

**AGENDA**  
**WILLIAMSON COUNTY BOARD OF COMMISSIONERS**

**Monday, October 10, 2022 – 7:00 p.m.**

- I. OPEN COURT**
  
- II. INVOCATION & PLEDGE TO FLAG**
  
- III. ROLL CALL**
  
- IV. APPROVAL OF MINUTES** of the regular September 12, 2022 County Commission Meetings  
(Copies were mailed to each member of the County Commission)
  
- V. CITIZEN COMMUNICATION**
  
- VI. COMMUNICATIONS & MESSAGES**
  
- VII. REPORTS OF COUNTY OFFICES** – Department Heads should be prepared to make a verbal report and answer questions, upon request.
  - a. County Mayor – Rogers C. Anderson
  - b. W.C. Schools – Jason Golden, Director of Schools
  - c. Hospital Report – Phil Mazzuca, CEO, Williamson Medical Center
  - d. Health Report – Cathy Montgomery, County Health Director
  - e. Highway Report – Eddie Hood, Superintendent
  - f. Agriculture Report – Matt Horsman, Extension Leader
  - g. Parks & Recreation Report – Gordon Hampton, Director
  - h. Office of Public Safety – Bill Jorgensen, Director
  - i. Budget Committee – Judy Herbert, Chairman
  - j. Education Committee –
  - k. Finance (Investment) Committee – Rogers Anderson, Chairman
  - l. Human Resources Committee –
  - m. Law Enforcement/Public Safety Committee –Jennifer Mason, Chairman
  - n. Municipal Solid Waste Board – Ricky Jones, Board Member
  - o. Parks & Recreation Committee –
  - p. Property Committee –
  - q. Public Health Committee –
  - r. Purchasing & Insurance Committee – Paul Webb, Chairman
  - s. Rules Committee – Chairman
  - t. Steering Committee – Tom Tunnicliffe, Chairman
  - u. Tax Study Committee –

Any other Committee wishing to report may do so at this time.

**VIII. ELECTIONS & APPOINTMENTS**

**COUNTY MAYOR:**

	<b><u>Term Expiring</u></b>	<b><u>Nomination</u></b>
<b><u>Convention &amp; Visitors Bureau</u></b> 3 year term, expiring 6/25	Beth Lothers	Jennifer Mason
<b><u>Ethics Committee</u></b> 2 year terms, expiring 9/24	Ricky Jones Paul Webb Beth Lothers	Ricky Jones Paul Webb Chas Morton
<b><u>Municipal Solid Waste Board</u></b> 6 year terms, expiring, 6/28	Judy Hayes Bobby Hullett Ricky Jones	Judy Hayes Bobby Hullett Ricky Jones

**COUNTY COMMISSION:**

<b><u>Agriculture Committee</u></b> County Commissioner position 2 year term, expiring 10/24	Matt Williams	Matt Williams
--	---------------	---------------

**Investment Committee**  
 Rogers Anderson, Co. Mayor & Chairman  
 Karen Paris, Trustee  
 Jeff Graves  
 Greg Sanford  
 Drew Torres

**Audit Committee**  
 Sean Aiello  
 Ricky Jones  
 Greg Lawrence

**Law Enforcement/Public Safety Committee**  
 Barb Sturgeon  
 Lisa Hayes Lenox  
 Jeff Graves  
 Sean Aiello  
 Tom Tunnicliffe  
 Gregg Lawrence

**Property Committee**  
 David Landrum  
 Steve Smith  
 Pete Stresser  
 Betsy Hester  
 Vacant

**Education Committee**  
 Ricky Jones  
 Betsy Hester  
 Mary Smith  
 Drew Torres  
 Tom Tunnicliffe  
 Chas Morton  
 Steve Smith

**Tax Study**  
 David Landrum  
 Jennifer Mason  
 Mary Smith  
 Barbara Sturgeon  
 Paul Webb

**Public Health Committee**  
 Brian Clifford  
 Lisa Hayes Lenox  
 Chas Morton  
 Pete Stresser  
 Paul Webb  
 Jennifer Mason  
 Vacant

**IX. CONSENT AGENDA (Reference Attachment, if applicable)**

**X. UNFINISHED BUSINESS**

**XI. NEW BUSINESS**

**1) ZONING**

**PUBLIC HEARING – Regarding Resolution No. 10-22-2, Resolution to Amend Article 20 of the Williamson County Zoning Ordinance Regarding Nontraditional Wastewater Treatment and Disposal Systems**

**Regarding Resolution No. 10-22-2, Resolution to Amend Article 20 of the Williamson County Zoning Ordinance Regarding Nontraditional Wastewater Treatment and Disposal Systems – Commissioner Clifford**

**Zoning, continued**

**PUBLIC HEARING – Regarding Resolution No. 10-22-3, Resolution to Amend Articles 13, 14 and 19 of the Zoning Ordinance Regarding Location of Natural Resources within Large Lot Subdivisions**

**Resolution No. 10-22-3, Resolution to Amend Articles 13, 14 and 19 of the Zoning Ordinance Regarding Location of Natural Resources within Large Lot Subdivisions – Commissioner Clifford**

**PUBLIC HEARING – Regarding Resolution No. 10-22-4, Resolution to Amend the Zoning Ordinance Text as it Relates to Telecommunication Towers**

**Resolution No. 10-22-4, Resolution to Amend the Zoning Ordinance Text as it Relates to Telecommunication Towers – Commissioners Webb and Herbert**

**2) APPROPRIATIONS**

**Resolution No. 10-22-5, Resolution Appropriating and Amending the 2022-23 Sheriff's Office Budget by \$1,661,539 to Provide Increases in Salaries to Meet Market Demands – Revenues to Come From Unappropriated County General Funds – Commissioner Herbert**

**Resolution No. 10-22-6, Resolution Accepting a Donation of \$1,000 from the City of Berry Hill to be Used for Maintenance of the Sheriff Office's Gun Range and Appropriating and Amending the 2022-23 Williamson County Sheriff's Office Budget by \$1,000 – Revenues to Come From Donations – Commissioner Landrum**

**Resolution No. 10-22-7, Resolution Amending the 2022-23 Highway Department Budget and Appropriating up to \$195,964.68 for Bridge Expenses on Arno College Grove Road – Revenues to Come From State Aid Program – Commissioner Herbert**

**Resolution No. 10-22-8, Resolution of the Williamson County Board of Commissioners Appropriating up to \$5,632,193.37 for Water Infrastructure – Revenue to Come From TDEC Grant of State American Rescue Plan Act Funds – Commissioner Webb**

**Resolution No. 10-22-9, Resolution of the Williamson County Board of Commissioners Appropriating the Second \$6,000,000 Grant Payments to Williamson County Medical Center for Expanding the Emergency Department - Revenue to Come From American Rescue Plan Act Funds – Commissioner Webb**

**Resolution No. 10-22-10, Initial Resolution Authorizing the Issuance of Not to Exceed \$23,200,000 of General Obligation Bonds of Williamson County, Tennessee – Commissioner Herbert**

**Resolution No. 10-22-13, Resolution Appropriating and Amending the 2022-23 County Clerk's Budget by \$300,000 for Additional Postage – Revenues to Come From Unappropriated County General Funds – Commissioner Herbert**

**OTHER**

**Resolution No. 10-22-11, Resolution Authorizing an Intergovernmental Agreement Between Williamson County, Tennessee and the Metropolitan Government of Nashville and Davidson County – Commissioner Landrum**

**Resolution No. 10-22-12, Resolution Authorizing Williamson County to Accept a Donation of 500 Rounds of Hornady Ammunition from Mr. Tom Freeman on Behalf of the Williamson County Sheriff's Office – Commissioner Landrum**

**Resolution No. 10-22-16, Resolution Authorizing the Williamson County Mayor to Sign a Contract with the State of Tennessee, Department of Mental Health and Substance Abuse Services – Commissioner Herbert**

**XII. ADJOURNMENT**

Anyone requesting accommodation due to disabilities should contact Williamson County Risk Management at (615) 790-5466. This request, if possible, should be made three (3) working days prior to the meeting.

