FARRAGUT BOARD OF MAYOR AND ALDERMEN
AGENDA
JANUARY 28, 2016

BMA MEETING
7:00 PM

I. Silent Prayer, Pledge of Allegiance, Roll Call

II. Oath of Office, Mayor Ralph McGill

A. Louise Povlin

III. Approval of Agenda

IV. Mayor's Report

A. Mayoral Appointment to the Farragut Planning Commission

V. Citizens Forum

VI. Approval of Minutes

A. January 14, 2016

VII. Ordinances

A. Second Reading and Public Hearing Reading

1. Ordinance 16-01, Ordinance to amend Ordinance 15-08, FY16 Budget, Equipment Replacement Fund

B. First Reading

1. Ordinance 16-02, an ordinance to rezone Parcel 58, Tax Map 151, 12639 Kingston Pike, 30.13 Acres, from R-2 and Floodplain to C-1, Floodplain, and Open Space/Park (Paul R. Swan, Applicant)

VIII. Business Items

A. Board of Mayor and Aldermen Appointment to the Farragut Planning Commission
B. Approval of Bids for two (2) new 2016 Four-Wheel Drive Mowers
C. Approval of Resolution R-2016-01, Appointment of Town of Farragut Municipal Judge
D. Approval of Resolution R-2016-02, authorizing the Town of Farragut to participate in The Pool's Property Conservation Matching Safety Grant Program
E. Approval of Resolution R-2016-03, Declaring Certain Town Property to be Surplus Property

IX. Town Administrator's Report

X. Town Attorney's Report

It is the policy of the Town of Farragut not to discriminate on the basis of race, color, national origin, age, sex, or disability pursuant to Title VI of the Civil Rights Act of 1964, Public Law 93-112 and 101-336 in its hiring, employment practices and programs. To request accommodations due to disabilities, please call 865-966-7057 in advance of the meeting.

FARRAGUT BOARD OF MAYOR AND ALDERMEN
MINUTES
JANUARY 14, 2016

BEER BOARD
6:55 PM

BMA MEETING
7:00 PM

I. Silent Prayer, Pledge of Allegiance, Roll Call

II. Approval of Agenda

III. Mayor's Report

IV. Citizens Forum

V. Approval of Minutes

A. December 10, 2015

VI. Ordinances

A. First Reading

1. Ordinance 16-01, Ordinance to amend Ordinance 15-08, FY16 Budget, Equipment Replacement Fund

VII. Business Items

A. Appointment of North Ward Alderman

VIII. Town Administrator's Report

IX. Town Attorney's Report

It is the policy of the Town of Farragut not to discriminate on the basis of race, color, national origin, age, sex, or disability pursuant to Title VI of the Civil Rights Act of 1964, Public Law 93-112 and 101-336 in its hiring, employment practices and programs. To request accommodations due to disabilities, please call 865-966-7057 in advance of the meeting.

The Farragut Board of Mayor and Aldermen met in a regular session on Thursday, January 14, 2016 at 7:00 p.m. Members present were Mayor McGill, Aldermen Honken, LaMarche, Markli and Pinchok.

Approval of Agenda

Motion was made to approve the agenda as presented. Moved by Alderman LaMarche, seconded by Alderman Markli; voting yes, Mayor McGill, Aldermen Honken, LaMarche, Markli and Pinchok; no nays; motion passed.

Citizens Forum

Melissa Martin, 631 Herron Road, addressed the Board concerning storm water issues on Herron Road.

Approval of Minutes

Motion was made to approve the minutes of December 10, 2015 as presented. Moved by Alderman LaMarche, seconded by Alderman Pinchok; voting yes, Mayor McGill, Aldermen Honken, LaMarche, Markli and Pinchok; no nays; motion passed.

Ordinances

First Reading

Ordinance 16-01, Ordinance to amend Ordinance 15-08, FY16 Budget, Equipment Replacement Fund

Motion was made to approve Ordinance 06-01 on first reading. Moved by Alderman LaMarche, seconded by Alderman Pinchok; voting yes, Mayor McGill, Aldermen Honken, LaMarche, Markli and Pinchok; no nays; motion passed.

Business Items

Appointment of North Ward Alderman

Alderman Pinchok nominated Louise Povlin
Alderman Markli nominated Richard Cataldi
Alderman LaMarche nominated Rose Ann Kile

The candidates are voted on in order they were nominated.

Louise Povlin
Roll call vote
Alderman LaMarche, yes; Alderman Markli, No; Alderman Pinchok, yes; Mayor McGill, yes.
Louise Povlin is the new board appointee with a vote of 4-1 in favor.

Meeting adjourned at 8:22 PM

_____
Ralph McGill, Mayor

_____
Allison Myers, Town Recorder

AGENDA NUMBER VII.A.1. MEETING DATE January 28, 2016

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Bud McKelvey, Public Works Director

SUBJECT: Ordinance 16-01, an Ordinance to amend Ordinance 15-08, FY2016 Budget, Equipment Fund

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INTRODUCTION:
The purpose of this agenda item is to amend the FY2016 Equipment Fund Budget by allocating additional funds for the purchase of two four-wheel drive lawn mowers.

DISCUSSION:
In the FY2016-17 Equipment Replacement Fund schedule, two (2) four-wheel drive lawnmowers are scheduled for replacement. Due to excessive and extremely high maintenance costs of the current (2) four-wheel drive mowers, which are 4 ½ years old, staff request the Board of Mayor and Aldermen to consider the purchase of the replacement mowers in the current fiscal year rather than FY2017. The spring season is one of the highest growth times for grass and due to the current unreliable units, it is necessary to purchase the new units immediately.

The FY2016 budget would be increased by $47,000.00, from available reserve funds in the Equipment Fund balance. Once the new mowers have been purchased, the current mowers will be surplused and placed on GovDeals.com for sale.

FINANCIAL SECTION:

Account Number: 314-43949-949

Total Budget	Expenditures to Date	Budget Amendment	Remaining Amount
$140,500	$44,370	$47,000	$143,130

Approved By: A Myers

RECOMMENDATION BY: Bud McKelvey, Public Works Director, for approval.

PROPOSED MOTION: Motion to approve Ordinance 16-01 on second and final reading.

