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RES COMMITTEE NO. 5

FILED 2:30 PM

OCT 20 2016  
Joyce Brown  
JOYCE BROWN, CLERK  
BY \_\_\_\_\_ DC

RESOLUTION

A RESOLUTION TO AMEND THE GIBSON COUNTY REGIONAL ZONING RESOLUTION TO ADOPT NEW REGULATIONS FOR WIND ENERGY SYSTEMS.

WHEREAS, pursuant to Tennessee Code Annotated Sections 13-7-101 through 13-7-117, Gibson County has adopted zoning; and,

WHEREAS, the Gibson County Regional Planning Commission has recommended an amendment to the Gibson County Zoning Resolution; and,

WHEREAS, pursuant to Tennessee Code Annotated Section 13-7-105, a public hearing was held by the Gibson County Commission on \_\_\_\_\_, the day of \_\_\_\_\_, 2016, the time and place of which was published with 15 days' advance notice;

NOW, THEREFORE, BE IT RESOLVED BY THE GIBSON COUNTY COMMISSION:

SECTION 1. That the following language be added as Section 11.815 to the Gibson County Zoning Resolution:

Section 11.815 Wind Energy Installation

A. In any zoning district, a permit may be granted upon site plan approval by the Planning Commission to allow wind energy conversion system, including such devices as wind charger, windmill, or wind turbine; subject to the following condition:

1. The distance from any tower support base to any tower support base of another wind energy device under other ownership shall be a minimum of five (5) rotor diameter distances figured by the size of the largest rotor.
2. The wind energy system operation shall not cause interference to the radio, television, or internet reception on any adjoining property.
3. To limit climbing access to the tower, a fence six (6) feet high with a locking portal shall be placed around the tower base or the tower climbing apparatus shall be limited to no more than twelve (12) feet from the ground, or the tower may be mounted on a roof top.
4. The setback distances from all lot lines to any tower support base shall be determined according to the following setback table:

B. SETBACK TABLE

| Rotor Diameter    | Setback Distance | Minimum Lot Area |
|-------------------|------------------|------------------|
| 5 feet            | 100 feet         | 1 Acre           |
| 10 feet           | 165 feet         | 2.5 Acres        |
| 15 feet           | 220 feet         | 4.5 Acres        |
| 20 feet           | 270 feet         | 6.75 Acres       |
| 25 feet           | 310 feet         | 9.0 Acres        |
| 30 feet           | 340 feet         | 10.75 Acres      |
| 35 feet or larger | 365 feet         | 12.25 Acres      |

\*Where there are several towers under single ownership the minimum lot areas may be adjusted down provided the minimum setback distances are met on all perimeter units. In addition, the landing areas for all internal towers and rotors shall be within the property owned or leased by the operator.

MOTION Made by: Comm. Michael Longmire

SECONDED by: Comm. Sandra K. Moss

MOTION PASSED: Voice Vote.

ENTERED 60 Page 581  
☐ Absent ☐ Marriage ☐ Juvenile  
☐ Commission ☒ Other MMJ  
JOYCE BROWN, GIBSON CO CLERK  
TRILTON, TN 38382

C. Data pertaining to the machine's turbine safety and stability shall be filed with the application. Such data shall include turbine safety and acceptance results from tests conducted by a qualified individual or organization based upon standards set by the U.S. Department of Energy (DOE), Electric Power Research Institute (EPRI) Utility Wind Turbine Verification Program. U.S. Department of Energy – EPRI Wind Turbine Verification Program Electric Power Research Institute – 3412 Hillview Avenue, Palo Alto, California 94304

D. The application shall provide covenants, easements, or similar documentation from the abutting owners providing access to wind sufficient for its adequate operation, unless adequate accessibility to the wind is provided on the site.

E. Prior to approval of any wind energy system or wind turbine, evidence of financial security shall be accompanied by an estimate of the total cost of decommissioning and an estimate of the salvage value of the equipment prepared by a professional engineer licensed in the State of Tennessee. The amount of the evidence of financial security shall be one hundred twenty-five percent (125%) of the estimate of the total cost of decommissioning, minus the salvage value of the equipment, which shall be submitted to the Planning Commission by the fifth year after reaching the commercial generation date and thereafter upon request by the Planning Commission.

SECTION 2. BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon its adoption, THE PUBLIC WELFARE REQUIRING IT.

