of the county for special assessments, and any valid lien, right or interest in such property duly recorded or duly perfected by filing prior to the filing of such notice. These costs shall be placed upon the tax rolls of the county as a lien upon the property and shall be collected in the same manner as the county's taxes are collected, when the county causes a notice thereof to be filed in the office of the Register of Deeds of the county in which the property lie. The notice of lien shall identify the owner of record of the real property, contain the property address, describe the property sufficiently to identify it and recite the amount of the obligation secured by the lien.

(b) Owner(s), individually and/or jointly, of property found to be in violation of these regulations shall be subject to a civil penalty of not more than fifty dollars (\$50.00) for each offense. Each and every day during which such violation(s) exists or continues after notice has been provided to the property owner(s) and the time for appeal or compliance has expired shall be deemed a separate offense.

Pursuant to T.C.A. 5-1-121 and 5-1-123, such penalties may be assessed by the General Sessions Court of White County in exercise of its powers to enforce these regulations. Action to pursue such penalties in the General Sessions Court shall be instituted at the request of the Enforcement Officer or Hearing Board by the County Attorney or other legal counsel designated by the County Legislative Body.

## **SECTION VIII – Exceptions**

(a) The provision of Section VI(a) of this regulation permitting White County to remedy conditions pursuant to T.C.A. 5-1-115(c) and place a lien for the costs of remedying the violation on the property shall not apply to any parcel of property upon which an owner-occupied residence is located. Enforcement of these regulations upon owner-occupied properties shall be accomplished solely by civil penalties assessed in General Sessions Court.

(b) The county shall only undertake to remove motor vehicles in accordance with the provisions of T.C.A. 55-16-101, et seq. and in accordance with the limitations of T.C.A. 55-5-122. If removal by the county of junk motor vehicles that are in violation of these regulations would conflict with the provisions of those statutes, any violation of these regulations that is caused solely by the presence of junk motor vehicles on private property shall only be enforced by civil penalties.

c) This regulation shall not apply to any business operated pursuant to the Tennessee Solid Waste Disposal Act, T.C.A, Section 68-221-1101, et seq.

## **SECTION IX - Rules and Record Keeping**

a) In addition to these regulations, the Hearing Board may promulgate any additional rules and regulations necessary for the administration and enforcement of these regulations subject to approval by the County Legislative Body.

b) The Enforcement Officer shall serve as the record keeper for the Hearing Board and shall maintain all minutes and records of the Hearing Board. the Enforcement Officer shall also keep a record of the following information regarding petitions, inspections and enforcement actions:

- 1) all petitions filed with his or her office;
- 2) the address of any property found to be in violation of this regulation;
- 3) the mileage driven in performing investigations;

- 4) a copy of all notices delivered to property owners found to be in violation of this regulation and any expenses associated therewith;
- 5) all waivers of hearing and agreements to remedy violations;
- 6) all requests for hearing received;
- 7) orders and decisions issued by the Hearing Board; and
- 8) copies of all requests for judicial review and final decision of the judicial review.

The Enforcement Officer shall submit an annual report summarizing this information to the County Executive no later than the first meeting of the county legislative body each calender year.

#### **SECTION X - Effective Date**

After passage of this regulation, the county clerk shall cause this regulation to be published in a newspaper of general circulation within the county. This regulation shall be come effective ninty (90) days after its passage, the public welfare requiring it.

#### **SECTION XI - Severability and Conflict with Other Resolutions**

(a) If any provision of this regulation or the application thereof to any person or circumstance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such invalidity shall not affect other provisions or applications of this regulation which can be given effect without the invalid provision or application, and to that end, the provisions of this regulation are declared to be severable.

(c) All Resolutions of the Board of County Commissioners of White County, Tennessee, which are in conflict with this regulation, are hereby repealed.

Motion made by \_\_\_\_\_ and seconded by \_\_\_\_\_ that the above Resolution be adopted.