BOARD ACTION:

MOTION BY:_____ **SECONDED BY:**_____

VOTE/TOTAL	MCGILL	LAMARCHE	MARKLI	PINCHOK	POVLIN
YES					
NO					
ABSTAIN					

ORDINANCE	16-01
PREPARED BY	Myers
1ST READING	January 14, 2016
2nd READING	January 28, 2016
PUBLISHED IN	Shopper News Farragut
DATE	

AN ORDINANCE OF THE TOWN OF FARRAGUT, TENNESSEE AMENDING THE FISCAL YEAR 2015-2016 BUDGET, PASSED BY ORDINANCE 15-08

WHEREAS, the Town of Farragut adopted the fiscal year 2015-16 budget by passage of Ordinance Number 15-08 on June 11, 2015; and

WHEREAS, pursuant to the Tennessee State Constitution, Section 24 of Article II, no public money shall be expended except pursuant to appropriations made by law; and

WHEREAS, expenses for the General Fund and Insurance Fund will be greater than budgeted; and

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF FARRAGUT, TENNESSEE THAT CHANGES BE MADE TO THE FISCAL YEAR 2015-2016 BUDGET AS FOLLOWS:

SECTION 1. Ordinance 15-08 is hereby amended by:

- Increasing the appropriated expenditures in the Equipment Fund by $47,000. Expenditures for the Equipment Fund will total $187,500.
    - Replacement of the lawn mowers

SECTION 2. The Board of Mayor and Aldermen authorizes the Town Recorder to make said changes in the accounting system.

SECTION 3. This ordinance shall take effect after its final passage and publication, the public welfare requiring it.

_____

Dr. Ralph McGill, Mayor

_____

Allison Myers, Town Recorder

AGENDA NUMBER VII. B. 1 **MEETING DATE** **January 28, 2016**

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Mark Shipley, Community Development Director

SUBJECT: Ordinance 16-02, an ordinance to rezone Parcel 58, Tax Map 151, 12639 Kingston Pike, 30.13 Acres, from R-2 and Floodplain to C-1, Floodplain, and Open Space/Park (Paul R. Swan, Applicant)

INTRODUCTION: This item involves a request to rezone the property at 12639 Kingston Pike.

BACKGROUND: In March 2015, an application to amend the Comprehensive Land Use Plan (CLUP) and to rezone the property at 12639 Kingston Pike was considered as a workshop item by the planning commission. At the April planning commission meeting, the commission voted unanimously to amend the future land use map in the CLUP to change the portion of the property that was specified for Medium Density Residential to Commercial. This southern portion of the property is well over 50% of the lot. The northern portion of the property near Union Road was changed from Low Density Residential to Civic/Institutional. The area along the floodplain remained as an Open Space land use designation.

Though the applicant in March of 2015 had originally requested a Commercial land use designation on the non-open space portion of the property, the commission felt that a transitional land use should be provided between the commercial land use and the residential that exists on the north side of Union Road. Providing for such a transitional land use was consistent with the CLUP. Though other land uses could be used for transitions, the Civic/Institutional use was selected. The applicant had an interest in developing an assisted living facility on this portion of the property which could be considered institutional and the Civic/Institutional land use is shown on a portion of the adjacent property to the west. Unrelated to these land use designation changes, the applicant did not pursue the zoning map amendment from R-2 and Floodplain to C-1 and Floodplain.

DISCUSSION: Now a different applicant has requested to amend the CLUP so that the portion of the property with the Civic/Institutional land use designation would be changed to Commercial. This request will be considered by the planning commission on January 21 and the staff will update the board on the action taken. The applicant has also requested to amend the zoning map to change the zoning designation west of the floodway from R-2 and Floodplain to C-1 and Floodplain. The area to the east of the floodway is requested to change from R-2 and Floodplain to OS-P and Floodplain. This zoning map amendment will also be considered by the planning commission on January 21.

RECOMMENDATION BY: Though, in this location, an amendment to the CLUP is purely a planning commission matter, such an amendment has a significant impact on the zoning map amendment since the two should be compatible. In reviewing the future land use map, there are no properties where the Commercial land use extends to Union Road. The vision reflected in the CLUP clearly did not provide for Commercial this far north. The CLUP also encourages transitions between land uses that are very different and extending Commercial to Union Road would not provide for such a transition. From the staffs' perspective, transitional land uses could also promote other strategies in the CLUP, such as Encouraging Greater Housing Choice and Repairing Aging Shopping Centers. Does rezoning a large parcel to commercial encourage redevelopment of the Town's aging shopping centers? These are the reasons why the staff has not supported a change from Civic Institutional to Commercial for the property in question.

In terms of the rezoning and related to the staffs' position on the CLUP amendment, the staff does not support the zoning map amendment reflected in Ordinance 16-02. The staff <u>does</u> support a change to C-1 for the

portion of the property that was changed to the Commercial land use designation on the future land use map in the CLUP. The staff also supports the request to rezone the area east of the floodway to OS-P because such an amendment would be consistent with the Open Space land use designation for this portion of the property on the future land use map in the CLUP.

PROPOSED MOTION:

To approve Ordinance 16-02 on first reading.

BOARD ACTION:

MOTION BY:_____ **SECONDED BY:**_____

VOTE/TOTAL	LAMARCHE	MARKLI	PINCHOK	POVLIN	MCGILL
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

ORDINANCE:	**16-02**
PREPARED BY:	**Shipley**
REQUESTED BY:	**Paul R. Swan**
CERTIFIED BY FMPC:	**January 21, 2016**
PUBLIC HEARING:	_____
PUBLISHED IN:	_____
DATE:	_____
1ST READING:	_____
2ND READING:	_____
PUBLISHED IN:	_____
DATE:	_____

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE TOWN OF FARRAGUT, TENNESSEE, ORDINANCE 86-16, AS AMENDED, PURSUANT TO SECTION 13-4-201, TENNESSEE CODE ANNOTATED.

BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, that the Farragut Zoning Ordinance, Ordinance 86-16, as amended, is hereby amended as follows:

SECTION 1.

The Farragut Zoning Ordinance, Ordinance 86-16, as amended, is hereby amended by rezoning Parcel 58, Tax Map 151, located at 12639 Kingston Pike, from General Single-Family Residential (R-2) and Floodplain Overlay (FPD) to General Commercial (C-1), Open Space/Park (OS-P) and Floodplain Overlay (FPD) (Exhibits A and B).

SECTION 2.

This ordinance shall take effect from and after its final passage and publication, the public welfare requiring it.

_____
Dr. Ralph McGill, Mayor

_____
Allison Myers, Town Recorder

Certified to the Farragut Board of Mayor and Aldermen this _____ day of _____, 2016, with approval recommended.