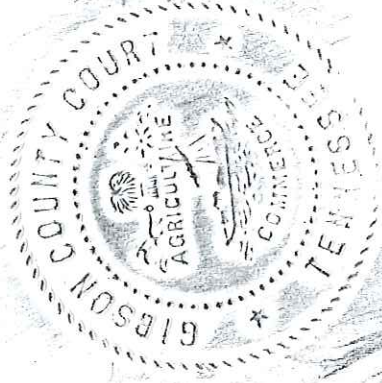
Joyce Brown  
Gibson County Court Clerk

11-1-2016  
Date

I, JOYCE BROWN, COUNTY CLERK OF GIBSON COUNTY, TENNESSEE  
DO HEREBY CERTIFY THAT THE ABOVE AND FOREGOING IS A TRUE  
AND CORRECT COPY OF THE ORIGINAL, WHEN APPEARS OF RECORD  
IN MY OFFICE IN MINUTE BOOK 60 PAGE 581-583  
☐ JUVENILE ☐ QUARTERLY ☒ COUNTY COURT ☐ MARRIAGE  
☐ QUORUM ☐ OTHER  
THIS 28th DAY OF March 2016

JOYCE BROWN, CLERK, by Joyce Brown D.C.

Michael L. Laskin  
Bobby Cotton  
Handy Mass



ENTERED  
Book 60 Page 582  
☐ Quorum ☐ Marriage ☐ Juvenile  
☐ Commission ☒ Other minutes  
JOYCE BROWN, GIBSON CO CLERK  
TRENTON, TN 38382

ORDER OF BUSINESS

REGULAR SESSION

NOVEMBER 7, 2016

CALL TO ORDER ----- Mayor Tom Witherspoon

INVOCATION ----- Comm. Keith Steele

ROLL CALL ----- Co. Clerk Joyce Brown

Roll Call.

**Present:** Eric Egbert, Marvin Sikes, Michael Longmire, Nelson McLin, Jason Tubbs, Kevin Morgan, Larry Kimery, Robin Summers, Todd Lawson, Lynn Nance, Rickey Locke, Mark Flake, Dennis Wall, Don McEwen, Todd Littleton, Tony Pillow, Keith Steele, Cody Childress, Sandra K. Moss.

**Absent/Excused:** Stephen Hughes, Nelson Cunningham, Lenford Carr, Donna Bivens, Bobby Cotham, Coy Yergin.

READING AND ADOPTION OF MINUTES

**Motion: , Action: Approve, Moved by Keith Steele, Seconded by Sandra K. Moss.**

Motion passed; voice vote.

READING AND ADOPTION OF REPORTS

**Motion: , Action: Approve, Moved by Mark Flake, Seconded by Larry Kimery.**

Motion passed; voice vote.

REQUEST TO ADDRESS COUNTY COMMISSION – GC Library – Lindsey Ingram

Ms. Ingram gave a written report of all the programs that the Gibson County Memorial Library offers. Such programs as outreach, home school, bookworm story time, summer reading, summer feeding, Tennessee electronic library, R.E.A.D.S, Inter Library Loan, genealogy, and technology needs of the community.

We have patrons who have used our services to help grow their personal businesses as well as patrons who are receiving their college degrees online using our computers. Because of the size of the library, we are not able to meet all the needs of the disabled. We are in need of a larger refrigerator for our summer program meals, but due to the electrical breaker box being old, we don't think it will take the addition. We have a great library, and it is an asset to our community.

APPROVAL OF BUDGET TRANSFER REQUEST

**Motion: , Action: Approve, Moved by Kevin Morgan, Seconded by Robin Summers.**

Motion passed; roll call vote

**Vote:** Motion carried by unanimous roll call vote (summary: Yes = 19).

**Yes:** Eric Egbert, Marvin Sikes, Michael Longmire, Nelson McLin, Jason Tubbs, Kevin Morgan, Larry Kimery, Robin Summers, Todd Lawson, Lynn Nance, Rickey Locke, Mark Flake, Dennis Wall, Don McEwen, Todd Littleton, Tony Pillow, Keith Steele, Cody Childress, Sandra K. Moss.