**Williamson Medical Center & Subsidiaries**  
**Financial Statement Highlights**  
**Month Ended August 31, 2022**

<b>Actuals</b>	<b>Month</b>		<b>Year to Date</b>	
	<b>Current</b>	<b>Budget</b>	<b>Current</b>	<b>Budget</b>
Net Revenue	\$26,171,416	\$26,402,748	\$50,749,943	\$52,805,496
Total Operating Expenses	26,129,013	25,996,842	51,458,867	51,981,285
Net Non-Operating Rev/Exp	379,433	459,851	1,324,733	919,702
<b>Net Income/Loss</b>	<b>\$421,836</b>	<b>\$865,757</b>	<b>\$615,809</b>	<b>\$1,743,912</b>

<b>Balance Sheet</b>	<b>Current Month</b>	<b>Prior Month</b>	<b>Increase (decrease)</b>
Operating Account Balance	\$32,301,916	\$29,339,775	\$2,962,141
Available to Use Cash	166,454,229	168,270,476	(1,816,247)
Collections	25,519,963	22,293,808	3,226,155
Days Cash on Hand -all sources	205	208	(3.1)
Days Cash on Hand -excluding bond funds	91	88	3.3
Debt Coverage	2.50	2.57	(0.07)

<b>Key Financial Stats/Indicators</b>	<b>Current Month</b>	<b>13 Month Average</b>	<b>Increase (decrease)</b>
Admissions-Adults	766	756	10
Admissions-Pediatrics	20	26	(6)
Patient Days	2,885	3,134	(249)
Equivalent Patient Days	10,371	10,561	(190)
Surgeries	986	936	50
Emergency Room	3,486	3,305	181

**WILLIAMSON MEDICAL CENTER & SUBSIDIARIES**  
**STATEMENT OF CASH FLOWS**  
For the Period Ending August 31, 2022

NET INCOME (LOSS) FROM OPERATIONS	\$	421,836	
PLUS DEPRECIATION (Not a Cash Expense)		971,098	
SUB-TOTAL			\$ 1,392,934
<b>CASH PROVIDED BY:</b>			
DECREASE IN ACCOUNTS RECEIVABLE	\$	1,976,369	
INCREASE IN ACCRUED WAGES PAYABLE		1,824,696	
INCREASE IN BOND INTEREST PAYABLE		404,859	
DECREASE IN INVENTORIES		306,680	
INCREASE IN ACCRUED EMPLOYEE BENEFITS		139,157	
INCREASE IN PAYROLL TAXES PAYABLE		52,146	
INCREASE IN CURRENT PORTION OF LONG TERM DEBT		5,340	
TOTAL SOURCES OF CASH			4,709,247
			6,102,181
<b>CASH USED FOR:</b>			
INCREASE IN FIXED ASSETS	\$	4,093,990	
DECREASE IN THIRD PARTY SETTLEMENTS		2,043,489	
INCREASE IN PREPAID EXPENSE		476,026	
DECREASE IN ACCOUNTS PAYABLE		818,219	
DECREASE IN NOTES PAYABLE		211,434	
INCREASE IN MISC ASSET		174,012	
DECREASE IN BONDS PAYABLE		84,642	
DECREASE IN EMPLOYEE DED PAYABLE		16,616	
DECREASE IN SERP LIABILITY		-	
TOTAL USES OF CASH			7,918,428
INCREASE OR (DECREASE) IN CASH ACCOUNTS			(1,816,247)
BEGINNING TOTAL CASH BALANCE			168,270,476
ENDING TOTAL CASH BALANCE			\$ 166,454,229
OPERATING CASH	\$	32,301,916	
FUNDS RESTRICTED AS TO USE:		134,152,313	
GRAND TOTAL OF ALL CASH ASSETS	\$		166,454,229

**WILLIAMSON MEDICAL CENTER & SUBSIDIARIES**  
**BALANCE SHEET**  
For the Period Ending August 31, 2022

	CURRENT MONTH	PRIOR MONTH	INCREASE (DECREASE)	PERCENT CHANGE
<b>CASH</b>				
Funds Mgmt/General Fund	\$ 32,301,916	\$ 29,339,775	\$ 2,962,141	10.1%
<b>TOTAL CASH</b>	<b>32,301,916</b>	<b>29,339,775</b>	<b>2,962,141</b>	<b>10.1%</b>
<b>RECEIVABLES</b>				
Patient Receivables	108,821,499	113,718,245	(4,896,746)	-4.3%
Contractual Allowances	(76,033,532)	(79,650,528)	3,616,996	-4.5%
Other Receivables	1,352,526	2,049,145	(696,619)	-34.0%
<b>TOTAL RECEIVABLES</b>	<b>34,140,493</b>	<b>36,116,862</b>	<b>(1,976,369)</b>	<b>-5.5%</b>
<b>INVENTORIES</b>				
General Stores	775,195	758,812	16,383	2.2%
Pharmacy	694,798	694,798	0	0.0%
Surgery	4,936,159	5,259,222	(323,063)	-6.1%
<b>TOTAL INVENTORIES</b>	<b>6,406,152</b>	<b>6,712,832</b>	<b>(306,680)</b>	<b>-4.6%</b>
<b>PREPAID EXPENSES</b>	<b>4,502,492</b>	<b>4,026,466</b>	<b>476,026</b>	<b>11.8%</b>
<b>TOTAL CURRENT ASSETS</b>	<b>77,351,053</b>	<b>76,195,935</b>	<b>1,155,118</b>	<b>1.5%</b>
<b>PROPERTY, PLANT &amp; EQUIP</b>				
Land and Land Imp.	17,223,207	17,223,207	0	0.0%
Building & Building Serv	264,985,852	261,392,737	3,593,115	1.4%
Equipment	119,827,951	119,327,075	500,876	0.4%
Less: Accum Depr	(199,121,285)	(198,164,623)	(956,662)	0.5%
<b>TOTAL P,P &amp; E</b>	<b>202,915,725</b>	<b>199,778,396</b>	<b>3,137,329</b>	<b>1.6%</b>
<b>OTHER ASSETS</b>				
Cash-Funded Depreciation	36,470,163	36,457,687	12,476	0.0%
Funded Depreciation-Bond Proceeds	4,916,442	4,914,760	1,682	0.0%
Funded Depreciation-Bond Proceeds	72,601,457	76,511,842	(3,910,385)	-5.1%
Bond Payment Fund	9,813,313	10,692,748	(879,435)	-8.2%
Bond Escrow Fund	10,350,938	10,353,664	(2,726)	0.0%
Miscellaneous Assets/Investments	54,029,426	53,855,414	174,012	0.3%
Capitalized Costs/Bond Issue Costs	1,010,544	1,024,981	(14,437)	-1.4%
<b>TOTAL OTHER ASSETS</b>	<b>189,192,283</b>	<b>193,811,096</b>	<b>(4,618,813)</b>	<b>-2.4%</b>
<b>TOTAL ASSETS</b>	<b>\$ 469,459,061</b>	<b>\$ 469,785,427</b>	<b>\$ (326,366)</b>	<b>-0.1%</b>

**WILLIAMSON MEDICAL CENTER & SUBSIDIARIES**  
**BALANCE SHEET**  
For the Period Ending August 31, 2022

	CURRENT MONTH	PRIOR MONTH	INCREASE (DECREASE)	PERCENT CHANGE
<b>CURRENT LIABILITIES</b>				
Accounts Payable	\$ 10,639,433	\$ 11,457,652	\$ (818,219)	-7.1%
Due from BJIT	-	-	-	0.0%
Accrued Wages Payable	8,397,469	6,572,773	1,824,696	27.8%
Payroll Taxes Payable	405,718	353,572	52,146	14.7%
Employee Ded Payable	16,121	32,737	(16,616)	-50.8%
Accrued Employee Benefits	6,023,348	5,884,191	139,157	2.4%
Accrued Bond Interest	1,774,950	1,370,091	404,859	29.5%
Current Portion-Bonds Payable	5,620,704	5,620,704	(0)	0.0%
Current Portion of Long Term Debt	2,300,908	2,295,568	5,340	0.2%
Estimated Third Party Settlements	1,177,316	3,220,805	(2,043,489)	-63.4%
Other Current Obligations	1,667,483	1,667,483	0	0.0%
<b>TOTAL CURRENT LIAB</b>	<b>38,023,450</b>	<b>38,475,576</b>	<b>(452,126)</b>	<b>-1.2%</b>
<b>LONG TERM LIABILITIES</b>				
Hospital Expansion Bonds 2012	\$ 3,250,000	\$ 3,250,000	-	0.0%
Hospital Expansion Bonds 2013	19,297,362	19,335,661	(38,299)	-0.2%
Hospital Expansion Bonds 2018	38,691,249	38,704,331	(13,082)	0.0%
Hospital Expansion Bonds 2021	82,483,837	82,517,098	(33,261)	0.0%
INS Bank-Parking Deck	1,501,357	1,537,622	(36,265)	-2.4%
1st Horizon Bank-Grassland	1,765,636	1,789,624	(23,988)	-1.3%
Deferred Comp Liability	3,359,947	3,359,947	0	0.0%
SERP Liability	-	-	-	0.0%
Franklin Synergy Bank-Cain Property	96,502	128,856	(32,354)	-25.1%
Franklin Synergy Bank-Curd Lane Propert	1,870,798	1,898,348	(27,550)	-1.5%
1st Horizon Bank-Consolidated	14,059,406	14,150,683	(91,277)	-0.6%
<b>TOTAL LONG TERM LIAB</b>	<b>166,376,094</b>	<b>166,672,170</b>	<b>(296,076)</b>	<b>-0.2%</b>
<b>FUND BALANCE</b>	<b>265,059,517</b>	<b>264,637,681</b>	<b>421,836</b>	<b>0.2%</b>
<b>TOTAL LIABILITY &amp; FUND BALANCE</b>	<b>\$ 469,459,061</b>	<b>\$ 469,785,427</b>	<b>\$ (326,366)</b>	<b>-0.1%</b>

(0)

**Williamson Medical Center & Subsidiaries**  
**Income Statement**  
**For the Period Ending August 31, 2022**  
**Comparison of Actual to Budget**