_____
Rita Holladay, Chairman

_____
Edwin K. Whiting, Secretary

FARRAGUT MUNICIPAL PLANNING COMMISSION

farragut

Ordinance 16-02
Exhibit A

Rezone
Parcel 58, Tax Map 151

From
R-2 (General Single-Family Residential)
and FPD (Floodplain Overlay) Districts

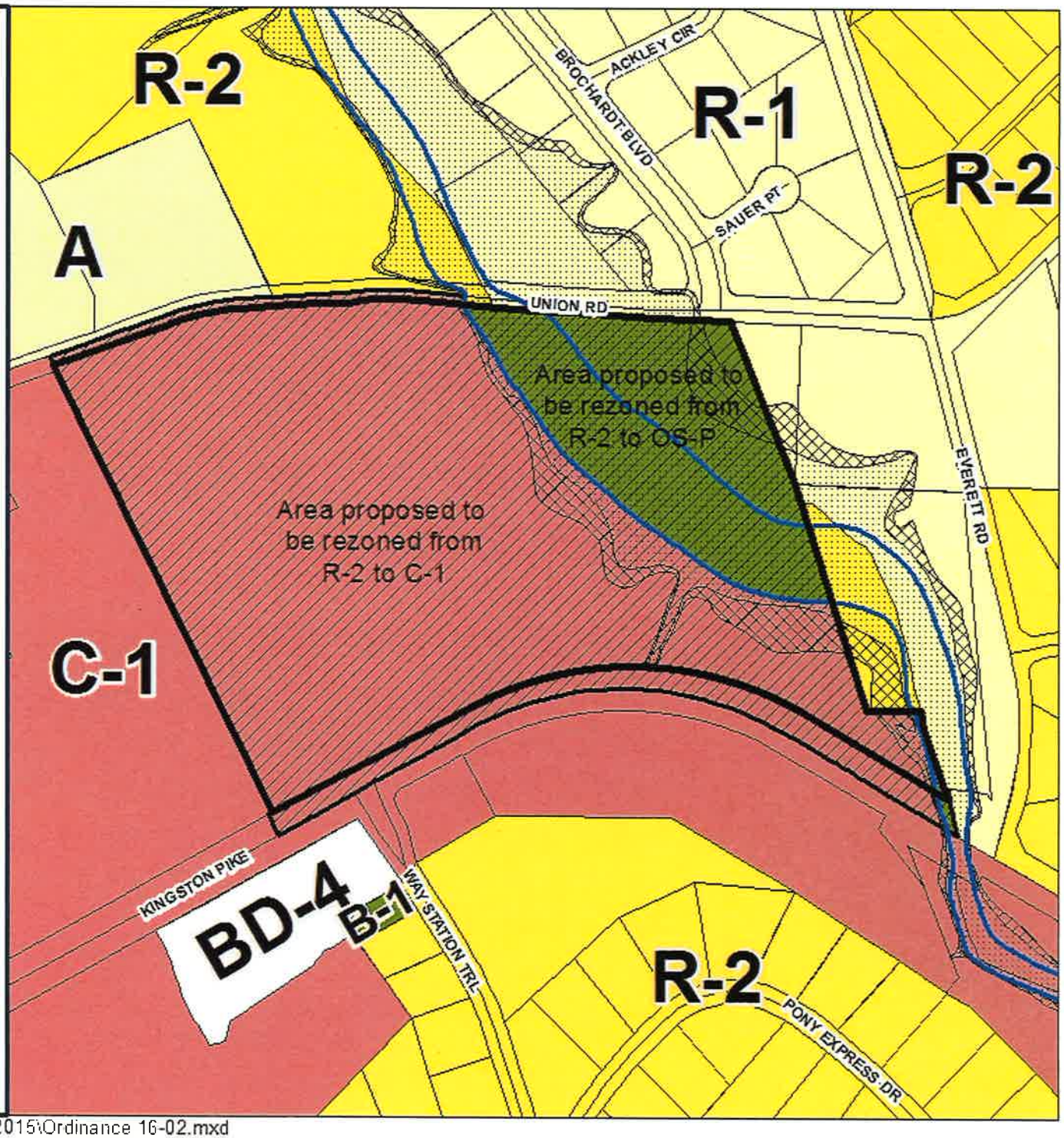
to

C-1 (General Commercial),
OS-P (Open Space/Park), and
FPD (Floodplain Overlay) Districts

Legend

- Subject Property
- FEMA_Floodway
- FPD-100 Year
- FPD-500 Year
- Proposed OS-P
- Proposed C-1
- Parcels
- A, Agricultural
- B-1, Buffer
- R-1, Rural Single-Family Residential
- R-2, General Single-Family Residential
- C-1, General Commercial
- Streets

