

10-19-92

911 EMERGENCY RESPONSE SYSTEM

Motion was made by James Aydelotte and second by Billy Malugin to accept the following resolution on the 911 Emergency Response System for Hickman County, Tennessee. Upon roll call vote all 19 commissioners present voted Aye. Arch McCord was noted as being absent. Motion passed.

RESOLUTION NO. 9221

REGARDING THE IMPLEMENTATION AND MAINTENANCE
OF THE ENHANCED 911 EMERGENCY RESPONSE SYSTEM FOR
HICKMAN COUNTY, TENNESSEE

WHEREAS, the voters of Hickman County, Tennessee have declared their desire to implement the enhanced 911 emergency response system; and

WHEREAS, an E-911 Board was established to see that the system was implemented; and

WHEREAS, the E-911 Board has recommended that this resolution be passed by the Hickman County Legislative Body which sets guidelines for the implementation of the system.

NOW, THEREFORE, BE IT RESOLVED by the Hickman County Legislative Body, meeting in regular session this 19th day of October, 1992, that the Enhanced 911 Emergency Response System be implemented as follows:

SECTION 1: REGARDING NEW STRUCTURES AND MOBILE HOMES:

- (A) All persons, firms, corporations and other legal entities constructing new structures or locating or relocating mobile homes in Hickman County, Tennessee shall from and after this date obtain an address notification form, duly issued by the addressing authority.
- (b) No utility company operating in Hickman County, Tennessee shall furnish its utility services to any new structure or mobile home, including a mobile home moved from one location to another, until it has been furnished with information contained on the address notification form issued by the authorities, as set out hereinbelow. A new structure is defined as a house or apartment newly constructed, being occupied for the first time, requiring an installation or visit to obtain service must be required to provide proof that an address notification form has been obtained. Proof shall consist of providing the assigned street and house number and serial number of the address notification form.
- (c) Applicants shall apply for the address notification form with the E-911 Board who will furnish the applicant with sufficient copies to present to the utility companies and the U.S. Post office.
- (d) Immediately upon the filing of the address notification form the E-911 Board shall assign a number and address to the structure. The E-911 Board shall keep a record of all numbers and addresses that are assigned.

SECTION 2: REGARDING POSTING OF DESIGNATED NUMBERS:

The owner or occupant or person in charge of any house, building, mobile home or other structure to which a number has been assigned shall:

- (a) Within 30 days after the receipt of such number affix the number in a conspicuous manner in a conspicuous place.
- (b) Remove any different number which might be mistaken for or confused with the number assigned to said structure by the issuing authority.
- (c) Each principal building or structure shall display the number assigned to the frontage on which the front entrance is located. In case the principal building or structure is occupied by more than one business or family dwelling unit, each separate front entrance may display a separate number.
- (d) Numerals indicating the official numbers for each principal building or each front entrance to such building, shall be posted in a manner as to be legible and distinguishable from the street or road on which the property is located, with numbers painted or applied, or not less than two inches in height.
- (e) Mail boxes shall be marked with house numbers.
- (f) If the structure is not visible from the street or road on which it is located, no mail box is beside the driveway leading to the structure, a sign or number post shall be erected to display the number which may be displayed either vertically from the top down or horizontally.

SECTION 3: In the event that the owner or occupant or person in charge of any house or building refuses to comply with the terms of this resolution by failing to affix the number assigned within sixty (60) days after notification or to remove any old house numbers affixed to such house, or house entrance, or elsewhere, which may be confused with the number assigned thereto, he shall be punished by paying a fine of not less than ten (10) dollars for every day that the situation is not rectified.

SECTION 4: This resolution is limited to structures in Hickman County, Tennessee lying outside the corporate limits of the Town of Centerville and the maintenance of the Hickman County Enhanced 911 Emergency Response System for structures within the corporate limits of the Town of Centerville shall be controlled by the resolution and regulations of the Hickman County E-911 Board.

SECTION 5: This resolution shall take effect and be in full force and effect from and after its passage.

SECTION 6: All resolutions or parts of resolutions in conflict with this resolution are hereby repealed.