	<u>Month To Date</u>				<u>Year To Date</u>			
	Actual	Budget	Variance	Var%	Actual	Budget	Variance	Var%
<b>Net Patient Svc Revenue</b>	\$ 25,316,302	\$ 25,435,089	(118,787)	-0.5%	\$ 49,070,197	\$ 50,870,178	(1,799,981)	-3.5%
Other Operating Revenue	\$ 855,114	\$ 987,659	(112,545)	-11.6%	\$ 1,679,746	\$ 1,935,318	(255,572)	-13.2%
Net Operating Revenue	\$ 26,171,416	\$ 26,402,748	(231,332)	-0.9%	\$ 50,749,943	\$ 52,805,496	(2,055,553)	-3.9%
<b>Operating Expenses:</b>								
Salaries & Benefits	\$ 14,340,843	\$ 14,643,144	(302,301)	-2.1%	\$ 28,784,180	\$ 29,277,796	(493,616)	-1.7%
Medical Prof. Fees	282,484	331,675	(49,191)	-14.8%	432,090	663,349	(231,259)	-34.9%
Supplies	5,750,511	5,084,276	666,235	13.1%	10,753,292	10,164,645	588,647	5.8%
Other Expenses	1,853,737	1,883,160	(29,423)	-1.6%	3,678,800	3,766,321	(87,521)	-2.3%
Purchased Services	1,854,065	1,546,886	307,179	19.9%	3,504,572	3,093,772	410,800	13.3%
Repair/Main Equipment	475,647	597,015	(121,368)	-20.3%	1,151,913	1,194,030	(42,117)	-3.5%
Equipment Leases	229,947	230,752	(805)	-0.3%	441,366	461,505	(20,139)	-4.4%
Total Operating Expenses	\$ 24,787,234	\$ 24,316,909	\$ 470,325	1.9%	\$ 48,746,213	\$ 48,821,419	\$ 124,794	0.3%
Net Operating Income	\$ 1,384,182	\$ 2,085,839	(701,657)	-33.6%	\$ 2,003,730	\$ 4,184,077	(2,180,347)	-52.1%
Non-Operating Revenue	\$ 379,433	459,851	(80,418)	-17.5%	\$ 1,324,733	919,702	405,031	44.0%
<b>EBITDA</b>	\$ 1,763,615	\$ 2,546,690	(782,075)	-30.7%	\$ 3,328,463	\$ 5,103,778	(1,775,315)	-34.8%
EBITDA %	6.6%	9.5%			6.4%	9.5%		
Interest	\$ 370,681	\$ 533,898	(163,217)	-30.6%	\$ 771,861	\$ 1,067,796	(295,935)	-27.7%
Depreciation & Amort.	971,098	1,146,035	(174,937)	-15.3%	1,940,793	2,292,069	(351,276)	-15.3%
<b>Net Income/(Loss)</b>	\$ 421,836	\$ 865,757	(443,921)	-51.3%	\$ 615,809	\$ 1,743,912	(1,128,103)	-64.7%
Net Income %	1.61%	3.28%			1.21%	3.30%		

**Williamson County  
Budget Report  
8/31/2022**

								8.33%
Revenue	Original Budget	Budget Amendments	Total	Actual Year To Date	Current Month		Remaining Budget	% Y T D
County General Fund	123,315,660	192,000	123,507,660	5,691,770	4,118,286		117,815,890	4.61%
Solid Waste Sanitation Fund	9,136,513	-	9,136,513	581,965	405,897		8,554,548	6.37%
Drug Control Fund	36,000	-	36,000	3,100	3,100		32,900	8.61%
Highway/Public Works Fund	14,627,000	-	14,627,000	1,450,958	1,427,308		13,176,042	9.92%
General Debt Service Fund	53,439,850	4,400,000	57,839,850	283,240	208,998		57,556,610	0.49%
Rural Debt Service Fund	30,087,058	7,600,000	37,687,058	356,478	325,641		37,330,580	0.95%
General Purpose School Fund	420,449,549	954,502	421,404,051	29,577,625	25,218,232		391,826,426	7.02%
Cafeteria Fund	17,345,718	825,284	18,171,002	2,440,783	2,435,320		15,730,219	13.43%
Extended School Program Fund	5,692,000	-	5,692,000	956,315	377,287		4,735,685	16.80%
Appropriations	Original Budget	Budget Amendments	Total	Actual Year To Date	Current Month	Encumbrances	Remaining Budget	% Y T D
County General Fund	128,306,187	10,645,798	138,951,985	26,622,102	9,659,974	4,830,033	107,499,849	22.64%
Solid Waste Sanitation Fund	8,537,048	3,209,759	11,746,807	1,395,473	573,039	1,973,359	8,377,975	28.68%
Drug Control Fund	170,250	-	170,250	2,982	883	16,770	150,498	11.60%
Highway/Public Works Fund	14,080,062	3,700,000	17,780,062	2,206,027	832,690	2,939,164	12,634,871	28.94%
General Debt Service Fund	50,335,000	4,400,000	54,735,000	57,091	3,112		54,677,909	0.10%
Rural Debt Service Fund	29,560,000	7,600,000	37,160,000	8,413	4,451		37,151,587	0.02%
General Purpose School Fund	467,182,046	3,482,177	470,664,223	29,745,544	22,412,677	18,767,454	422,151,224	10.31%
Cafeteria Fund	19,522,056	825,284	20,347,340	1,123,736	1,007,254	6,317,242	12,906,363	36.57%
Extended School Program Fund	5,841,165	-	5,841,165	954,089	491,951	126,918	4,760,159	18.51%



9/16/22

Phoebe Reilly  
Budget Director, Williamson County, Tennessee  
1320 West Main Street, Suite 125  
Franklin, TN 37064

Dear Phoebe,

Please find enclosed the Consolidated Profit and Loss Statement for the Cool Springs Conference Center for period end August 31, 2022.

A summary of the financial and distribution date is as follows:

COOL SPRINGS CONFERENCE CENTER  
August, 2022

	CURRENT MONTH			YEAR-TO-DATE		
	ACTUAL	BUDGET	LAST YR	ACTUAL	BUDGET	LAST YR
GROSS REVENUE	619,385	587,710	560,162	1,044,596	1,120,242	871,614
HOUSE PROFIT	104,748	90,718	171,908	126,143	154,086	184,721
Less: FIXED EXPENSES	40,401	40,401	39,243	80,801	80,802	78,486
NET INCOME	64,347	50,317	132,665	45,342	73,284	106,235
Less: FF&E RESERVE 5%	30,969	29,386	28,008	52,230	56,012	43,581
NET CASH FLOW	33,378	20,931	104,657	(6,888)	17,272	62,654

TOTAL CURRENT BALANCE DUE TO OWNERS 33,378

TOTAL DUE TO CITY OF FRANKLIN 16,689

TOTAL DUE TO WILLIAMSON COUNTY 16,689

The financial statements for the Cool Springs Conference Center, subject to routine year-end audit and adjustments, is true and correct in all material respects to the best of my knowledge.

Sincerely,

Kristin Lamb  
Controller

Matt Lahiff  
General Manager

FRANKLIN MARRIOTT COOL SPRINGS  
700 COOL SPRINGS BLVD  
FRANKLIN, TENNESSEE 37067 USA  
T: 615.261.6100  
MARRIOTT.COM/BNACS

Cool Springs Conference Center  
 County Profit / -Loss  
 By Fiscal Year

	<u>2008-2009</u>	<u>2009-2010</u>	<u>2010-2011</u>	<u>2011-2012</u>	<u>2012-2013</u>	<u>2013-2014</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>	<u>2022-23</u>
July	-28,532.28	-46,497.94	-52,209.68	-7,691.22	-36,545.82	-28,542.26	-54,282.13	-17,511.50	-32,266.50	-29,761.00	-49,914.00	-63,264.00	-15,269.00	-21,002.00	-20,134.00
August	57,702.78	-2,257.02	12,883.64	118,811.60	48,604.64	-18,101.32	16,435.07	-84,060.00	2,719.25	13,164.00	4,452.00	49,885.00	-14,794.00	52,329.00	16,689.00
September	24,071.74	-23,828.22	13,242.14	42,260.92	58,725.66	34,240.22	-45,234.55	-7,482.50	15,575.50	-2,501.00	40,369.00	68,500.00	-27,859.00	31,516.00	
October	38,195.74	50,008.38	53,024.82	55,787.36	24,229.36	30,097.86	30,305.00	73,503.00	27,310.00	76,034.00	143,486.00	96,722.00	-28,058.00	88,432.00	
November	17,167.38	2,607.48	61,641.12	5,322.02	4,962.94	-13,864.78	27,731.00	-1,435.50	-5,898.50	44,350.00	63,790.00	-6,258.00	-32,908.00	-13,698.00	
December	103,200.30	29,329.56	39,646.60	63,430.36	54,577.16	91,933.14	-53,885.50	90,526.50	48,718.00	-43,578.00	9,187.00	18,602.00	-54,120.00	56,917.00	
January	-33,427.76	-46,444.80	19,432.86	-34,983.82	-5,031.36	-12,669.10	-67,577.50	-15,958.50	-59,537.00	-32,369.00	16,722.00	35,126.00	-43,914.00	-15,337.00	
February	57,358.50	353.00	23,411.50	-12,989.64	13,210.72	21,279.74	136,887.00	52.50	14,645.00	88,228.00	60,530.00	63,595.00	-41,564.00	25,780.00	
March	44,238.36	-18,362.38	18,311.86	68,439.42	22,493.26	-633.34	-32,783.00	-2,379.50	30,608.00	38,448.00	-48,696.00	39,316.00	-39,257.00	51,904.00	
April	26,860.58	8,033.42	7,534.42	21,600.34	68,046.00	11,630.42	32,093.00	58,337.00	36,074.00	28,028.00	4,908.00	-32,937.00	43,488.00	109,510.00	
May	33,395.54	-24,737.96	4,336.66	28,778.14	-19,740.92	-1,286.56	-4,720.50	972.00	-14,551.50	4,654.00	30,615.00	-43,893.00	-42,575.00	19,250.00	
June	-22,410.26	23,554.94	1,394.46	18,276.76	12,929.40	-25,004.56	80,638.00	28,889.00	29,395.50	37,163.00	29,231.00	-13,204.00	163.00	29,256.00	
	317,820.62	-48,241.54	202,650.40	367,042.24	246,461.04	89,079.46	65,605.89	123,452.50	92,791.75	221,860.00	304,680.00	212,190.00	-296,667.00	414,857.00	-3,445.00

Total profit/-loss since 1998 \$ 3,661,309.11

Reflects County's one-half share only.