**Absent/Excused:** Stephen Hughes, Nelson Cunningham, Lenford Carr, Donna Bivens, Bobby Cotham, Coy Yergin.

## **DISPENSE WITH READING OF RESOLUTIONS**

**Motion:** , **Action: Approve, Moved by Sandra K. Moss, Seconded by Keith Steele.**

**Motion passed;** voice vote

## **RESOLUTIONS**

### **RESOLUTION #1 TO INCREASE BUDGET FUNDS FOR MAINTENANCE OF VEHICLES FOR THE FIRE DEPARTMENT BY \$13,000**

**Motion:** , **Action: Approve, Moved by Todd Lawson, Seconded by Jason Tubbs.**

**Motion passed;** roll call vote

**Vote: Motion carried by unanimous roll call vote (summary: Yes = 19).**

**Yes:** Eric Egbert, Marvin Sikes, Michael Longmire, Nelson McLin, Jason Tubbs, Kevin Morgan, Larry Kimery, Robin Summers, Todd Lawson, Lynn Nance, Rickey Locke, Mark Flake, Dennis Wall, Don McEwen, Todd Littleton, Tony Pillow, Keith Steele, Cody Childress, Sandra K. Moss.

**Absent/Excused:** Stephen Hughes, Nelson Cunningham, Lenford Carr, Donna Bivens, Bobby Cotham, Coy Yergin.

### **RESOLUTION #2 TO APPROVE BOND FOR GIBSON COUNTY CORONER**

**Motion:** , **Action: Approve, Moved by Todd Littleton, Seconded by Sandra K. Moss.**

**Motion of Correction:** Comm. Longmire made a motion to correct the spelling (tow-year), to two-year term beginning September 1, 2016 and ending September 1, 2018.

**Seconded by** Todd Littleton.

**Motion of correction passed;** voice vote.

**Motion to approve Resolution passed;** roll call vote

**Vote: Motion carried by unanimous roll call vote (summary: Yes = 19).**

**Yes:** Eric Egbert, Marvin Sikes, Michael Longmire, Nelson McLin, Jason Tubbs, Kevin Morgan, Larry Kimery, Robin Summers, Todd Lawson, Lynn Nance, Rickey Locke, Mark Flake, Dennis Wall, Don McEwen, Todd Littleton, Tony Pillow, Keith Steele, Cody Childress, Sandra K. Moss.

**Absent/Excused:** Stephen Hughes, Nelson Cunningham, Lenford Carr, Donna Bivens, Bobby Cotham, Coy Yergin.

### **RESOLUTION #3 TO SET UP EXPENDITURES CAPITAL PROJECTS FUND FOR CARRYOVER FUNDS FOR THE INDUSTRIAL PARK ENTRANCE AND ROAD PROJECT – TVA GRANT**

**Motion:** , **Action: Approve, Moved by Michael Longmire, Seconded by Kevin Morgan.**

**Motion passed;** roll call vote.

**Vote: Motion carried by unanimous roll call vote (summary: Yes = 19).**

**Yes:** Eric Egbert, Marvin Sikes, Michael Longmire, Nelson McLin, Jason Tubbs, Kevin Morgan, Larry Kimery, Robin Summers, Todd Lawson, Lynn Nance, Rickey Locke, Mark Flake, Dennis Wall, Don McEwen, Todd Littleton, Tony Pillow, Keith Steele, Cody Childress, Sandra K. Moss.

**Absent/Excused:** Steven Hughes, Nelson Cunningham, Lenford Carr, Donna Bivens, Bobby Cotham, Coy Yergin.

**RESOLUTION #4 TO APPROPRIATE FUNDS FOR ADDITIONAL DELINQUENT TAX PUBLICATIONS FOR HUMBOLDT CLERK AND MASTER**

**Motion: , Action: Approve, Moved by Jason Tubbs, Seconded by Mark Flake.**

**Motion passed; roll call vote**

**Vote: Motion carried by unanimous roll call vote (summary: Yes = 19). Yes: Eric Egbert, Marvin Sikes, Michael Longmire, Nelson McLin, Jason Tubbs, Kevin Morgan, Larry Kimery, Robin Summers, Todd Lawson, Lynn Nance, Rickey Locke, Mark Flake, Dennis Wall, Don McEwen, Todd Littleton, Tony Pillow, Keith Steele, Cody Childress, Sandra K. Moss.**

**RESOLUTION #5 A RESOLUTION TO AMEND THE GIBSON COUNTY REGIONAL ZONING RESOLUTION TO ADOPT NEW REGULATIONS FOR WIND ENERGY SYSTEMS.**

**Motion: , Action: Approve, Moved by Michael Longmire, Seconded by Sandra K. Moss.**

**Motion passed; voice vote.**

**RESOLUTION #6 THAT THE GIBSON COUNTY COMMISSION AUTHORIZES THE HIGHWAY COMMISSION TO DETERMINE THE HIGHWAY DEPARTMENT'S INVOLVEMENT IN WORK FOR OTHER GOVERNMENT AGENCIES**

**Motion: , Action: Approve, Moved by Keith Steele, Seconded by Michael Longmire.**

**Motion passed; voice vote.**

**RESOLUTION #7 TO FILE STATE AID PROJECTS WITH GIBSON COUNTY LEGISLATIVE BODY**

**Motion: , Action: Approve, Moved by Kevin Morgan, Seconded by Jason Tubbs.**

**Motion passed; voice vote.**

**GIBSON COUNTY ADULT LEADERSHIP –** County Mayor Tom Witherspoon recognized the adult leadership and had them to introduce themselves. Also, the County Commissioners told the districts they represent. Mayor Witherspoon thanked them for their participation.