SECTION 7: The Chairman of The Hickman county E-911 Board is hereby directed to publish this resolution in the Hickman County Times one time, to obtain proof of publication thereof, and to file said proof in the minutes of the Board.

MOTION BY:

JAMES AYDELOTTE

ADOPTED

STEPHEN E. GREGORY
STEPHEN E. GREGORY, CHAIRMAN

ATTEST:

LAMAR CHESSOR
LAMAR CHESSOR, CO. CLERK

SECOND BY:

BILLY MALUGIN

APPROVED:

MILDRED BOGLE
MILDRED BOGLE, CO. EXECUTIVE

DISAPPROVED:

MILDRED BOGLE
MILDRED BOGLE, CO. EXECUTIVE

FINANCE COMMITTEE

Motion was made by Terry Chandler and second by Wilson Greer to ask the finance committee to wait until after the Nov. 3, 1992 election to hire a Finance director. Upon roll call vote Brown Breese, Ira Weatherspoon, Byron Bates, A P Thomasson, Terry Chandler, Wilson Greer, and William Hudspeth voted Aye. Earl Daniel, Jerry Yates, James Aydelotte, Alvin Jenkins, Willie Powers, Richard Martin, James Hutchison, Henry Harvill, Billy Malugin and Ricky Tidwell voted Nay. Malcolm Buchanan and Steve Gregory voted to pass. Arch McCord was noted as being absent. Motion failed.

RECALL VOTE

Motion was made by Jerry Yates and second by James Hutchison to have a recall vote on asking the finance committee to wait until after the election to hire a finance director. Upon roll call vote Brown Breese, Ira Weatherspoon, Jerry Yates, Byron Bates, A P Thomasson, Terry Chandler, Wilson Greer, and William Hudspeth voted Aye. Earl Daniel, James Aydelotte, Alvin Jenkins, Willie Powers, Richard Martin, James Hutchison, Henry Harvill, Billy Malugin and Ricky Tidwell voted Nay. Malcolm Buchanan and Steve Gregory voted to pass. Arch McCord was noted as being absent. Motion failed.

MASCOT (INDUSTRIAL COMMITTEE)

Motion was made by Wilson Greer and second by Billy Malugin to get Mildred Bogle to work with the Industrial Committee and Mr. Robbins in getting more room for Mascot. Motion passed by voice vote.

RECREATIONAL DIRECTOR

Motion was made by Jerry Yates and second by James Hutchison to amend the budget by transferring \$ 2,690.40 from line item 56900-318 to building funds for the recreational director. Upon roll call vote 18 commissioners voted Aye. Billy Malugin voted Nay. Arch McCord was noted as being absent. Motion passed.

SUSPEND RULES

Motion was made by James Aydelotte and second by Terry Chandler to suspend the rules. Motion passed by voice vote.

BEER BOARD

Motion was made by James Aydelotte and second by Wilson Greer to appoint a three ^{man} committee to hire an attorney to find out information about the beer law and legal options in this matter. Also, that the Hickman County beer board shall issue no beer permits until a decision is made by the legislative body. These findings will be reported back on the Nov. 3, 1992 meeting by the committee. Upon roll call vote all 19 commissioners present voted Aye. Arch McCord was noted as being absent. Motion passed.

HICKMAN COUNTY, TENNESSEE

RESOLUTION NO. 03-36

IMPLEMENTING THE HICKMAN COUNTY LAND DEVELOPMENT TAX

WHEREAS, the General Assembly of the State of Tennessee has, by passage of Private Chapter 21 of the Private Acts of 2003, granted authority to Hickman County to levy and collect a privilege tax on new residential, industrial and commercial development in the County in order to provide that such development contributes its fair share of the cost of providing public facilities made necessary by such development;

WHEREAS, it now becomes necessary to exercise such authority and implement such tax.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Hickman County, Tennessee, assembled in special session this 31st day of July, 2003, that:

SECTION 1: The aforementioned authority to levy and collect a privilege tax on new residential, industrial and commercial development in Hickman County shall become effective from and after September 1, 2003.