Williamson County  
Education Impact Fee

	COLLECTION DURING FYE 6/30/17	COLLECTION DURING FYE 6/30/18	COLLECTION DURING FYE 6/30/19	COLLECTION DURING FYE 6/30/20	COLLECTION DURING FYE 6/30/21	COLLECTION DURING FYE 6/30/22	JULY 2022	AUGUST 2022	SEPTEMBER 2022	OCTOBER 2022	NOVEMBER 2022	DECEMBER 2022	JANUARY 2023	FEBRUARY 2023	MARCH 2023	APRIL 2023	MAY 2023	JUNE 2023	TOTAL COLLECTIONS		
<b>IM100 - WCS</b>																					
FEE	2,154,192.00	11,553,360.00	12,745,981.00	13,421,814.00	39,385,076.50	22,189,650.00	1,088,080.00	1,210,730.00	-	-	-	-	-	-	-	-	-	-	-	-	103,748,883.50
PAID UNDER PROTEST	349,738.50	4,957,756.50	5,623,833.00	5,696,470.00	(16,627,798.00)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
INTEREST	10.00	91,466.58	508,762.89	709,023.96	194,397.41	146,643.91	13,382.48	25,785.99	-	-	-	-	-	-	-	-	-	-	-	-	1,689,473.22
TR COMMISSION	25,145.08	166,039.97	188,718.89	198,331.96	229,484.03	223,362.98	11,014.62	12,901.36	-	-	-	-	-	-	-	-	-	-	-	-	1,054,998.89
<b>IM200 - FSSD</b>																					
FEE	0.00	112,098.50	165,062.00	1,097,272.00	816,270.00	441,398.00	4,506.00	7,396.00	-	-	-	-	-	-	-	-	-	-	-	-	2,644,002.50
PAID UNDER PROTEST	0.00	193,385.00	18,366.00	4,506.00	(216,257.00)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
INTEREST	0.00	2,137.13	8,639.74	15,302.53	5,457.92	3,412.23	763.42	513.38	-	-	-	-	-	-	-	-	-	-	-	-	36,226.35
TR COMMISSION	0.00	3,062.11	1,987.56	11,111.93	6,088.45	4,448.10	52.69	79.09	-	-	-	-	-	-	-	-	-	-	-	-	26,829.93
<b>NET COLLECTIONS</b>	<b>2,478,795.42</b>	<b>16,741,101.63</b>	<b>18,879,938.18</b>	<b>20,734,944.60</b>	<b>23,321,574.35</b>	<b>22,553,293.06</b>	<b>1,095,664.59</b>	<b>1,231,444.92</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>107,036,756.75</b>

**SUMMARY FOR IMPACT FEE COLLECTIONS**

Total Collected to Date	107,036,756.75
Total Allocated for Projects	<u>(49,498,538.48)</u>
Total Net Collections	57,538,218.27

Total Paid under Protest -

Total Available for Allocation 57,538,218.27

Williamson County  
Privilege Tax Report

Month of AUGUST 2022

	Adequate School Facilities	Schools	Recreation	Fire	Highway
Previous Balance	29,716.06	188,919.72	210,213.94	574,693.56	380,505.74
Brentwood	57,677.40	53,063.21	4,614.19	0.00	0.00
Franklin	63,452.07	58,375.90	5,076.17	0.00	0.00
Fairview	21,267.18	19,565.81	1,701.37	0.00	0.00
Spring Hill	0.00	0.00	0.00	0.00	0.00
Thompson's Station	31,675.05	29,141.05	2,534.00	0.00	0.00
Nolensville	29,573.28	27,207.42	2,365.86	0.00	0.00
Unincorporated Williamson County	247,131.72	172,992.20	19,770.54	49,426.34	4,942.63
Interest	2,723.17	5,056.55	800.20	1,297.31	382.91
Commercial					
Monthly Total	453,499.87	365,402.14	36,862.33	50,723.65	5,325.54
Cumulative Total	483,215.93	554,321.86	247,076.27	625,417.21	385,831.28
FSSD Monthly Appropriations	16,923.32	19,103.82			
Monthly Appropriations	116,472.41	0.00	0.00	0.00	
Cumulative Appropriations	94,322,131.91	148,269,581.60	14,519,622.52	3,738,587.97	7,123,933.59
Net Revenue	349,820.20	535,218.04	247,076.27	625,417.21	385,831.28
<u>Appropriations:</u>					
Adequate Schools/ July '22 Cities payable	116,472.41				
Adequate Schools/July '22 FSSD payable	16,923.32				
Schools/July '22 FSSD payable	19,103.82				

## NOMINEE INFORMATION FOR ELECTIONS AND APPOINTMENTS

---

Title of position for election (or appointment): Municipal Solid Waste Board

Name of nominee: Ricky D. Jones

Address: 7231 Northwest Highway, Fairview, TN 37062

Home (615) 799-8766

Voting district in which the nominee resides: 1st

Term of position: 6 years

Salary (if applicable): \$75 per meeting

Name(s) of person, organization or informal group recommending the nominee:

Rogers Anderson - County Mayor

Brief biographical information:

Williamson County Commissioner  
Municipal Solid Waste Board Member  
Teacher and Coach at Fairview High School

County Commission meeting date: October 10, 2022

## NOMINEE INFORMATION FOR ELECTIONS AND APPOINTMENTS

---

Title of position for election (or appointment): Municipal Solid Waste Board

Name of nominee: Robert (Bobby) Hullett

Address: 1310 General MacArthur Dr. Brentwood, TN 37027

Phone: 615-400-4123

Voting district in which the nominee resides: 7

Term of position: 6 years, Expiring 10/2028

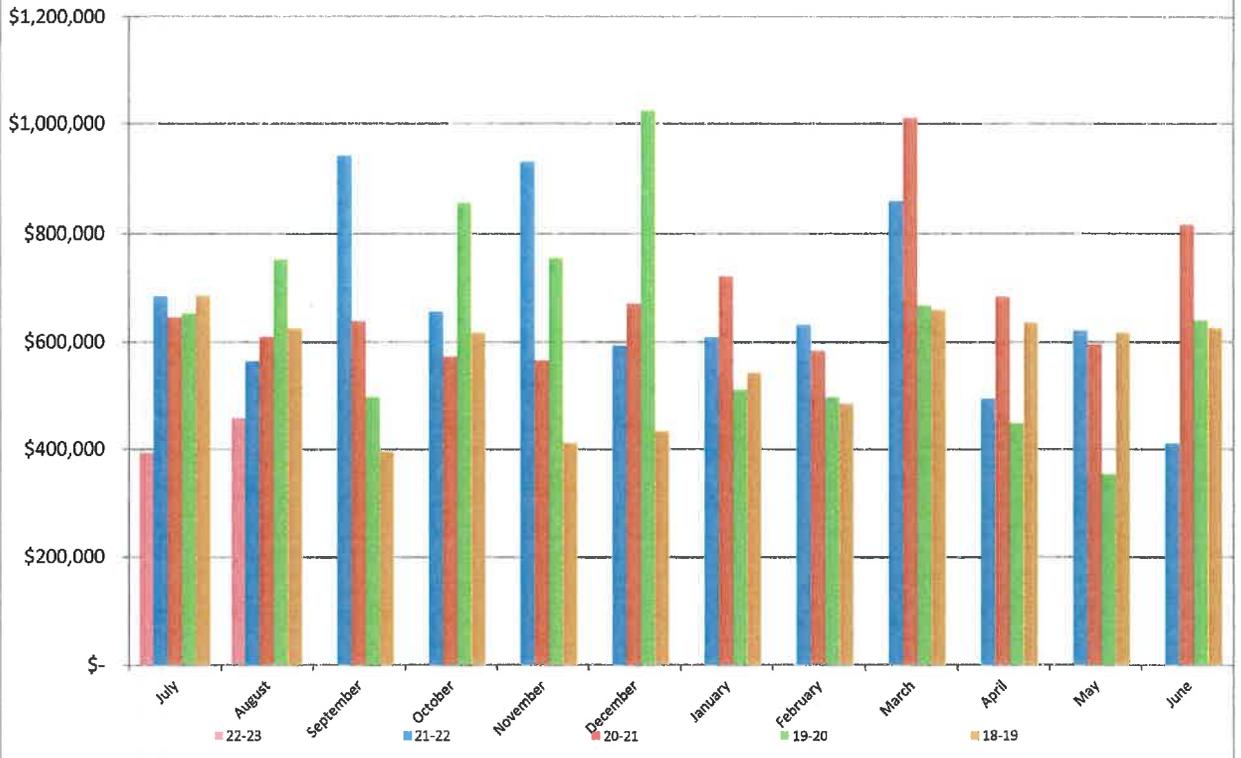
Salary (if applicable): \$75.00

Name(s) of person, organization or informal group recommending the nominee:  
Mayor Rogers Anderson