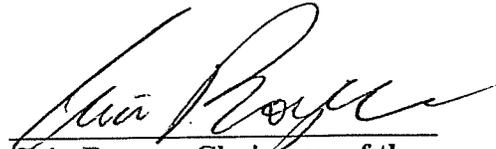
On roll call, the vote was recorded as follows:

AYES: \_\_\_\_\_

NAYES: \_\_\_\_\_

The above Resolution was passed on the 14th day of August, 2020.

Attest:



**Cain Rogers, Chairman of the  
White County Legislative Body**

\_\_\_\_\_  
**Sasha Wilson, County Clerk**

Approved the \_\_\_\_\_ day of \_\_\_\_\_ 2020.

\_\_\_\_\_  
**Denny Wayne Robinson,  
White County Executive**

Motion was made by Commissioner Roger Mason and seconded by Commissioner Robert McCormick to amend Resolution 40-08-2020, Regulations Governing the Health and Safety Standards of Residential and Non-Residential Properties, to delete Section 1A due to duplication of terminology; insert the language into Section II subsection(b) ' parcels 5.0 acres and less are governed by this resolution; 5.01 acres or larger are exempted; remove Section X and replace Section X with " This resolution shall become effective 90 days after publication in the newspaper of general circulation and an enforcement officer is established and in place. The public welfare requiring it." Upon the roll being called the following voted.

YES

Lonnie Crouch

NO

Lanny Selby  
Lee Broyles  
Robert McCormick  
Cain Rogers  
Dillard Quick  
Stanley Neal  
T.K Austin  
Bobby McCulley  
Roger Mason  
Andy Haston

ABSENT

Terry Alley  
Dale Bennett  
Dakota White

Motion was made by Commissioner Roger Mason and seconded by Commissioner T.K Austin to amend Resolution 40-08-2020, Regulations Governing the Health and Safety Standards of Residential and Non-Residential Properties, to delete Section 1A due to duplication of terminology; remove Section X and replace Section X with “ This resolution shall become effective 90 days after publication in the newspaper of general circulation and an enforcement officer is established and in place. The public welfare requiring it.” Upon the roll being called the following voted.

YES

NO

ABSENT

Bobby McCulley

Lee Broyles

Dillard Quick

T.K Austin

Robert McCormick

Stanley Neal

Lonnie Crouch

Andy Haston

Roger Mason

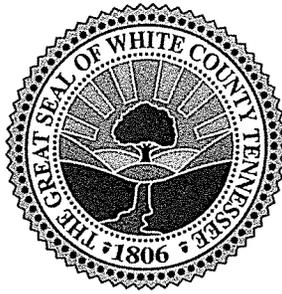
Cain Rogers

Lanny Selby

Dale Bennett

Terry Alley

Dakota White



WHITE COUNTY, TENNESSEE

**AMENDED**  
**RESOLUTION NO. 40-08-2020**

**RESOLUTION ADOPTING REGULATIONS GOVERNING THE  
HEALTH AND SAFETY STANDARDS  
OF RESIDENTIAL AND NON-RESIDENTIAL PROPERTIES**

**WHEREAS**, the purpose of this resolution is to provide regulatory standards for health and safety conditions of residential and nonresidential properties within the confines of White County; Tennessee; and

**WHEREAS**, Tennessee Code Annotated, Section 5-1-115, authorizes counties to make any rules and regulations necessary for the prevention of dangerous conditions resulting from overgrown vegetation; accumulation of debris, trash, litter and garbage; or the presence of a vacant dilapidated building or structure; and

**WHEREAS**, there is a need in White County for the regulation of residential and non-residential property for the health, safety, convenience and welfare of residents of the County; and

**WHEREAS**, Pursuant to authority granted by Tennessee Code Annotated, Section 6-54-501 - 6-54-506, and for the purpose of establishing a current property maintenance code, the International Property Maintenance Code, 2018 edition, as prepared and adopted by the International Code Council, is hereby adopted by reference and incorporated herein as the White County Property Maintenance Code.

WHEREAS, the regulations set out herein are intended to address the need for health and safety regulations of residential and nonresidential properties within White County, Tennessee and shall be in effect upon the hiring of the county Codes Enforcement Officer and appointments of members of the Hearing Board.