SECTION 2: The amount of tax shall be \$1.00 per gross square footage of residential development, and \$0.25 per gross square footage on industrial and commercial development or, as provided in Section 7 of said Private Chapter, a minimum of \$1,500.00, whichever is greater.

SECTION 3: The tax shall be collected as provided in the attached Rules And Regulations (the "Rules"), which may be amended from time to time as deemed necessary by Resolution.

SECTION 4: For the purpose of exercising this authority, The Finance Director of Hickman County, or his/her designated deputy, is hereby named as the County Building Inspector.

SECTION 5: The County Executive is hereby directed to furnish a certified copy of this Resolution and its attachment to the Director of the Hickman County Emergency Communications District. Said director shall be prohibited from issuing a new 911 address to those individuals and entities which have not been issued a Certificate of Occupancy as described in the Rules.

SECTION 6: This Resolution shall be in force upon passage, and its provisions shall take effect as stated within, the public welfare requiring it.

SPONSORS:

Mark M. Lewis

Ricky D. Tidwell

BOARD ACTION: 15 Aye 5 Nay 0 Pass 1 Absent

ADOPTED:

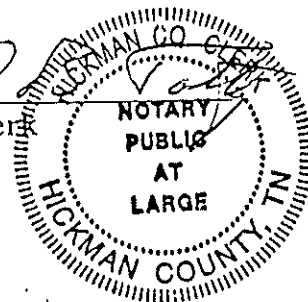
[Signature]

Steve Gregory, Chairman

ATTEST:

[Signature]

Randel Totty, County Clerk



LAND DEVELOPMENT TAX OF HICKMAN COUNTY, TENNESSEE

RULES AND REGULATIONS

1. DEFINITIONS: The following terms shall be used with respect to the implementation of the Hickman County Land Development Tax.
 - A) "The Act" - Shall mean the Hickman County Land Development Tax as authorized by Private Chapter 21 of the Private Acts of 2003, State of Tennessee.
 - B) "Building" - Shall have the same meaning as expressed in Section 2(b) of "The Act".
 - C) "Building Inspector" - Shall be the person or office designated by resolution of the Hickman County Commission.
 - D) "Capital Improvement Program" - Shall mean the same as defined in Section 2(d) and Section 5 of "The Act".
 - E) "Certificate of Occupancy" - Shall have the same definition as expressed in Section 2(e) of "The Act". For the purpose of simplicity in this document, it shall sometimes be referred to as the "Certificate".
 - F) "County Commission" - Shall mean the Hickman County Commission. For the purpose of simplicity in this document, it shall sometimes be referred to as the "Commission".
 - G) "County Trustee" - Shall be the person elected as such by the voters of Hickman County or his/her deputy.
 - H) "Fee" - Shall refer to the amount owed by a "Person" as a result of "The Act".
 - I) "Floor Area" - Shall have the same definition as expressed in Section 2 of "The Act", and shall apply to Industrial, Commercial and Residential.
 - J) "Person" - Shall refer to any individual, company, or group who is building, adding on, or moving a building in or to Hickman County, Tennessee.
 - K) "911 Director" - Shall refer to the person named as such by the Hickman County Emergency Communication's District Board of Directors.

2. CAPITAL IMPROVEMENT PROGRAM: The following list of capital improvements and their anticipated costs, shall be considered the Capital Improvement Program". This list shall be subject to review and amendment at any time by the "County Commission".

- East Hickman EMS Center - \$ 350,000
- East Hickman High School - \$15,000,000
- New Hickman County Jail - \$ 5,000,000

4. THE CERTIFICATE: - The "Certificate of Occupancy" shall be as follows:

- A) The "Certificate" shall be a carbon less, multi-copy form that will allow the "Building Inspector", "County Trustee", "911 Director" and "Person" to each have a copy.
- B) The "Certificate" shall have at a minimum the following:
 - A) Name of the "Person"
 - B) Location of the "Building"
 - C) Purpose of the "Building"
 - D) Square footage of the "Building"
 - E) Any other information the "Building Inspector", "County Trustee", "911 Director" and "Appeals Board", may deem necessary to further complete their respective tasks.
- C) Each form will be pre-numbered at printing, and the "Building Inspector" shall keep a log of all "Certificates" that are issued.
- D) Under no circumstances shall a "Person" be allowed to obtain a 911 address before the levied tax has been paid or has been dealt with through the appeals process.