1 in = 300 ft

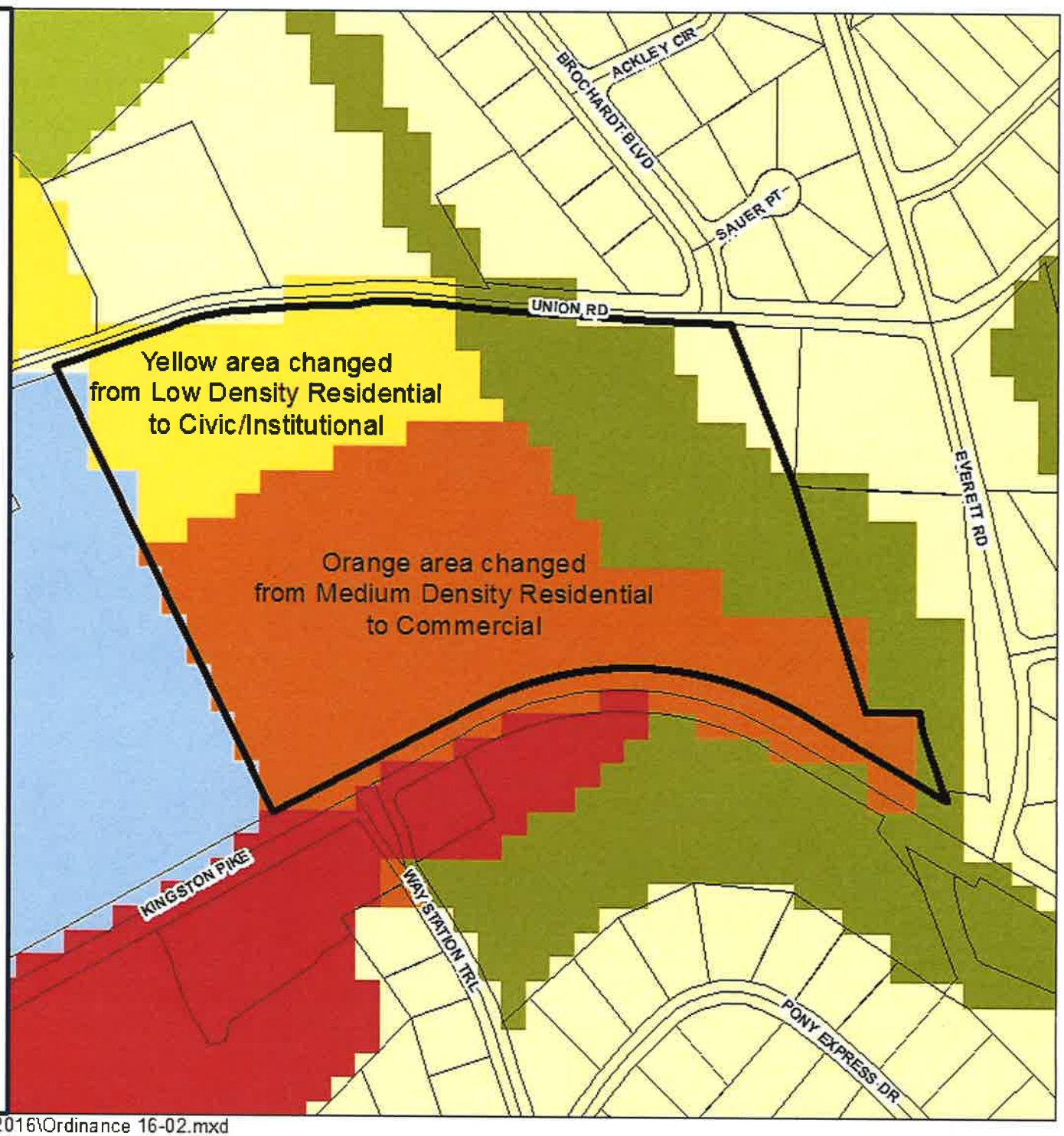


Document Path: G:\Farragut\Map Documents\2015\Ordinance 16-02.mxd

farragut

LIVE CLOSER · GO FURTHER

CLUP Map amendments effective April 16, 2015



Legend

- Subject Property
- Parcels
- Civic/Insitutional
- Office/Light industrial
- LU Industrial
- Commercial
- Regional Commercial
- Open Space
- Parks and Rec
- Open Space Cluster Residential
- Rural Residential (> 1 Acre lots)
- Very Low Density Residential (2-4 DUs / Acre)
- Low Density Residential (3-6 DUs / Acre)
- Med Density Residential (6-12 DUs / Acre)
- Mixed Use Neighborhood (6-10 DUs / Acre)
- Mixed Use Town Center (8-15 DUs / Acre)
- Streets

N

1 in = 300 ft

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farragut

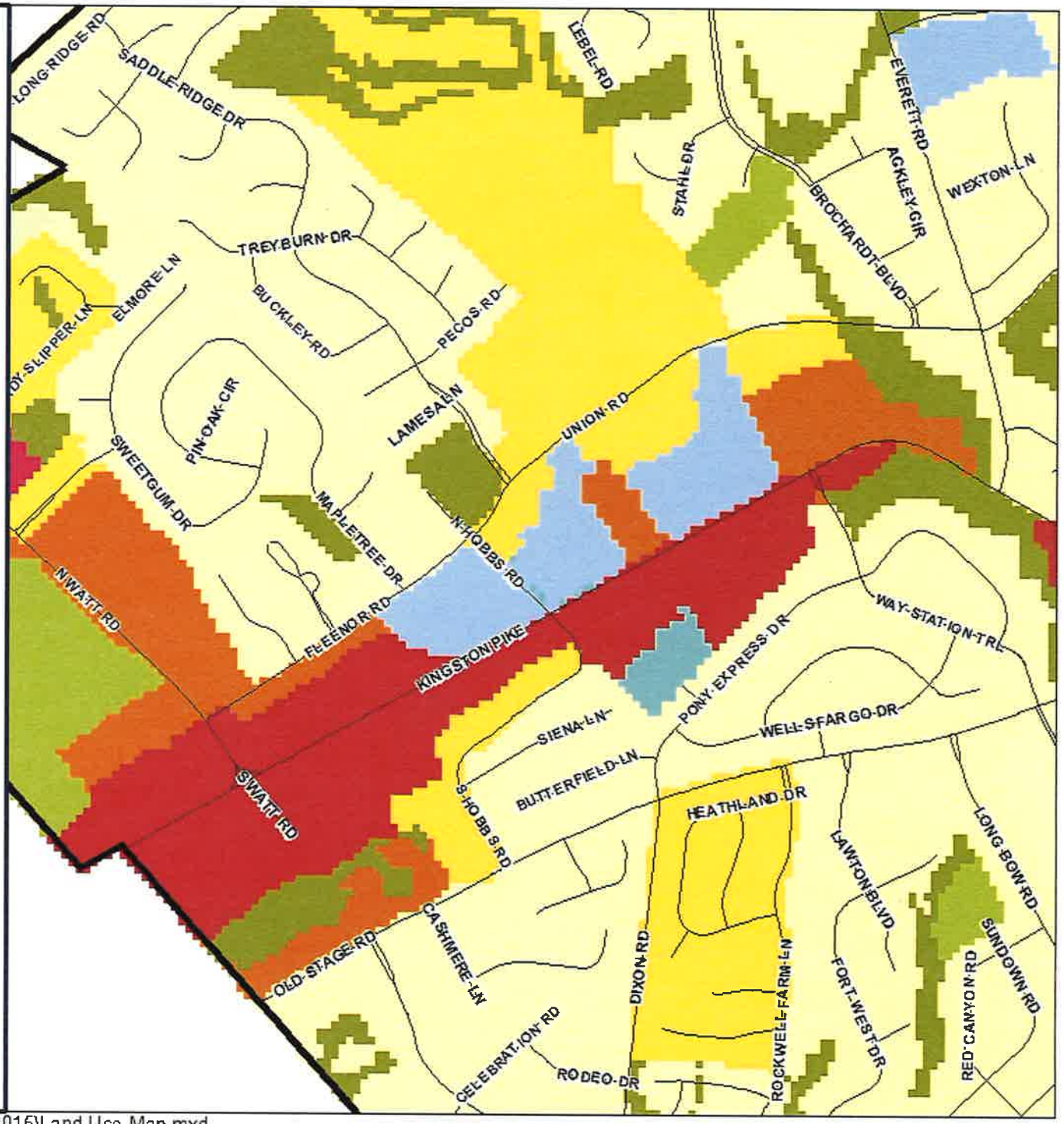
LIVE CLOSER • GO FURTHER

Future Land Use Plan

Legend

- Town Limit
- Streets
- Civic/Insitutional
- Office/Light industrial
- LU Industrial
- Commercial
- Regional Commercial
- Open Space
- Parks and Rec
- Open Space Cluster Residential
- Rural Residential (> 1 Acre lots)
- Very Low Density Residential (2-4 DUs / Acre)
- Low Density Residential (3-6 DUs / Acre)
- Med Density Residential (6-12 DUs / Acre)
- Mixed Use Neighborhood (6-10 DUs / Acre)
- Mixed Use Town Center (8-15 DUs / Acre)