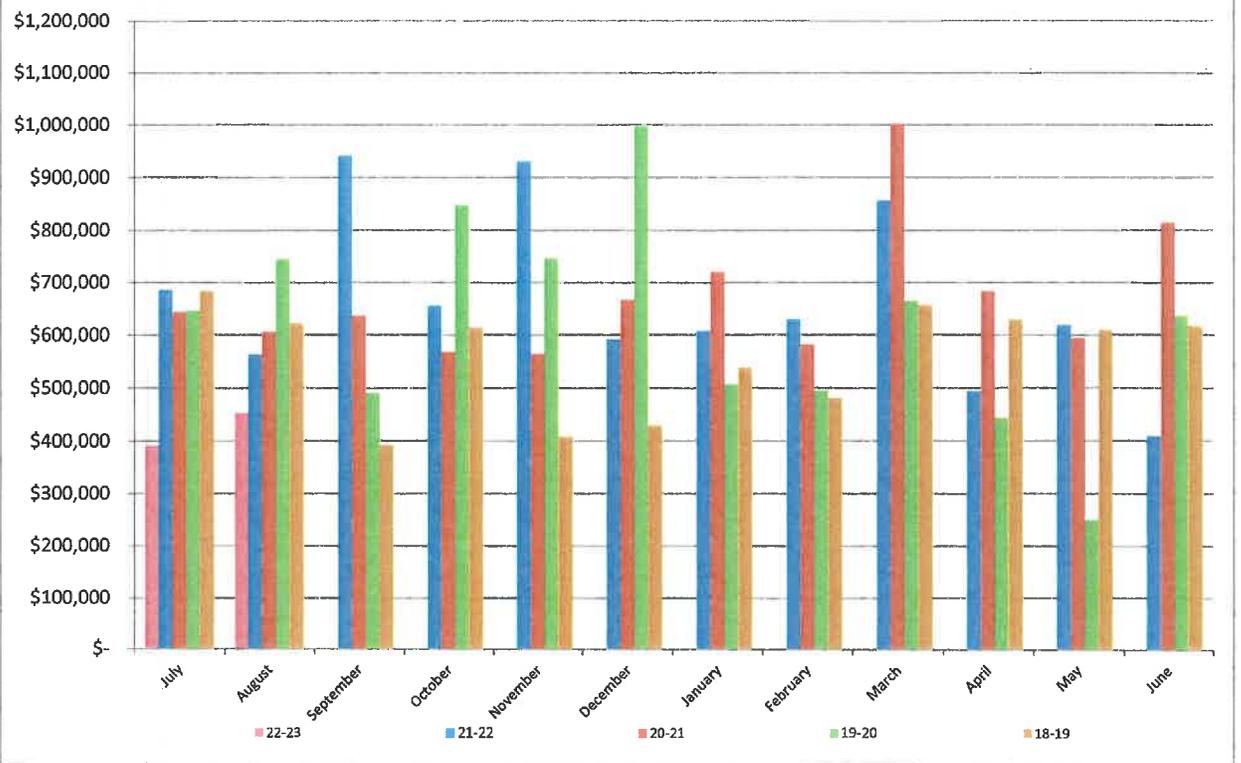
Brief biographical information:  
Williamson County Board of Education 2012-2017  
Williamson County Commission 2017-2018

County Commission meeting date: October 10, 2022

### WC Schools, Recreation, Highway and Fire Privilege Tax History



### WC Adequate Schools Facilities Tax



**CONSENT AGENDA**  
**Williamson County Board of Commissioners**  
**October 10, 2022 - 7:00 p.m.**

**NOTARIES**

**SECOND READINGS:**

**FUNDS IN-LIEU-OF AND ESCROW:**

**ACCEPTING ROADS:**

**Resolution No. 10-22-1**, Resolution Accepting Forest Drive as a Part of the Williamson County Road System for Maintenance by the County Highway Department – Commissioner Clifford

**OTHER:**

**Resolution No. 10-22-14**, Resolution Authorizing the Williamson County Mayor to Grant an Easement to Middle Tennessee Electric Membership Cooperation (North Chapel Road) – Commissioner Herbert

**Resolution No. 10-22-15**, Resolution Authorizing the Williamson County Mayor to Grant a Permanent Drainage Easement, a Slope Easement, and a Temporary Construction Easement to the Tennessee Department of Transportation – Commissioner Herbert

**LATE FILED Resolution No. 10-22-17**, Resolution Authorizing the Williamson County Mayor to Grant an Easement to Middle Tennessee Electric Membership Cooperation (Bethesda Road) – Commissioner Webb

**NOTE:** All matters listed on the Consent Agenda are considered to be routine. There will be no separate discussion of these items unless a County Commission member so requests, in which case it will be removed from the Consent Agenda so that discussion may be held on that item.

**NEW**

ALARCON, KAYLAH DAWN  
ALLEN, KENDALL KELLER  
ALLEY, MARYGAYLE NICOLE  
BENSON, CAMILLE LEE.  
BEYER, WHITNEY HEID  
BRYANT, JENNIFER MARIE  
CARDWELL, MARKIS SHAWNE  
CARTER, CATHERINE ANN  
CARTER-HAYNES, JOHNNA DAWN  
CHANNELS, NICHOLAS JOHN  
CHRISTIANSEN, PAMELA JANE  
CHUPUA, CAMILA ROCHA SILVA  
CRAM, PAIGE PETERSON  
DEBROUX, ANDREW  
DUVALL, GAVIN ALAINE  
EASLING, ELMA  
ELLER, AMANDA J.  
EVERSON, ASHANTI LASHAY  
FLOYD, KIRSTI JOHANNA  
FREEMAN, ROBYN  
GADDES, JESSICA LEA  
GENTRY, EMILY TOMLIN  
GIANNARIS, STELLA  
GURGANIOUS, LEROY  
HARDEE, REBECCA S.  
HERNANDEZ, ALMA CECILIA  
HOLI, ALEJANDRA L.  
HUCIK, COURTNEY CORRINE  
JACKSON, MICHELLE LITTLE  
JONES, CHRISTINA  
KASICK, AUSTIN ALLEN  
KERBAUGH, MICHAEL THOMAS  
LAKE, MARY E.  
MARQUIS, KARENLEE  
McCANDLESS, KANE  
McINTOSH, MARIA LILLIAN  
McKEE, NATALIE ANN  
MEDLEY, DALEE J.  
MONTROYA, RAMONA MARIE  
MOORE, KENNITH RAY  
MULLINS, MARLA CARI  
PARIKH, CHIRAG JITENDRA  
PYBAS, LEAH B.  
RAY, DAVID MICHAEL  
REYNOLDS, RASHIDA A.  
SANFORD, ROBBIN SOUTH  
TIDWELL, JERE DONALD  
WARNER, KATHLEEN MARIE  
WIMBERLY, PAIGE RENEE

**RENEWALS**

ANDERSON, LILLIAN A.  
ANDERSON, PAUL B.  
AUNKST, TERRI  
BALES, AMY DENISE  
BARKER, MONICA  
BARNES, LEANN  
BARTOLI, ANGELINA M.  
BEEBE, NANETTE J.  
BONDS, ADRIAN L.  
BROWN, DAVID L.  
BUTTREY, AMY L.  
BYRAM, AMBER J.  
CAMERON, JERI HARRIS  
CARTWRIGHT, TINA F.  
CAUDLE, CAROLINE

**RENEWALS**

CLARK, DENISE  
COFFEY, KRISTINA  
COLEMAN, ROBIN COLLEEN  
COLEMAN, STACI  
COREY, HEIDI S.  
DOBBINS, KIMBERLY ANN  
DUERR, RACHEL  
EATON, JAMES K., JR.  
EATON, TONI C.  
ELLIS, JULIE M.  
GATTIS, MICHELLE  
GIFFEN, JOHN M.  
GIPSON, GARRETT  
GIRGIS, NAEIM  
GORDON, DANNY D.  
GREENMAN, REES  
GREY, SARA  
HANLON, JANET L.  
HASTY, CONNIE  
HOLT, MICHELLE A.  
HOREL, NATALIE J.  
HUDSON, ELAINE  
HUMPHREY, JULIA  
KELLY, DONNA L.  
KIMBRO, SHERI  
KING, CASSIE  
KON, KATHLEEN D.  
LARSEN, ERIC M.  
LYNCH, KIM  
MARKOU, CONSTANDINA A.  
McAFEE, BRENDA  
McKINNEY, BRANDY LEE  
MELLO, RALPH W.  
MELTON, TABITHA R.  
MEYER, DONALD H.  
MITCHELL, CHRISTOPHER PAUL  
MONACHINO, G.J., III.  
NEAL, HOLLY MATLOCK  
ODEN, JEREMY  
PEARCE, LESA L.  
RALEY, VERONICA L.  
REID, ERIN K.  
ROSHAN, AMIR  
RYAN, DONNA C.  
SANDERS, BRENT M.  
SANDERS, PAULA M.  
SARVAK, JULIE A.  
SHOOK, ROMAN  
STIEH, WILLIAM A.  
STREET, KATHY R.  
SUMRALL, MAGGIE  
THOMPSON, JAMES CHANDLER  
VANKEUREN, HAILEY  
WARD, DEBBIE  
WEBBER, DAVID P.  
WILSON, JOHN M., III.  
WILSON, MARGARET A.  
WRIGHT, LISA M.  
WYNN, DEBORA L.