4. OBTAINING A CERTIFICATE OF OCCUPANCY: - Any "Person" wishing to build in or move to Hickman County a "Building" must submit a completed "Certificate of Occupancy" to the Hickman County "911 Director" before being granted a new 911 address. The following steps shall be taken in order to obtain a "Certificate of Occupancy".

- A) The "Person" shall fill out the "Certificate" and submit the form to the "Building Inspector". The "Building Inspector" shall determine if the "Building" falls under any of the types exempted under Section 6 of "The Act". If the "Building" is exempted under Section 6 of "The Act", the "Building Inspector" will so state on the "Certificate". The "Person" may then proceed directly to the "911 Director" and obtain the required 911 address.

- B) If it is determined by the "Building Inspector" that the "Building" is not exempt under Section 6 of "The Act", the following steps shall be taken.
- 1) The appropriate "Fee" will be determined by the "Building Inspector"
 - 2) The determination shall be made by multiplying the gross square footage of the "Building's" floor area by the appropriate amount, or use the minimum amount as established by "The Act" of One Thousand Five Hundred Dollars (\$1,500.00), whichever is greater.
 - 3) The "Certificate" shall include an entry that clearly shows how the "Fee" was derived.
- C) Upon completing his/her part of the "Certificate", the "Building Inspector" shall sign as having approved the "Fee". The "Building Inspector" shall maintain one copy of the "Certificate" for his/her permanent files.
- D) The "Person" shall then present the "Certificate" to the "County Trustee", and make the appropriate payment of "Fee".
- E) Once payment is made, the "County Trustee" shall sign the "Certificate" as having received the proper fee from the "Person". The "County Trustee" shall keep one copy of the "Certificate" for his/her permanent files.
- F) The "Person" shall then present the "Certificate" to the Hickman County "911 Director". The "911 Director" will confirm that the "Building Inspector" and County Trustee have signed the "Certificate" at which time the "911 Director" shall sign the form and give the "Person" his/her final copy. The "911 Director" shall then be authorized to provide a 911 address to the "Person".
- G) In the event that a "Person" removes or has an existing building torn down for which the "Fee" has been previously paid and the building is replaced, only the increase (if any) gross square footage over the original shall be used in figuring any additional "Fee". A rebate for downsizing a building shall not be authorized. This additional "Fee" shall be collected in the following manner:
- 1) The "Building Inspector" shall determine the increase in gross square footage of any "Building" that is subject to "The Act".
 - 2) The "Building Inspector" shall document this by using the "Certificate" which will indicate that this is a charge resulting from the expansion or replacement of the "Building".
 - 3) The "Building Inspector" shall sign the "Certificate" and retain a copy for his/her permanent records.
 - 4) The remaining copies shall be given to the "Person" to be presented to the "County Trustee" for payment.
 - 5) The "County Trustee" shall collect the "Fee", sign the "Certificate" and give one copy to the "Person".
 - 6) The "County Trustee" shall retain a copy of the "Certificate" for his/her permanent records and shall destroy the copy that would have been given to the "911 Director" for a new address.

5. ESTABLISHMENT OF AN APPEALS BOARD: - The "County Commission" shall, for the purpose of meeting Section 12 of "The Act", establish and "Appeals Board", as follows:

- A) The "Appeals Board" shall consist of 5 member chosen by the Hickman "County Commission" in September of each calendar year. The member do not have to be members of the "Commission".
- B) Board members shall serve two-year staggered terms. Such terms shall begin in September, 2003, as follow:
 - 1) Board members one, two and three shall serve initial one-year terms and thereafter serve full two-year terms..
 - 2) Board members four and five shall serve initial full two-year terms.
- C) Board members may be re-elected as desired by the "County Commission".
- D) The Board shall elect a chairman and vice chairman at its first meeting each year after new appointments in September.
- E) The Board shall meet on the first the first Monday of each month if there is business to consider. If there is no business to consider, the chairman shall notify all members and post appropriate notices.
- F) The "Building Inspector" shall be responsible for bringing any appeals to the Board for their consideration.
- G) The "Building Inspector" shall attend all Board meetings but shall not be a voting member of the Board.
- H) The Board members and the "Building Inspector" shall be compensated at a rate of \$40.00 each per meeting to be paid from the General Fund of the County.