1 in = 1,000 ft



Document Path: G:\Farragut\Map Documents\2015\Land Use Map.mxd

RESOLUTION PC-16-01

FARRAGUT MUNICIPAL PLANNING COMMISSION

A RESOLUTION TO APPROVE AN AMENDMENT TO THE FARRAGUT ZONING MAP, ORDINANCE 86-16, TO RECOMMEND THE APPROVAL OF THE REZONING OF PARCEL 58, TAX MAP 151, LOCATED AT 12639 KINGSTON PIKE, APPROXIMATELY 30.13 ACRES, FROM R-2 (GENERAL SINGLE-FAMILY RESIDENTIAL) AND FPD (FLOODPLAIN OVERLAY) TO C-1 (GENERAL COMMERCIAL), OS-P (OPEN SPACE/PARK), AND FPD (FLOODPLAIN OVERLAY)

WHEREAS, the Tennessee Code Annotated, Section 13-4-201et seq, provides that the Municipal Planning Commission shall make and adopt a general plan for the physical development of the municipality; and

WHEREAS, the Farragut Municipal Planning Commission has adopted various elements of a zoning plan as an element of the general plan for physical development; and

WHEREAS, a public hearing was held on this request on January 21, 2016;

NOW, THEREFORE, BE IT RESOLVED that the Farragut Municipal Planning Commission hereby recommends approval to the Farragut Board of Mayor and Aldermen of an ordinance, amending Ordinance 86-16, of the Farragut Zoning Ordinance, by adding Ordinance 16-02.

ADOPTED this 21st day of January, 2016.

_____

Rita Holladay, Chairman

_____

Edwin K. Whiting, Secretary

AGENDA NUMBER VIII. B. **MEETING DATE** January 28, 2016

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: William E. McKelvey, Public Works Director

SUBJECT: Approval of Bids for two (2) new 2016 Four-Wheel Drive Mowers

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INTRODUCTION: The purpose of this agenda item is to approve bids for the purchase of two (2) new 2016 Four-Wheel Drive Mowers.

BACKGROUND: The Town replaces mowers based on a 5 year life cycle. The two Kubota mowers that are being replaced are only 4 ½ years old. Due to repair costs and issues with these mowers, the Public Works Department cannot depend on them for the remaining 6 months. Five bids were received on 1/19/16. Out of the bids received, both Kubota mowers were the lower bids with the John Deere model coming in third. The bid tabs are included which shows the results in more detail. The Public Works Department request that the Town not purchase from the Kubota brand bids due to the numerous and costly issues that have been encountered with the current Kubota mowers. In the past 2 ½ seasons, repair cost have been $8,779.39 on the Kubota mowers. As a comparison, maintenance records on the two John Deere mowers for the last 4 ½ years are $547.55 and encountered two minor warranty issues. The difference between the lowest Kubota bid and the lowest John Deere bid is $3,274.00. I feel confident we can make up the cost difference in repairs before our five year cycle is up.

DISCUSSION: Attached are five bids which were received on January 19, 2016. Staff request the purchase of the (2) John Deere 1570 Terrain Cut 4WD Mowers from Farragut Lawn and Tractor in the amount of $46,774.00 and reject the two lower bids from Kubota dealers due to mower quality issues that have been experienced.

FINANCIAL SECTION:

Account Number: 314-43949-949

Total Budget	Expenditures to Date	Requested Amount	Remaining Amount
$187,500	$44,370	$46,774	$96,356

Approved By: A Myers

RECOMMENDATION BY: Bud McKelvey, Public Works Director, for approval.

PROPOSED MOTION: Approval of bids for two (2) John Deere 1570 Terrain Cut 4-wheel drive mowers from Farragut Lawn and Tractor in the amount of $46,774.00.

BOARD ACTION:

MOTION BY:_____ **SECONDED BY:**_____

VOTE/TOTAL	MCGILL	LAMARCHE	MARKLI	PINCHOK	POVLIN
YES					
NO					
ABSTAIN					

BID TAB FOR (2) 2016 4-WHEEL DRIVE MOWERS

Bidder	Bid Prices
Kubota of Knoxville Kubota F3990	$43,500.00
Tyler Brothers Kubota F3990	$43,914.92
Farragut Lawn and Tractor John Deere 1570 Terrain Cut	$46,774.00
Ritchie Tractor John Deere 1570 Terrain Cut	$46,844.12
Ritchie Tractor John Deere 1580 Terrain Cut	$49,928.80

AGENDA NUMBER VIII.C. **MEETING DATE** January 28, 2016

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Allison Myers, Town Recorder

SUBJECT: Resolution R-2016-01, Appointment of Town of Farragut Municipal Judge

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INTRODUCTION:

In accordance with the Town of Farragut Municipal Code section 3-102 the office of municipal judge shall be filled by a resolution of appointment by the Board of Mayor and Aldermen.

BACKGROUND:

Any person appointed to the office of municipal judge shall hold a baccalaureate degree from an accredited college or university; shall be at least thirty years of age, and have been a resident of the town for a period of one year preceding election to office.

The normal term of office for any officer appointed pursuant of section 3-105 shall be for one year and such officer shall continue to serve thereafter until such officer's successor has been appointed and is sworn in unless otherwise provided.

DISCUSSION:

The following have applied for the Municipal Judge Appointment. Their resumes are attached.

- G. Keith Alley
- S. Randolph Ayres
- Carleton P. Edmonds

RECOMMENDATION BY:

Allison Myers, Town Recorder

PROPOSED MOTION:

Motion to approve Resolution R-2016-01, Appointment of the Town of Farragut Municipal Judge.

BOARD ACTION:

MOTION BY: _____ **SECONDED BY:** _____

VOTE/TOTAL	LAMARCHE	MARKLI	PINCHOK	POVLIN	MCGILL
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

TOWN OF FARRAGUT

RESOLUTION R-2016-01

APPOINTMENT OF MUNICIPAL JUDGE

WHEREAS, the Board of Mayor and Aldermen of the Town of Farragut, wishes to appoint a Municipal Judge, and

WHEREAS, the level of compensation of the Municipal Judge may be set by the Board of Mayor and Aldermen,

NOW, THEREFORE, BE IT RESOLVED that _____ is hereby appointed effective February 1, 2016 as municipal judge to a term ending January 31, 2017, or thereafter until a successor Municipal Judge has been appointed and been sworn in, and shall be paid compensation of $100 per session of the Farragut Municipal Court.

This Resolution is duly adopted by the Board of Mayor and Aldermen of the Town of Farragut on this 28th day of January 2016.

_____

Ralph McGill, Mayor

_____

Allison Myers, Town Recorder

From: Keith Alley <kalley@hpestatelaw.com>
Date: January 11, 2016 at 4:30:26 PM EST
To: "david.smoak@townoffarragut.org" <david.smoak@townoffarragut.org>
Subject: Application for Position of Municipal Judge

Dear David:

I write to express my interest in serving as the Town of Farragut's Municipal Judge. Attached hereto please find my résumé that outlines my practice as an attorney in East Tennessee for the past twenty (20) years as well as some of the highlights of my education, affiliations and current community service involvement. Please note that I continue to be willing to serve the Town by remaining a member of the Board of Zoning Appeals, and it would be my intention to continue to honor that existing commitment if I were appointed to this new role.