**NOW THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of White County, Tennessee, meeting in regular session on the 17th day of August, 2020, in White County, Tennessee, that the following regulations be adopted:

**Regulations Governing the Health and Safety Standards of  
Residential and Non-Residential Properties**

**SECTION I - Appointment of Enforcement Officer and Hearing Board**

(a) These regulations shall be enforced by the White County Enforcement Officer (or his or her designee), hereinafter referred to as Enforcement Officer.

(b) The White County Health and Safety Board (hereinafter referred to as Hearing Board) shall consist of seven (7) members, one from each commission district, to be appointed by the County Executive, subject to confirmation by the County Legislative Body. All members of the Hearing Board shall be appointed for four-year terms; however, the initial appointments shall be made on the following terms in an effort to achieve subsequent staggered four-year terms:

**Initial One (1) Year Term**

One (1) member from District #1 and one (1) member from District #7

**Initial Two (2) Year Term**

One (1) member from **District #2** and one (1) member from **District #6**

**Initial Three (3) Year Term**

One (1) member from **District #3** and one (1) member from **District #5**

## **Initial Four (4) Year Term**

One (1) member from **District #4**

There will be no compensation or reimbursement of expenses for the members of the Hearing Board. Any vacancy, which occurs on the Hearing Board, shall be filled by the County Executive subject to confirmation by the County Legislative Body for the remainder of the term of the vacant position.

In addition to its responsibilities in hearing grievances pursuant to Section VI of these regulations, the Hearing Board shall also be charged with the responsibility of recruiting or coordinating efforts of community organizations, neighbors, religious institutions, and other agencies to provide assistance to persons who are not financially or physically able to comply on their own with the requirements of these regulations.

## **SECTION II - Property Standards**

### **Definitions:**

As used in these regulations, the following terms are defined below. Any term not defined by this regulation shall be interpreted as having the meaning established by the 11th Edition of the Merriam-Webster's Collegiate Dictionary.

Accumulation of debris, trash, litter, or garbage means a state in which a significant quantity of solid waste products, decomposing matter, or personal property that has been discarded, damaged or which has little or no economic value or practical use is located on the property such that one or more of the following conditions results: the accumulation contributes to the infestation of the property by insects, rodents or other vermin; the accumulation creates an attractive nuisance or other danger to children; the debris, trash, litter or garbage spreads to adjacent properties by natural action or wind or water; the accumulation produces offensive odors that affect reasonable enjoyment of adjacent properties; the accumulation creates a risk to the health and safety of occupants of the property or other residents of the county; or the accumulation noticeably depresses the value of adjacent properties. This term includes the accumulation of one or more junk motor vehicles, as defined below,

on the property. This term would not include the brief, temporary storage of debris, trash, litter or garbage for regularly scheduled waste disposal or transfer.

Dilapidated building or structure means a structure that is unfit for human occupation or use due to conditions in or around such structure that are dangerous or injurious to the health or safety of the occupants of such structure, the occupants of neighboring structures or to the health or safety of other residents of the county, assuming ordinary health and sensibilities of a reasonable person. Such conditions may include but are not limited to: defects within the structure increasing the hazard of fire, accidents or other calamities, disrepair; structural defects; and unsanitary conditions.

Junk motor vehicles, as used in definition one (1) above, means automobiles, motor vehicles or the metal scraps and remains of the foregoing items, which are incapable of being operated and which it would not be economically practical to make operative and which are not fully placed or located within and surrounded by a substantial and durable building. The term shall not include items on the premises of an establishment constituting an automobile graveyard within the meaning of T.C.A. 54-20-201, et seq., 54-777, 54-5-901 and operating in compliance with the requirements of that part or establishments having facilities for processing scrap metal.

Owner means the owner of record of the real property as established in the records of the county Register of Deeds and Assessor of Property.

Neglect and overgrowth of vegetation means a condition where trees, vines, grass, underbrush or other vegetation has been allowed to grow in such a manner as to endanger the health, safety or welfare of occupants of the property or other persons of the county or encourage the infestation of rats, insects or other harmful animals.