CONSENT AGENDA  
Resolution No. 10-22-1  
Requested by: Highway Department

**RESOLUTION ACCEPTING FOREST DRIVE AS A PART OF THE WILLIAMSON COUNTY ROAD SYSTEM FOR MAINTENANCE BY THE COUNTY HIGHWAY DEPARTMENT**

- WHEREAS,** Forest Drive has been used as a public road since its establishment and was previously maintained by Cheatham County as a county road for decades; and
- WHEREAS,** a portion of Forest Drive lies off of Brush Creek Road and extends approximately 949 feet to the boarder of Cheatham County; and
- WHEREAS,** recently it was discovered that the portion of road at issue is not within Cheatham County jurisdiction but is located partially in Williamson County resulting in a question of what jurisdiction is responsible for maintenance; and
- WHEREAS,** the portion of Forest Drive has been used by the public prior to the 1970's; and
- WHEREAS,** a report has been prepared and included herein as specified in Section 18 of the Williamson County Private Acts, 1937, Chapter No. 373 as amended, prescribing the acceptance of roads as county roads; and
- WHEREAS,** while the portion of Forest Drive may have achieved public road status, Williamson County has not performed any work on the road, nor has it taken any action to accept the road, believing it to be located in Cheatham County; and
- WHEREAS,** to ensure the Williamson County Highway Department is authorized to use public highway funds to maintain the portion of Forest Drive located in Williamson County as a county road, the Highway Department is requesting action to accept the portion of Forest Drive further described in the initial report; and
- WHEREAS,** acceptance of a road generally opened to the public into the County Road System must be approved, upon recommendation of the Williamson County Highway Commission, by the Williamson County Board of Commissioners; and
- WHEREAS,** the Williamson County Board of Commissioners finds it is in the interest of the citizens of Williamson County to accept the portion of Forest Drive into the County Road System:

**NOW THEREFORE, BE IT RESOLVED,** that the Williamson County Board of Commissioners, meeting in regular session this the 10<sup>th</sup> day of October, 2022, hereby accepts a portion of Forest Drive as part of the County Road System for maintenance by the County Highway Department conditioned on the property owners granting a fifty (50) foot right-of-way.

<u>Road</u>	<u>Length</u>	<u>District</u>	<u>Assessed Value of Property Abutting Roadway</u>
Forest Drive	949 feet	NW – Tyson 1 <sup>st</sup> - Voting	\$139,600.00

  
\_\_\_\_\_  
County Commissioner

**COMMITTEES REFERRED TO & ACTION TAKEN:**

Highway Commission: For 5 Against 0  
 Planning Commission: For 6 Against 0  
 Commission Action Taken: For \_\_\_\_\_ Against \_\_\_\_\_ Pass \_\_\_\_\_ Out \_\_\_\_\_

\_\_\_\_\_  
Jeff Whidby, County Clerk

\_\_\_\_\_  
Commission Chairman

\_\_\_\_\_  
Rogers C. Anderson, Williamson County Mayor

\_\_\_\_\_  
Date

**RESOLUTION AUTHORIZING THE WILLIAMSON COUNTY MAYOR TO GRANT AN EASEMENT TO MIDDLE TENNESSEE ELECTRIC MEMBERSHIP CORPORATION**

**WHEREAS,** Williamson County, Tennessee ("County") is a governmental entity that owns real property located on North Chapel Road, Franklin, Tennessee and found at Map 088, Parcel 009.12 ("Property"); and

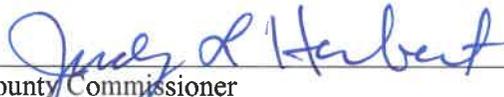
**WHEREAS,** County, upon approval of its legislative body, is authorized to grant utility easements on County owned property; and

**WHEREAS,** MTEMC needs a utility easement on the Property to install equipment for the provision of electricity to a proposed tower site; and

**WHEREAS,** the Williamson County Board of Commissioners finds it in the interest of the citizens of Williamson County to authorize the Williamson County Mayor to execute all documentation to provide the utility easement to MTEMC:

**NOW, THEREFORE, BE IT RESOLVED,** that the Williamson County Board of Commissioners, meeting in regular session this the 10<sup>th</sup> day of October 2022, authorizes the Williamson County Mayor to grant a utility easement to MTEMC on property owned by County located at Map 088, Parcel 009.12 as further described on the attached documentation;

**AND, BE IT FURTHER RESOLVED,** that the County Mayor is hereby authorized to execute the MTEMC utility easement and all other documentation needed to grant the easement.

  
County Commissioner

**COMMITTEES REFERRED TO & ACTION TAKEN:**

Property Committee For \_\_\_ Against \_\_\_  
Commission Action Taken: For \_\_\_ Against \_\_\_ Pass \_\_\_ Out \_\_\_

\_\_\_\_\_  
Jeff Whidby, Williamson County Clerk

\_\_\_\_\_  
Brian Beathard, Commission Chairman

\_\_\_\_\_  
Rogers Anderson, Williamson County Mayor

\_\_\_\_\_  
Date

**RESOLUTION AUTHORIZING THE WILLIAMSON COUNTY MAYOR TO GRANT A PERMANENT DRAINAGE EASEMENT, A SLOPE EASEMENT, AND A TEMPORARY CONSTRUCTION EASEMENT TO THE TENNESSEE DEPARTMENT OF TRANSPORTATION**

**WHEREAS,** the Department of Transportation, ("TDOT"), is responsible for the maintenance and improvements for SR100; and

**WHEREAS,** Williamson County ("County") owns real property on SR100 located at 2629 Fairview Blvd, Fairview, Tennessee 37062, further described as Map 046, Parcel 110.09, and used as the Fairview Health Clinic ("Property"); and

**WHEREAS,** TDOT is preparing for a road project along SR100 and requires a permanent drainage easement, permanent slope easement, and temporary construction easement to conduct the improvements; and

**WHEREAS,** TDOT has obtained an appraisal concerning the needed property which has valued the property interest requested by TDOT at \$24,500.00; and

**WHEREAS,** the Williamson County Board of Commissioners finds it to be in the interest of Williamson County to grant the needed property interest in the Property to permit TDOT to conduct the roadway related improvements:

**NOW, THEREFORE, BE IT RESOLVED,** that the Williamson County Board of Commissioners, meeting in regular session, this the 10<sup>th</sup> day of October 2022, hereby authorizes the Williamson County Mayor to grant the Tennessee Department of Transportation a permanent drainage easement, a permanent slope easement, and a temporary construction easement and sign all documentation required to grant the property interest for a minimum payment of \$24,500.00 for the road improvement project along SR100.

  
County Commissioner

**COMMITTEES REFERRED TO & ACTION TAKEN:**

Property Committee For \_\_\_\_\_ Against \_\_\_\_\_  
Budget Committee For 5 Against 0  
Commission Action Taken: For \_\_\_\_\_ Against \_\_\_\_\_ Pass \_\_\_\_\_ Out \_\_\_\_\_

\_\_\_\_\_  
Jeff Whidby, County Clerk

\_\_\_\_\_  
Brian Beathard, Commission Chairman

\_\_\_\_\_  
Rogers C. Anderson, County Mayor

\_\_\_\_\_  
Date

FILED 10-3-2022  
ENTERED 8:45 A.M.  
JEFF WHIDBY, COUNTY CLERK  
J.C.

LATE FILED Resolution No. 10-22-17

Requested by: Parks and Recreation Department

**RESOLUTION AUTHORIZING THE WILLIAMSON COUNTY MAYOR TO GRANT AN EASEMENT TO MIDDLE TENNESSEE ELECTRIC MEMBERSHIP CORPORATION**

**WHEREAS,** Williamson County, Tennessee ("County") is a governmental entity that owns real property located on Bethesda Road, Franklin, Tennessee and found at Map 155, Parcel 015.00 ("Property"); and

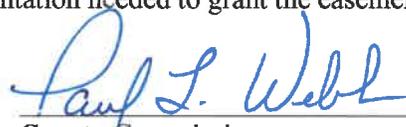
**WHEREAS,** County, upon approval of its legislative body, is authorized to grant utility easements on County owned property; and

**WHEREAS,** MTEMC needs a utility easement on the Property to install equipment for the provision of electricity to the Property; and

**WHEREAS,** the Williamson County Board of Commissioners finds it in the interest of the citizens of Williamson County to authorize the Williamson County Mayor to execute all documentation to provide the utility easement to MTEMC:

**NOW, THEREFORE, BE IT RESOLVED,** that the Williamson County Board of Commissioners, meeting in regular session this the 10<sup>th</sup> day of October 2022, authorizes the Williamson County Mayor to grant a utility easement to MTEMC on property owned by County located at Map 155, Parcel 015.00 as further described on the attached documentation;

**AND, BE IT FURTHER RESOLVED,** that the County Mayor is hereby authorized to execute the MTEMC utility easement and all other documentation needed to grant the easement.