Please let me know if you, the Mayor or the Board of Mayor and Alderman have any questions or concerns that I can answer. As always, I appreciate everything that you, the Mayor and the Board of Mayor & Aldermen do to advance the Town of Farragut and to make it the wonderful place it is to raise my children and to enjoy with my family.

Best wishes to you and your family for this New Year!

Sincerely,

Keith

G. Keith Alley

1/11/2016

Home Address: 11628 Bermuda Drive, Farragut, TN 37934
Mobile Telephone: (865) 385-8623 Work Telephone: (865) 314-8111
Email: keith@hpestatelaw.com
Firm Website: http://www.hpestatelaw.com/attorneys-and-staff/g-keith-alley/

OBJECTIVE

Detail-oriented, organized and conscience attorney with 20 years of legal and litigation experience in Tennessee and with a demonstrated commitment to community involvement seeks to serve the Town of Farragut and its citizens by serving as judge of the Municipal Court.

EDUCATION

University of Tennessee College of Law, Knoxville, TN

J.D., 1995
Emphasis on trial advocacy, contracts and rules of evidence.
Lexis and Westlaw Trained.
Knox County General Sessions Court, Mediator, 1995
Legal Clinic of the University of Tennessee, Student Attorney, 1994-1995
Ray H. Jenkins Trial Competition, 1994-1995
Moot Court Board, 1994-1995
Tennessee High School Mock Trial Competition, Legal Advisor, 1993-1995
Student Bar Association, 1992-1995
Dean's List

University of Virginia, Charlottesville, VA

B.A., with Distinction, 1992
Echols Scholar
Virginia Literary Review, Editor
Monroe Hill Newsletter, Editor
Honor Committee, Investigator and Defense Counsel
Academic Honors, 1989-1992
Intermediate Honors
Dean's List
Phi Eta Sigma

EXPERIENCE

Lead Litigation Attorney | Holbrook Peterson Smith PLLC

August 2015 – Present

Responsible for expanding and overseeing the litigation practice of a Knoxville firm long known for its excellence in estate and trust planning, probate administration and tax planning services. Current practice areas include, but are not limited to, matters involving construction issues, conservatorships, contracts, fiduciary duties, contested wills, leases, business disputes and personal injuries.

Attorney | Kizer & Black, Attorneys, PLLC

April 2007 – July 2015

Managed the firm's Loudon County office and represented clients in a wide range of matters in practice areas including business disputes, construction, real property, sinkholes, contracts, zoning, restrictive covenants, contested wills, conservatorships, guardianships, workers' compensation, personal injury and matters involving breaches of fiduciary duty and trust.

Managing Attorney | Alley, Pratt & Varsalona, PLLC

January 2002 – April 2007

Responsible for overseeing the day-to-day operations of the firm and for representing clients in a wide range of civil and criminal matters. Practice areas included landlords and tenants, real estate, consumer fraud, debts, work injuries, personal injuries, construction, boundary disputes, partition actions and contract disputes.

Associate Attorney | Cantrell, Pratt & Varsalona

1996 – December 2001

Represented clients in a wide range of both civil and criminal matters.

LICENSES

Licensed to Practice Law by Supreme Court of Tennessee, 1996
Admitted to Practice in the United States District Court, Eastern District of Tennessee, 1997
Admitted to Practice in the United States District Court, Middle District of Tennessee, 2010
Admitted to Practice in the United States District Court, Western District of Tennessee, 2010
Admitted to Practice in the United States Court of Appeals for the Sixth Circuit, 2010
Admitted to Practice in the Supreme Court of the United States of American, 2011

PROFESSIONAL AFFILIATIONS

Legal Associations

Anderson County Bar Association
Blount County Bar Association
Knoxville Bar Association
Loudon County Bar Association
Sevier County Bar Association
Tennessee Bar Association
Tennessee Association of Construction Counsel

COMMUNITY SERVICE

Town of Farragut

Board of Zoning Appeals, Vice-Chair, 2011 - Present

Legal Services

Legal Aid of East Tennessee, Secretary of the Board of Directors, 2012 – Present
Supreme Court of Tennessee Board of Professional Responsibility, Hearing Committee Member, District II, 2013 - Present

Bearden United Methodist Church

Board of Trustees, Trustee, 2015 - Present

AWARDS/RATINGS

Martindale-Hubbell

AV® Preeminent™ for Ethical Standards and Legal Ability

AVVO, Inc.

Superb (10/10)

S. RANDOLPH AYRES
P. O. Box 987
Athens, Tennessee 37303
423-453-9201

RECEIVED
JAN 15 2016
TOWN OF FARRAGUT

1-15-16

City Manager
Farragut, TN

Dear Sir:

With apologies for the informality of this writing, please consider this as my application for the position of city judge.

Since 2013 I have resided in Farragut at 403 Lost Tree Lane. I am a native of Knoxville.

I have tried to include pertinent parts of my resume on the attached sheet. Since I have been self-employed most of my adult life, I have not really maintained a resume.

With appreciation for your consideration, I am

Yours sincerely,

S. Randolph Ayres

S. RANDOLPH AYRES
P. O. Box 987
Athens, Tennessee 37303

RESUME

High school - West High, Knoxville, Tenn.
- Graduate 1956 with honors
- President of Junior and senior class

College - University of Tenn at Knoxville
- B.S degree in Bus. Adm. - graduated 1st in class in Dec. 1960
- LLB degree from College of Law - graduated third in class in 1962
- President of Freshman (1956-1957) and senior class (1959-1960)
- President of Sigma Chi Fraternity and ~~receipt~~ recipient of most outstanding active award
- Distinguished Military student; commissioned as 2nd Lt. in U.S. Army

Profession - Practiced Law
1962-1965 - Arnett & Draper, Knoxville
1965-2015 - Athens, TN
1980-1990 - Circuit Court Judge
Member of various local, state and national bar associations

Church -
- Member of Mars Hill Pres. Church. Served two terms as Clerk of the Session - 25 yrs apart. Also served as church supt. of Sunday School, church treasurer, member and secretary of Bd of Deacons. Elder - served 3 three year terms.

President of:
McMinn County Bar Assn., Athens Jaycees, McMinn County Council Society, McMinn County Young Republicans, McMinn County Republican Party, Hiwassee Chapter of Sons of Am. Rev.

Served on numerous committees.