Structure means a building or construction intended for human occupation or use for residential, commercial, industrial or storage purposes. The term includes, but is not limited to houses, garages, commercial and industrial buildings, shops, storage buildings, and sheds. The term does not include structures as referenced in T.C.A 5-1-122, which states the powers granted to counties by T.C.A Section 5-1-115 do

not include the regulation of buildings used primarily for agricultural purposes.

**(b) Regulations**

It shall be a violation of these regulations for any owner of property to create, maintain or permit to be maintained on property the obvious neglect and overgrowth of vegetation or the accumulation of debris, trash, litter, or garbage so as to endanger the health, safety, or welfare of other persons.

It shall be a violation of these regulations for any owner of property to create, maintain or permit to be maintained on property a vacant dilapidated building, burnt building or any structure that endangers the health, safety, or welfare of other persons.

It shall be a violation of these regulations for any owner of property to create, maintain or permit to be maintained on property any combination of the preceding elements so as to endanger the health, safety, or welfare of other persons.

It shall be a violation of these regulations for any owner of property to allow any violation identified in one (1) through three (3) above to continue in, on or around any building, structure or property affected by this regulation.

It shall be a violation of these regulations for any person to permit any premises owned, occupied, or controlled by him/her to become or remain in a filthy condition, or permit the use or occupation of same in such a manner as to create noxious or offensive smells and odors in connection therewith, or to allow the accumulation or creation of unwholesome and offensive matter or the breeding of flies, rodents, or other vermin on the premises to the menace of the public health the annoyance of people residing within the vicinity.

It shall be a violation of these regulations for any person to permit any premises owned, occupied, or controlled by him/her to the owning, harboring, possessing or keeping of any dog, animal or bird which causes frequent, habitual or long continued noise which is plainly audible at a distance of 500 feet from the building, structure or yard in which the dog,

animal or bird is located to the boundary of adjoining properties. . Each day that one or more of the conditions described above exists or continues to exist shall constitute a separate violation of these regulations except to the extent that enforcement of the regulations are stayed pending a hearing as described in Section VI, below.

### **SECTION III - Owner Responsibilities**

It is the obligation of the owner(s) of property to maintain such property to as not to endanger the health, safety, or welfare of county residents and/or so as not to violate the terms of these Regulations. If said property fails to comply with the above-stated regulations, the property owner(s) is ultimately responsible and liable regardless of whether such condition was caused by a tenant, leaseholder or other person.

### **SECTION IV - Inspection Procedures**

Whenever a petition is filed with the Enforcement Officer by at least one (1) owner or occupant, the property of the complainant's property boundary must be within five hundred (500) yards of the boundary of the property of the alleged violation(s) of any of these regulations; or whenever the Enforcement Officer can visibly observe a violation from a public road, the Enforcement Officer shall, after making a preliminary investigation which discloses a basis for such violation, issue and cause to be served upon the owner of record of such properties a notice, in accordance with the provisions of Section V, stating the violations and requesting the condition to be remedied within 30 days of the service of the notice

### **SECTION V - Notice of Violation**

The Enforcement Officer shall notify the owner of the property of the violation(s) of these regulations by personal service upon the owner or by United States Certified Mail, Return Receipt Requested, addressed to the last known address of the owner(s) of record. The notice of violation shall state that the owner of the property is entitled to a hearing. The notice of violation shall be written in plain language and shall also include, but not be limited, to the following elements:

A summary of the requirements of these regulations and a brief statement

of the violations by the Enforcement Officer including the date the violation(s) were noted; A brief statement of the authority granted to counties under T.C.A. 5-1-115 and an explanation of the consequences and penalty of failing to remedy the violations; The person, office, address and telephone number of the department or person giving notice; Notice to alleged violator from the Enforcement Officer with instructions regarding what actions should be taken to remedy the violation(s); Written notice from the Enforcement Officer of a ten (10) day time frame which the alleged violator(s) must remedy the violation(s) or request a hearing with the White County Hearing Board. Notice must include information regarding the place wherein the notified party may return a copy of the violation notice, indicating the desire for a hearing or waiver of hearing and agreement to remedy the violation.