6. APPEALS PROCESS: - In the event that a "Person" believes that the tax levied is incorrect or not applicable, the following appeals process shall be followed:

- A) The "Person" will be able to utilize the appeals process in one of two ways:
 - 1) The "Person" may choose to pay the tax and clearly note that the tax is being paid under protest. This will be noted by checking the section of the "Certificate" stating such. A statement shall also be recorded on the "Certificate" as to why the "Person" wishes to appeal the tax. The normal application process for the completed "Certificate" shall then be followed.
 - 2) The "Person" may choose not to pay the purposed tax. In such cases the "Building Inspector" will take the application for the "Certificate" and note the reason for the protest. The "Person" shall then receive the last copy of

the "Certificate" for his/her records to be used during the appeals process. The "Building Inspector" shall retain all other copies for his/her records.

- B) The "Building Inspector" shall be responsible for the following duties in the appeals process:
- 1) Insuring that the "Certificate" clearly states the reason for the appeal.
 - 2) The each "Certificate" subject to appeal is forwarded to the Chairman of the Appeals Board. All such "Certificates" shall be returned to the "Building Inspector" at the conclusion of the appeals process.
 - 3) Other such duties as may be designated or required by the Appeals Board.
- C) The "Building Inspector" shall be responsible for scheduling all appeals and shall convey such schedule to the Chairman of the Appeals Board before the Board meets. The "Building Inspector" shall also be responsible for notifying the "Person" filing the appeal as to the appropriate Board meeting date.
- D) The "Person" shall be scheduled to appear before the Appeals Board at its next meeting, if he/she makes application at least ten calendar days prior to such meeting. Otherwise, the "Person" shall be scheduled to appear before the Appeals Board at it's next regularly scheduled meeting. If the "Person" fails to appear before the Appeals Board at the scheduled time, the Chairman will be allowed to schedule the person as time permits in the current or next meeting of the Board.
- E) The Appeals Board will render a decision at the hearing, unless the Appeals Board has reason to contact the County Attorney for legal advise. In such cases the decision will be rendered at the next regularly scheduled meeting of the Board after the County Attorney has provided his/her opinion.
- F) In the event the Appeals Board reverses or reduces the amount of a tax which has already been paid, it will be the Chairman's responsibility to provide written documentation to the "County Trustee" authorizing the refund. A copy of this letter will also be sent to and maintained on file by the "Building Inspector". This documentation shall include the following information:
- ▶ Individuals name as recorded on the "Certificate"
 - ▶ Number of the "Certificate"
 - ▶ Amount of refund
 - ▶ Reason for refund
- G) In the event the Appeals Board upholds the tax, the Chairman will send written documentation to the "Person", with a copy sent to and to be maintained by the "Building Inspector", stating the following:
- ▶ Individual's name as recorded on the "Certificate"
 - ▶ Number of the "Certificate"
 - ▶ Reason for denying the appeal

H) In the event an appeal is denied on a "Certificate" where no tax has been paid, the "Person" shall again appear before the "Building Inspector" who will start the application process over with a new "Certificate".

7. DISPOSITION OF COLLECTED FUNDS - The funds collected as a result of this fee shall not become a part of, nor considered to be a part of, the general operating fund of the County (The General Fund). The funds shall be deposited into an account designated as the Adequate Facilities/Development Tax Fund ("the Fund"). The County's finance director shall be required to gain approval in writing from the chairman of the County's Finance Committee for all expenditures from "the Fund". The Finance Committee's Chairman will at a minimum require documentation of all invoices/statements that are being presented for payment from "the Fund". The Finance Director shall keep all invoices/statements paid by "the Fund" in a separate file for each project that a payment is made. This is to insure that all expenses can be traced easily and quickly to their source.