Letter of Interest for Farragut Town Judge - Carleton P. Edmunds

From Carleton P. Edmunds, J.D.
308 Park Place, Blvd.
Farragut TN 37934

Phone (865) 640-2250
Email: cpedmunds90@gmail.com

Date: December 31, 2015

To: Farragut Board of Mayor and Aldermen
dsmoak@townoffarragut.org

Please accept my letter of Interest for consideration as a Judge for the Town of Farragut. I have been a resident of Farragut since October 1992 and have had the pleasure of watching our town develop over the years. I have a Juris Doctor from the Nashville School of Law, and a baccalaureate in science from MTSU. I am also a Rule-31 Listed Mediator in the area of family law and provide pro-bono services to our community.

While a law degree is not required for this position as Judge, I feel that having a thorough understanding of the legal system is beneficial, provided the candidate also has a broad understanding of how the legal system guides the performance of our daily lives. An understanding of law is also desirable such that codes and regulations can be enforced equitably and uniformly to serve the interests of affected parties as well as those of the community.

In addition, my training as a listed Mediator provides me with unique skills that are also desirable for a Judge. I am currently a family mediator and am familiar with the intricacies of disputes that impact and tear families apart. The mediation process is applied in the same manner to resolve the many kinds of civil disputes that impact our lives.

In the past, I have served on Farragut's Environmental Committee, have supported the Community Mediation Center in Knoxville, and have served on the Board of Directors for the Tennessee Valley Mediation Association. My resume reflects the dedication I have had for serving my community throughout my career, which has concentrated on cleaning up our environment and preserving it for generations to come.

Over the years, my personal and professional experience has provided a strong understanding of the issues that impact our lives and our community. I believe that the combination of my experience and education makes me well suited for this position. I appreciate the opportunity to submit this letter of interest and resume to serve my community as Farragut's Town Judge.

Sincerely,

Carleton P. Edmunds

Carleton P. Edmunds

Professional Qualifications

Mr. Edmunds holds a doctorate in law and a baccalaureate in chemistry with more than 40 years of combined experience in regulatory compliance and environmental management. Mr. Edmunds is also a listed Mediator under Rule 31 of the Tennessee Supreme Court for family law. This experience is combined with a strong management background that includes program development, organizational development, and supervision of full and part time staff.

Mr. Edmunds' technical experience has primarily involved environmental management and compliance, but also includes building trades, such as those regulating the insulation industry and an understanding of general health and safety regulations that govern the construction industry. Regulatory compliance experience includes identification of legally-applicable requirements including the development of regulatory guidance and policy. Compliance/oversight experience includes regulatory review and assessment, implementation and review of compliance monitoring programs, contract compliance screening, document certification, and review of documents to ensure that they are both technically and legally defensible. Experience has included expert testimony, trial preparation, and analysis of legal issues related to the performance of work.

Mr. Edmunds has more than 25 years of experience providing off-counsel legal support in association with his work in regulatory compliance. With a doctorate in law, Mr Edmunds has a solid foundation in civil and criminal law, contract law, real property law, and legal ethics. As a Rule 31 listed mediator, Mr. Edmunds is trained as a neutral to listen effectively, recognize foundational issues, and to empower affected parties to work out mutually agreeable solutions.

Education

Juris Doctor, Law, Nashville School of Law, Nashville, Tennessee, 1990
Bachelor of Science, Chemistry, Middle Tennessee State University, Murfreesboro, Tennessee, 1974
Associate of Science, Biology, Motlow State Community College, Tullahoma, Tennessee, 1972

Recent Training/Continuing Education

8-Hr OSHA Refresher Training, Knoxville, 2015
DOT Hazardous Materials and Transportation, Knoxville, TN, 2015
Air Shipment of Hazardous Goods (8-Hour), Knoxville, TN, 2015
Mediation Training - Tennessee Supreme Court, Rule 31, Knoxville, TN, 2007

Registrations/Certifications/Licenses

Certified HAZWOPER, 1995, Active, Nationwide
Listed Mediator, 2007, Listed under Rule 31, TN Supreme Ct., Active, Statewide
Quality Auditor, 2009, DOECAP Lab Auditor, Active, Nationwide

Carleton P. Edmunds - Experience and Background

02/2013 - Present
Regulatory Compliance Manager, CB&I Federal Services, Applied Sciences and Engineering, Knoxville, Tennessee

Manages the Knoxville Regulatory Compliance Group, which provides support to various business lines in areas of regulatory compliance, permitting, waste management, legal review and litigation support. In addition to managing the regulatory compliance group, Mr. Edmunds is the Regulatory Specialist for the Redstone Arsenal under the PMC contract and provides support under the Redstone RCRA support contract. Project Chemistry support is provided to various projects that currently include the Sturgis D&D, Former Chanute AFB, Kelly AFB, and the former Carmi AFS.

01/2002 - 02/2013
Manager, Knoxville Regulatory Compliance Group, Shaw Environmental & Infrastructure, Inc., Applied Sciences and Engineering, Knoxville, Tennessee

Manage the Knoxville Regulatory Compliance Group, which provides support to various business lines in areas of regulatory compliance, permitting, waste management, legal review and litigation support. In addition to managing the regulatory compliance group, Technical support is provided to various projects.

02/2000 - 05/2002
Senior Project Chemist, IT Corporation (The Shaw Group, Inc., acquired substantially all of the operating assets of the IT Group, Inc., in May 2002), Knoxville, Tennessee

Responsible for integration of chemical and mixed waste data acquisition activities to support remedial investigation and cleanup activities under RCRA and CERCLA to support various EPA/DOE/DoD projects. Activities include sampling and analysis design; QA oversight of field data collection; sample collection; laboratory evaluation, selection, and coordination; and coordination with data users for data reporting and review, and resolution of technical issues involving data interpretation and usability.

09/1998 - 02/2000
Environmental Consultant, Legin Group, Inc., Oak Ridge, Tennessee

Provided legal-technical support regarding environmental regulatory requirements, interpretation of laws and analysis of technical issues involved. Provide support as needed regarding development and review of environmental requirements and standards. As Requirements Team Lead, performed External Independent External Review (EIR) of the DOE Savannah River Site to identify potential areas of over compliance, and impact of potential over-commitment to completion of ER Milestones.

07/1998 - 02/2000
Environmental Consultant, Informatica International, Inc., Oak Ridge, Tennessee

Provided technical, regulatory, information management and marketing support to Informatica and its clients. Provided technical support to the LFRG through DOE-OR Waste Management Operations. Projects have included development of a Sampling and Analysis Plan to support transfer of the DOE BONUS Reactor located in Rincon Puerto Rico to the Puerto Rico Power Authority for use as a museum; Data reviews, QA Plan development for Bartlett Nuclear Services, and health and Safety Plan development.