  
\_\_\_\_\_  
County Commissioner

**COMMITTEES REFERRED TO & ACTION TAKEN:**

Commission Action Taken: For \_\_\_ Against \_\_\_ Pass \_\_\_ Out \_\_\_

\_\_\_\_\_  
Jeff Whidby, Williamson County Clerk

\_\_\_\_\_  
Brian Beathard, Commission Chairman

\_\_\_\_\_  
Rogers Anderson, Williamson County Mayor

\_\_\_\_\_  
Date

RESOLUTION NO. 10-22-2

Requested by: **Regional Planning Commission  
Planning Department**

**A RESOLUTION TO AMEND ARTICLE 20 OF THE WILLIAMSON COUNTY  
ZONING ORDINANCE REGARDING NONTRADITIONAL WASTEWATER  
TREATMENT AND DISPOSAL SYSTEMS**

**WHEREAS**, on May 14, 2012, the Board of County Commissioners adopted the Update to the Zoning Ordinance (“2013 Zoning Ordinance”) and Official Zoning Map, and established an effective date of January 1, 2013; and

**WHEREAS**, the purpose of Article 20 of the Zoning Ordinance is to provide additional standards for nontraditional wastewater treatment and disposal systems, over and above those established by the Tennessee Department of Environment and Conservation (TDEC); and

**WHEREAS**, the proposed Amendment provides a number of procedural updates and clarifications regarding the approval process for such systems as well as related to bonding and surety requirements; and

**WHEREAS**, included among the changes are:

1. changing all references from the Tennessee Regulatory Authority (TRA) to the Tennessee Public Utility Commission (TPUC);
2. updating references to TDEC’s Design Criteria;
3. allowing the site plan for a nontraditional wastewater treatment and disposal system to appear on the same Planning Commission agenda as the residential use it will serve;
4. reducing the length of time that Performance Bond Agreements for treatment and disposal systems and collection systems are required to remain in place until they may be converted to maintenance; and
5. clarifying ownership and usage of wastewater system components related to systems serving a governmental entity; and

**WHEREAS**, in addition to the required public notice requirements being met, Staff notified the utility providers themselves as well as members of the engineering consulting community of these changes; and

**WHEREAS**, on July 14, 2022, the Williamson County Regional Planning Commission conducted its official Public Hearing on this amendment, which is attached hereto and incorporated herein; and

**WHEREAS**, based upon its consideration of all the information, Planning staff recommendation, public comment and its own Public Hearing, the Williamson County Regional Planning Commission has recommended the adoption of the amendment as presented; and

**WHEREAS**, the Board of County Commissioners finds and determines that the best interests of Williamson County and its citizens will be served by the adoption of this amendment to the Zoning Ordinance as recommended by the Regional Planning Commission; and

**WHEREAS**, due notice has been published and a public hearing has been held as required by the Tennessee Code Annotated, Title 13, Chapter 7, Part 1.

**NOW, THEREFORE, BE IT RESOLVED**, that the Williamson County Board of Commissioners at its regular meeting on this the 10<sup>th</sup> day of October, 2022, after conducting the public hearing as required by law, hereby adopts the amendment

to the Williamson County Zoning Ordinance, which is attached hereto and incorporated herein as if included verbatim, in accordance with its authority in Tennessee Code Annotated, Title 13, Chapter 7, Part 1.

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the amendment will be effective and enforced on this the 10<sup>th</sup> day of October 2022.

  
County Commissioner

**COMMITTEES REFERRED TO AND ACTION TAKEN:**

Regional Planning Commission: For: 8 Against: 0

Water and Wastewater Authority For            Against           

Commission Action Taken: For:            Against:            Pass:            Out:           

\_\_\_\_\_  
Jeff Whidby, County Clerk

\_\_\_\_\_  
Tommy Little, Commission Chairman

\_\_\_\_\_  
Rogers C. Anderson, County Mayor

\_\_\_\_\_  
Date

**Amend Article 20: Nontraditional Wastewater Treatment and Disposal Systems**

**Amend Section 20.01: Purpose as follows (changes in Bold and Red):**

The purpose of this Article is to establish standards for Nontraditional Wastewater Treatment and Disposal Systems in order to implement the policies of the Williamson County Comprehensive Land Use Plan and to mitigate potential negative impacts from such systems on surrounding properties.

The Tennessee Department of Environment and Conservation (TDEC), Division of Water Pollution Control, has adopted a set of design criteria **and regulations** for the land disposal of effluent from various wastewater treatment methods. The Williamson County Commission, the Williamson County Regional Planning Commission, and the Williamson County Water and Wastewater Authority believe that additional regulations for Nontraditional Wastewater Treatment and Disposal Systems are necessary in Williamson County in order to protect the public health, safety and welfare.

The provisions of this Article are not intended to replace the role of TDEC but to provide additional requirements and a consistent approach to the review and approval of Nontraditional Wastewater Treatment and Disposal Systems within **the unincorporated area of** Williamson County.

**Amend Section 20.03 (C) as follows:**

Currently reads:

In the event that a subdivision or parcel containing any part of a wastewater treatment and land disposal system to which the provisions of this Article apply are annexed by a municipality, following the effective date of such annexation, Williamson County shall continue administration of the bonds. Release of any bonds shall only occur upon concurrence of both the municipality and Williamson County.

Proposed to read:

In the event that a subdivision or parcel containing any part of a wastewater treatment and land disposal system to which the provisions of this Article apply are annexed by a municipality, following the effective date of such annexation, Williamson County shall continue administration of the bonds, **if any**. Release of any bonds shall only occur upon concurrence of both the municipality and Williamson County.

**Amend Section 20.05 (A)(1)(b) as follows (changes in Bold and Red):**

Written proof from the **Tennessee Public Utility Commission (TPUC)** of a valid and current Certificate of Convenience and Necessity (CCN) issued to and in the name of the proposed Owner of the system, or written proof from the TRA that a CCN is not required.

**Delete Section 20.05 (A)(1)(c) and (d) which read as follows:**

- (c) Written proof of the Tennessee Secretary of State's office of a valid, legal existence of the Owner and the Agent, Applicant, Developer, Subdivider that is in good standing.
- (d) Written proof that the person or entity contracted to install the proposed system has a valid and current contractor's license by the applicable licensing board of the State of Tennessee with proper designation for the type of system proposed.

**Renumber Section 20.05(A)(1)(e) to (c).**

**Amend Section 20.05 (A)(1)(f) to (d) and edit as follows (changes in Bold and Red):**

**A Draft State** Operating Permit issued by TDEC.

**Amend Section 20.05 (A)(3)(b) as follows:**

Currently reads:

Where a proposed Nontraditional Wastewater Treatment and Disposal System does not meet the criteria listed in Section 20.05 (A)(3)a) above, a separate Site Plan for the proposed system must be approved before a Site Plan may be approved for the use the system will serve.

Proposed to read:

Where a proposed Nontraditional Wastewater Treatment and Disposal System does not meet the criteria listed in Section 20.05 (A)(3)a) above, a separate Site Plan or Concept Plan for the proposed system must be approved before a Site Plan may be approved for the use the system will serve. The Site Plan for the Nontraditional Wastewater Treatment and Disposal System and the Concept Plan or Site Plan for the use it will serve may be considered on the same agenda of the Regional Planning Commission, so long as the System Site Plan occurs first on the agenda. If the System Site Plan is not approved, then the Concept Plan or Site Plan for the use it will serve shall be deferred or withdrawn from consideration or denied for lack of wastewater treatment and disposal.

**Amend Section 20.05 (B)(1) as follows (changes in Bold and Red):**

A letter from TDEC indicating that the Nontraditional Wastewater Treatment and Disposal System was installed and is functioning, **if applicable and if TDEC is willing to issue same.**

**Amend Section 20.05 (B)(4) as follows (changes in Bold and Red):**

Applicable Performance and/or Maintenance Bonds, **if any,** as specified by the County's wastewater consultant.

**Amend Section 20.05 (C) as follows (changes in Bold and Red):**

A Zoning Certificate for the completed **Treatment and Disposal** system must be obtained before the following may occur:

**Amend Section 20.05 (E) as follows:**

Currently reads:

Operational reports shall be submitted by the owner/operator of the system to TDEC and the Williamson County Planning Department on an annual basis for compliance review.

Proposed to read:

Operational reports shall be submitted by the owner/operator of the system to TDEC on an annual basis for compliance review as required by regulations issued by TDEC.

**Add new subsection (d) to Section 20.06 (A)(7) as follows:**

(d) Written Statement from the wastewater utility who will own and operate the system, advising of its position on potential for CWTD.

**Add new subsection (O) to Section 20.06: Design Development Report Required Information as follows:**

(O) Letter from the wastewater utility who will own and operate the system that it has reviewed the DDR and accepted the proposed plans for wastewater treatment and disposal.

**Amend Section 20.08 (A) as follows:**

Delete (A) in its entirety and replace with the following:

A Performance and/or Maintenance Bond/Agreement shall be required in association with all new Nontraditional Wastewater Treatment and Disposal Systems.

**(A) WASTEWATER TREATMENT AND DISPOSAL SYSTEM BONDS**

Assurance/Bonds for the Wastewater Treatment and Disposal System shall be required according to the following:

**(1) Performance Bond/Agreement**

Upon completion of the Wastewater Treatment and Disposal System, a Performance Bond/Agreement and accompanying surety shall be executed and posted prior to issuance of the Zoning Certificate. The agreement is provided to ensure that the System is installed per the approved plans and draft or final State Operating Permit.