**APPOINTMENTS – None**

**REPORTS**

**Report on Pending Lawsuits-----** Hon. Floyd Flippin  
No report.

**Motion: , Action: Approve, Moved by Don McEwen, Seconded by Sandra K. Moss.**  
**Motion passed; voice vote.**

**Report from Correctional Committee -----** Chm. Larry Kimery  
Submitted a written report.

**Motion: , Action: Approve, Moved by Mark Flake, Seconded by Todd Lawson.**  
**Motion passed; voice vote.**

**EMS/Public Safety Committee -----** Chm. Keith Steele

Submitted a written report.

**Motion: , Action: Approve, Moved by Todd Littleton, Seconded by Jason Tubbs.**

**Motion passed;** voice vote.

**Report from Airport Board** ----- Mgr. Robert Lockard

Submitted a written report.

**Motion: , Action: Approve, Moved by Sandra K. Moss, Seconded by Jason Tubbs.**

**Motion passed;** voice vote.

**Fire, Rescue and Emergency Management** ----- Chm. Robin Summers

Submitted a written report.

**Motion: , Action: Approve, Moved by Todd Lawson, Seconded by Jason Tubbs.**

**Motion passed;** voice vote.

**Tourism Committee** ----- Chm. Sandy Moss

Submitted a written report. Also, Mr. Scott Dawson, Chairman of the Gibson County Tourism committee gave an update of the website and commented on the tourists that came here from Indiana and how they enjoyed the southern hospitality. They visited the local towns, ate, purchased souvenirs, made donations to the county and to the Methodist youth group. There are a lot of attractions in Gibson County and I encourage people to visit.

**Motion: , Action: Approve, Moved by Jason Tubbs, Seconded by Robin Summers.**

**Motion passed;** voice vote.

**Report on Comp Time** ----- Greg Pillow, Dir of Finance

No report.

#### **Report on County Insurance**

In the absence of Comm. Bobby Cotham, County Mayor Witherspoon stated that the insurance committee meet, after talking to Keith Siler, Siler Thornton Insurance co., there will be a 14% increase on the reinsurance portion once we go over the \$75,000 which is about \$31,000. The insurance committee voted to keep option #1 same insurance, same deductible and co-pay, and to absorb the \$31,000 increase which was less than we expected.

**Motion: , Action: Approve, Moved by Todd Littleton, Seconded by Jason Tubbs.**

**Motion passed;** voice vote.

#### **ELECTIONS:**

1. Agriculture Committee (2 yr-2<sup>nd</sup> term) term expires 01/19 --- Mr. William Sowell
2. Agriculture Committee (2 yr – 3<sup>rd</sup> term) term expires 01/19 --- Ms. Amy Luckey
3. Agriculture Committee (2 yr – 3<sup>rd</sup> term) term expires 01/19 --- Comm. Keith Steele

**Motion: , Action: Approve, Moved by Michael Longmire, Seconded by Jason Tubbs.**

**Motion passed;** voice vote.

#### **MOTIONS**

**NOTARIES:** County Mayor Witherspoon read the list of late filed notaries.

**Motion: , Action: Approve, Moved by Todd Lawson, Seconded by Jason Tubbs.**

**Motion passed;** roll call vote.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 19).

Yes: Eric Egbert, Marvin Sikes, Michael Longmire, Nelson McLin, Jason Tubbs, Kevin Morgan, Larry Kimery, Robin Summers, Todd Lawson, Lynn Nance, Rickey Locke, Mark Flake, Dennis Wall, Don McEwen, Todd Littleton, Tony Pillow, Keith Steele, Cody Childress, Sandra K. Moss.  
**Absent:** Stephen Hughes, Nelson Cunningham, Lenford Carr, Donna Bivens, Bobby Cotham, Coy Yergin.

**RESIGNATIONS**  
**PUBLIC COMMENT**  
**ADJOURNMENT**

Approved:



County Mayor Tom Witherspoon

Attest:



Joyce Brown, County Clerk