09/1997 – Present (Part-Time) Vice President, Research and Development, PolyMaster, Inc., Knoxville, Tennessee

Provided technical, regulatory, and QA/QC support for the development of environmental applications for its plastic resin foam which is currently marketed to the commercial and residential insulation markets. Applications investigated include waste management, decommissioning, transportation, UST closure, radon and asbestos abatement, and pesticide applications. Development activities conducted to support BFI led to patented technologies for soil stabilization to minimize leachate breakthroughs and methane gas abatement at sanitary landfills.

10/1993 - 09/1997
Senior Regulatory Specialist, World Computer Systems, Inc., WCS., Oak Ridge, Tennessee

Provided environmental compliance and information management support to government and commercial clients for development of Compliance Management Systems programs, information management, permitting, and document/records control and assessment. Provided regulatory compliance/oversight support to DOE Headquarters and field elements to develop and review DOE Orders and Policies and implemented DOE's Standards and Requirements Identification Document (S/RID) program.

01/1991 - 10/1993
Assistant Sciences Manager, Advanced Sciences, Inc., ASI, Oak Ridge, Tennessee

Provided technical/management/supervisory support for Environmental Sciences group of approximately 60 technical and engineering personnel. Provided contract/technical support for review of subcontractor performance.

10/1989 - 01/1991
Laboratory Director, The Advent Group, In, Brentwood, Tennessee

Designed and developed analytical support capabilities and provided overall management of bio-treatability, aquatic toxicology, and close-support analytical laboratory programs. Implemented and maintained Quality Assurance Program for laboratory operations to meet EPA Water, Wastewater and Aquatic Toxicology program requirements.

04/1980 - 10/1989
State Chemist, Tennessee Department of Agriculture, Plant Industries Division, Nashville, Tennessee

As State Chemist, managed State Environmental Control Laboratory with annual budget of $250,000 under EPA/State cooperative grant agreement to support pesticide product and applicator registration, certification, and testing; chemical mis-use investigation; and groundwater protection, and monitoring related to enforcement of state/federal pest control laws under FIFRA.

10/1974 - 04/1980
Chemist II, Tennessee Department of Public Health, Division of Water Quality Control, Nashville, Tennessee

Was section leader of Residue Laboratory responsible for field investigations and analysis of environmental media for organic and inorganic contaminants using a variety of techniques including AA, GC, GC/MS, IR and HPLC. Lab supported environmental programs including CWA, SDWA, RCRA, CERCLA, and FWPCA.

AGENDA NUMBER VIII. D. MEETING DATE January 28, 2016

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Janet Curry, Human Resources Manager

SUBJECT: Resolution R-16-02 authorizing the town to participate in the TML Risk Management Pool "Property Conservation" Matching Grant Program.

INTRODUCTION: The Town's property insurer, the Pool, is offering a new matching grant program for property loss prevention/control items up to $2,500.

BACKGROUND: The Town currently experiences vandalism in the Parks. The cost of vandalism repair saps both the Public Works employees' time and maintenance budget dollars that could be better sepnt on needed maintenance and upgrades. Currently, the Town is expanding the amenities at McFee Park. This timing presents an opportunity to install surveillance cameras in the park to deter vandalism at McFee. McFee Park has the greatest number of visitors and use.

DISCUSSION: Surveillance cameras can record the vehicle license tag numbers. With the tag numbers, the vandals may be identified by the Knox County Sheriif's office. They can provide the vehicle owner's name. Legal action will be pursued in order that the Town's repair costs may be reimbursed. The presence of the cameras alone may be a deterant to vandalism.

RECOMMENDATION BY: Human Resources Manager, Janet Curry for approval

PROPOSED MOTION: To approve Resolution R-16-02 authorizing the town to participate in the TML Risk Management Pool "Property Conservation" Matching Grant Program.

BOARD ACTION:

MOTION BY: _____ **SECONDED BY:** _____

VOTE/TOTAL	LAMARCHE	MARKLI	PINCHOK	POVLIN	MCGILL
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

Town of Farragut, Tennessee

RESOLUTION: R-2016-02

A RESOLUTION BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF FARRAGUT AUTHORIZING THE TOWN TO PARTICIPATE IN THE POOL'S PROPERTY CONSERVATION MATCHING SAFETY GRANT PROGRAM

WHEREAS, the citizens of the Town of Farragut have entrusted the administration with the care and custody of town-owned property; and

WHEREAS, all efforts shall be made to protect town-owned property from various perils that may arise for the Town of Farragut; and

WHEREAS, The Pool seeks to encourage members with property coverage to develop and implement a property conservation program by offering the **PROPERTY CONSERVATION MATCHING GRANT PROGRAM**; and

WHEREAS, the Town of Farragut now seeks to participate in this important program.

NOW, THEREFORE, be it resolved by the Board of Mayor and Aldermen of the Town of Farragut, Tennessee the following:

SECTION 1. That the Town of Farragut is hereby authorized to submit application for the **PROPERTY CONSERVATION MATCHING GRANT PROGRAM** through the Loss Control Department of The Pool.

SECTION 2. That the Town of Farragut is further authorized to provide a matching sum for any monies provided by this grant.

Resolved this 28th day of January in the year 2016.

_____

Dr. Ralph McGill, Mayor

_____

Allison Myers, Town Recorder

AGENDA NUMBER VIII. E. MEETING DATE January 28, 2016

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Allison Myers, Town Recorder

SUBJECT: Approval of Resolution R-2016-03, Declaring Certain Town Property to be Surplus Property

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DISCUSSION:

The following items are all in working order and have a value greater than $100. Therefore the items meet the criteria to be surplus items. The Town will be advertising the items on Govdeals.com, an online government surplus auction site.

- Kubota Mowers (2)

This resolution approval will allow for the removal if the items from the fixed asset list and advertise the sale of the items on the GovDeals website.

RECOMMENDATION BY:

Allison Myers, Town Recorder

PROPOSED MOTION:

To approve Resolution R-2016-03 , a resolution declaring certain town property to be surplus property.

BOARD ACTION:

MOTION BY: _____ **SECONDED BY:** _____

VOTE/TOTAL	LAMARCHE	MARKLI	PINCHOK	POVLIN	MCGILL
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

TOWN OF FARRAGUT

RESOLUTION R-2016-03

A Resolution Declaring Certain Town Property to be Surplus Property.

WHEREAS, it has been determined that the Town has no further use of certain item(s); and

WHEREAS, the Board of Mayor and Aldermen may determine that these items are surplus property; and

WHEREAS, the value, if any, is determined for the surplus property and its disposal will be for the common benefit; and

WHEREAS, at time of sale of surplus item(s), moneys, if any, will be allocated back to the appropriate department;

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF FARRAGUT, TENNESSEE, does hereby surplus the following items(s):

- Kubota Lawn Mowers (2)

This Resolution is duly adopted by the Board of Mayor and Aldermen of the Town of Farragut on this 28th day of January 2016.

_____

Ralph McGill, Mayor

_____

Allison Myers, Town Recorder