If the whereabouts of the owner(s) of record is unknown and the same cannot be ascertained by the Enforcement Officer in the exercise of due diligence, or if for any reason, notice by Certified Mail, Return Receipt Request, cannot be obtained, the Enforcement Officer, after making an affidavit to that effect, may then serve notice of violation(s) upon such person(s) by publishing the same once each week for two (2) consecutive weeks in one (1) newspaper of local circulation and/or public forum. A copy of such notice of violation(s) shall be posted in a conspicuous place on the premises affected by the notice or order. A copy of such notice of violation(s) shall also be filed for record in the county register's office and such filing of the notice of violation or order shall have the same force and effects as other legal or formal notices provided by law.

## **SECTION VI - Compliance and Appeals**

Upon receipt of the notice of violation(s) as provided hereinabove, the property owner(s) shall proceed forthwith to take appropriate measures to comply with these regulations or to request a hearing before the Hearing Board established in Section 1 of these regulations. Pursuant to T.C.A. 5-1-115 a request for hearing shall be made within ten (10) business days following receipt of said notice of violation(s). If the property owner(s) does not request a hearing, he or she shall take appropriate action to remedy the violation within thirty (30) days of receipt of the notice of violation(s), unless the owner of record is a carrier engaged in the transportation of property or is a utility transmitting communications, electricity, gas, liquids, steam, sewerage or other materials in which case

the owner(s) shall have thirty (30) business days to remedy the violation, excluding Saturdays, Sundays and legal holidays. (\*See Statute\*)

(a) If the property owner timely requests a hearing as provided herein, the Hearing Board shall, within thirty (30) days following the receipt of the request for a hearing, hold a hearing on the issue of the appropriateness of the requirements imposed on the property owner(s). The time period established herein for remedying violations shall be stayed pending review by the Hearing Board. Failure to make the request for a hearing within the time limit allowed by this regulation shall, without exception, constitute a waiver of right to a hearing and judicial review.

(b) The hearing shall be conducted as an initial hearing with the burden of proof resting on the Enforcement Officer to demonstrate, by a preponderance of the evidence, that the alleged violation(s) exists. Immediately following the hearing, the Hearing Board may:

- 1) Dismiss the notice of violation and such notice shall become ineffective;
- 2) May confirm the notice of violation(s);
- 3) May modify the notice of violation(s); or
- 4) Grant a continuance at the request of either party if the Hearing Board considers the continuance appropriate.

The affirmative vote of a majority of the Hearing Board members present at the meeting shall constitute action by the Hearing Board.

Any person aggrieved by an act of the Hearing Board under the provisions of this regulation may seek judicial review of same under T.C.A. Title 27, Chapter 8, Part 1.

## **SECTION VII - Remedies and Penalties**

(a) If the owner fails to comply with the notice within ten (10) days of receipt of same, subject to stay pending review and any modifications

made pursuant to review as provided for above, the Hearing Board may cause such property to be repaired, altered or improved or be vacated and closed, removed or demolished as necessary to remedy the condition. In contracting for such services from a private entity, the Hearing Board shall comply with all applicable purchasing procedures of the county. The costs of such action shall be assessed against the owner of the property. Upon performance, the actual cost of such repairs, alterations or improvements or vacating and closing or removal or demolition by the county or its agent shall, upon the filing of a notice with the office of the Register of Deeds, be a lien in favor of the county against the real property on which such cost was incurred, second only to liens of the state and county for taxes, any lien of the county for special assessments, and any valid lien, right or interest in such property duly recorded or duly perfected by filing prior to the filing of such notice. These costs shall be placed upon the tax rolls of the county as a lien upon the property and shall be collected in the same manner as the county's taxes are collected, when the county causes a notice thereof to be filed in the office of the Register of Deeds of the county in which the property lie. The notice of lien shall identify the owner of record of the real property, contain the property address, describe the property sufficiently to identify it and recite the amount of the obligation secured by the lien.

(b) Owner(s), individually and/or jointly, of property found to be in violation of these regulations shall be subject to a civil penalty of not more than fifty dollars (\$50.00) for each offense. Each and every day during which such violation(s) exists or continues after notice has been provided to the property owner(s) and the time for appeal or compliance has expired shall be deemed a separate offense.

Pursuant to T.C.A. 5-1-121 and 5-1-123, such penalties may be assessed by the General Sessions Court of White County in exercise of its powers to enforce these regulations. Action to pursue such penalties in the General Sessions Court shall be instituted at the request of the Enforcement Officer or Hearing Board by the County Attorney or other legal counsel designated by the County Legislative Body.

## **SECTION VIII – Exceptions**

(a) The provision of Section VI(a) of this regulation permitting White County to remedy conditions pursuant to T.C.A. 5-1-115(c) and place a

lien for the costs of remedying the violation on the property shall not apply to any parcel of property upon which an owner-occupied residence is located. Enforcement of these regulations upon owner-occupied properties shall be accomplished solely by civil penalties assessed in General Sessions Court.

(b) The county shall only undertake to remove motor vehicles in accordance with the provisions of T.C.A. 55-16-101, et seq. and in accordance with the limitations of T.C.A. 55-5-122. If removal by the county of junk motor vehicles that are in violation of these regulations would conflict with the provisions of those statutes, any violation of these regulations that is caused solely by the presence of junk motor vehicles on private property shall only be enforced by civil penalties.

c) This regulation shall not apply to any business operated pursuant to the Tennessee Solid Waste Disposal Act, T.C.A, Section 68-221-1101, et seq.

## **SECTION IX - Rules and Record Keeping**

a) In addition to these regulations, the Hearing Board may promulgate any additional rules and regulations necessary for the administration and enforcement of these regulations subject to approval by the County Legislative Body.

b) The Enforcement Officer shall serve as the record keeper for the Hearing Board and shall maintain all minutes and records of the Hearing Board. the Enforcement Officer shall also keep a record of the following information regarding petitions, inspections and enforcement actions:

- 1) all petitions filed with his or her office;
- 2) the address of any property found to be in violation of this regulation;
- 3) the mileage driven in performing investigations;
- 4) a copy of all notices delivered to property owners found to be in violation of this regulation and any expenses associated therewith;

- 5) all waivers of hearing and agreements to remedy violations;
- 6) all requests for hearing received;
- 7) orders and decisions issued by the Hearing Board; and
- 8) copies of all requests for judicial review and final decision of the judicial review.

The Enforcement Officer shall submit an annual report summarizing this information to the County Executive no later than the first meeting of the county legislative body each calendar year.

**SECTION X - Effective Date**

This resolution shall become effective ninety (90) days after publication in the newspaper of general circulation and an enforcement officer is established in place. The public welfare requiring it.

**SECTION XI - Severability and Conflict with Other Resolutions**

(a) If any provision of this regulation or the application thereof to any person or circumstance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such invalidity shall not affect other provisions or applications of this regulation which can be given effect without the invalid provision or application, and to that end, the provisions of this regulation are declared to be severable.

(c) All Resolutions of the Board of County Commissioners of White County, Tennessee, which are in conflict with this regulation, are hereby repealed.

Motion made by \_\_\_\_\_ and seconded by \_\_\_\_\_ that the above Resolution be adopted.

On roll call, the vote was recorded as follows:

AYES: \_\_\_\_\_

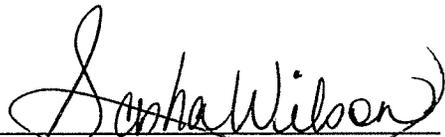
NAYES: \_\_\_\_\_

The above Resolution was passed on the 17th day of August, 2020.

Attest:



Cain Rogers, Chairman of the  
White County Legislative Body

  
Sasha Wilson, County Clerk

Approved the 17 day of August 2020.



Denny Wayne Robinson,  
White County Executive