**a) Calculation of Performance Bond/Agreement Amount**

In order to determine the amount of the Performance Bond/Agreement, the total cost of construction of the Wastewater Treatment and Disposal System shall be calculated taking into consideration and including all of the components, facilities and improvements to the land in order to build the Wastewater Treatment

and Disposal System, which shall also include any off-site improvements and any components, facilities and improvements for auxiliary disposal. A cost estimate shall be submitted as part of the DDR, calculated utilizing recent actual construction costs for similar systems. Said cost estimate shall be created by the Design Engineer of the proposed system, who shall also seal and certify the cost estimate.

- b) The Performance Bond/Agreement for the Wastewater Treatment and Disposal System shall equal 30 percent of the cost as calculated above.

**(2) Duration of Performance Bond/Agreement**

- a) In the case of Traditional and Conservation Subdivisions, the Performance Bond/Agreement for the Wastewater Treatment and Disposal System shall remain in effect until fifteen percent (15%) of the building permits are issued for the entire development, after which the obligation may be converted to a Maintenance Bond/Agreement, as described herein.
- b) In the case of uses other than Traditional and Conservation Subdivisions, the Performance Bond/Agreement for the Wastewater Treatment and Disposal System shall remain in effect for one year after issuance of the first Certificate of Occupancy.

**(3) Maintenance Bond/Agreement**

Following completion of the required Performance Bond/Agreement period, the Water and Wastewater Authority and/or the Planning Commission may choose to convert the bond/agreement, remaining in the same amount, to a Maintenance Bond/Agreement. The Maintenance Bond/Agreement shall remain in effect for a minimum of two years.

**(4) Bonding for Separate Phases of Construction**

When the Wastewater Treatment and/or Disposal System is to be constructed in phases or stages, as permitted in Section 20.05(D) of this Article, separate Performance and/or Maintenance Bonds/Agreements shall be required for each phase or stage of the System construction.

**Amend Section 20.08 (B) as follows:**

Delete (B) in its entirety and replace with the following:

**(B) WASTEWATER COLLECTION SYSTEM BOND/AGREEMENT**

Assurance/Bonds for the Wastewater Collection System shall be required according to the following:

**(1) Performance Bond/Agreement**

A separate Performance Bond/Agreement and accompanying surety for the Wastewater Collection System shall be required. In the case of Traditional and Conservation Subdivisions, a separate Performance Bond/Agreement shall be executed and posted for each Section of the development.

- a) **Calculation of Performance Bond/Agreement Amount**
  - i) A cost estimate shall be calculated utilizing recent actual construction costs for similar systems. Said cost estimate shall be created by the Design Engineer of the proposed collection system, who shall also seal and certify the cost estimate.
  - ii) The Performance Collection Bond/Agreement shall be equal to 100 percent of the cost of the facilities and improvements to the land in order to construct the collection system.
  
- b) **Duration of Performance Bond/Agreement**
  - i) In the case of Traditional and Conservation Subdivisions, the Performance Bond/Agreement for the Wastewater Collection System shall remain in effect until fifteen percent (15%) of the building permits are issued for the applicable Section, after which the obligation may be converted to a Maintenance Bond/Agreement as described herein.
  - ii) In the case of uses other than Traditional and Conservation Subdivisions, the Performance Bond/Agreement for the Wastewater Collection System shall remain in effect for one year after issuance of the first Certificate of Occupancy.

**(2) Maintenance Bond/Agreement**

Following completion of the required Performance Bond/Agreement period, the Water and Wastewater Authority and/or the Planning Commission may choose to reduce the bond to a Maintenance Bond/Agreement in an amount equal to no less than 30 percent of the Performance Bond/Agreement amount. The Maintenance Bond/Agreement shall remain in effect for a minimum of two years.

Before a Performance Bond/Agreement for the Wastewater Collection System is reduced to a Maintenance Bond/Agreement, the following must be provided:

- a) A sealed letter from the Design Engineer that the Wastewater Collection System has been installed in accordance with the design plans; and
- b) A letter from the Utility Provider that it has accepted the Wastewater Collection System and that the System is available for operation/connection.

**Amend Section 20.08 (C) as follows (changes in Bold and Red):**

The Agent, Applicant, Developer, Subdivider shall be required to execute Performance Agreements for the Wastewater Treatment and Disposal System and Collection System consistent with and in accordance with this Article for the provision of the wastewater treatment and disposal system and a Maintenance Agreement which shall be reviewed by the County Attorney and binding upon all heirs, successors, and assigns of Agent, Applicant and Developer. Such agreements shall be executed prior to the posting of required **surety**. The Agent, Applicant, Developer, Subdivider, Owner and the Utility Provider shall be required to execute the agreements.

**Amend Section 20.08 (E) as follows:**

Delete (E) in its entirety and replace with the following:

**(E) ADDITIONAL TERMS AND REQUIREMENTS**

Applicable provisions of this Ordinance and Article 4: "Surety for Completion and Maintenance of Improvements", of the Williamson County Subdivision Regulations, concerning the type of acceptable performance and maintenance bonds/surety and the Williamson County Planning Commission's rights under the required bonds/surety are incorporated herein and are made part of this Article.

**Amend Section 20.09: Ownership of Wastewater Treatment and Disposal System Site as follows:**

Delete Section 20.09: Ownership of Wastewater Treatment and Disposal System Site in its entirety and replace with the following:

- (A)** The Wastewater Treatment System, storage lagoons and land disposal site(s) and back-up disposal sites shall be owned and operated by the same entity. No homeowners' association, property owners' association or trust indenture shall be permitted to own or operate any part of any Wastewater Treatment and Disposal System. In the event that a portion of the Wastewater Treatment and Disposal System will serve a governmental entity, the area dedicated to serve that governmental entity may be owned by the utility provider, owned by the governmental entity with a use agreement with the utility provider or subject to an exclusive easement for the utility use by and for the benefit of the governmental entity, so long as the easement is in writing, approved by the governmental entity, is for the exclusive use by the governmental entity and said agreement is recorded in the Williamson County Register of Deeds office.
- (B)** The Owner of the Wastewater Treatment and Disposal System shall also be required to employ on a full-time basis a person to hold a valid, current and applicable operator's license issued by TDEC, Water & Wastewater Operators Certification Board.
- (C)** Said Owner shall also be required to hold a valid and current approval from the Tennessee Public Utility Commission to operate said system in the proposed location.
- (D)** Except as provided in this Section 20.09, the treatment system and disposal site shall be dedicated or restricted so the only approved or acceptable use for the land disposal sites shall be for the purpose of providing wastewater treatment and disposal. All of the components of the wastewater system, including the wastewater septic tanks, if required, collection systems, pumping stations, treatment systems and storage lagoons land disposal sites shall be owned and operated by the same entity.
- (E)** All required wastewater utility easements shall be shown on the plat or site plan. Easements shall be provided to allow access to all components of the treatment system, i.e., septic tanks, pipelines, etc.

- (F) If auxiliary disposal sites are proposed (over and above the minimum area required for satisfactory operation of the treatment and disposal system), these sites will not be required to be owned by the same entity as the wastewater treatment and disposal system. A written contract or agreement between the owner of the treatment system and the owner of the auxiliary disposal site will be required. The contract will require the owner of the auxiliary disposal site to adhere to all conditions and requirements placed on the use of the auxiliary disposal sites by TDEC and/or Williamson County.
- (G) Except as provided in this Section 20.09, where the treatment system, disposal system, storage lagoons or backup disposal area will be operated by a utility issued a Certificate of Convenience and Necessity ("CCN") by the Tennessee Public Utility Commission, the land upon which the treatment and disposal system, storage lagoon(s) and backup disposal area(s) are located shall be transferred to the owner/operator of the wastewater system holding the CCN. This transfer shall be via deed with said deed being recorded in the Williamson County Register of Deeds office within sixty days of execution by the Planning Director of the Final Plat of subdivision upon which the treatment and disposal system, storage lagoon(s) or backup disposal area(s) are located. Proof of recording of this property transfer shall be provided to the Community Development Department by providing a copy of the recorded deed no later than the 60-day requirement herein.
- (H) In the event the recorded deed is not provided to the Community Development Department before the expiration of these sixty days, then the development shall be considered in violation of the Zoning Ordinance and subject to the enforcement mechanisms outlined in this Ordinance. In the event that the treatment system, disposal system, storage lagoons or backup disposal areas are utilized for the nontraditional sewage treatment and disposal for a single non-residential use and does not require a CCN from the Tennessee Public Utility Commission, then the owner of the land upon which any portion of the system is constructed, shall provide proof of ownership of that land in the form of recorded deed in the Williamson County Register of Deeds office within 60 days of approval of the Site Plan for the use of the nontraditional wastewater treatment and disposal system by the Planning Commission. In the event the recorded deed is not provided to the Community Development Department before the expiration of these 60 days, then the development shall be considered in violation of the Zoning Ordinance and subject to the enforcement mechanisms outlined in this Ordinance.

**Amend Second Paragraph of Section 20.10: Compliance with State Regulations and Guidelines as follows:**

The second paragraph currently reads:

All Wastewater Treatment and Disposal Systems constructed in Williamson County using land for the disposal of the wastewater shall comply with the provisions of the State of Tennessee, Department of Environment and Conservation, Division of Water Pollution Control, Chapter 15 – Managed Wastewater Dispersal Using Drip Irrigation, Chapter 16 - Design Guidelines for Wastewater Treatment Systems Using Spray Irrigation and/or Chapter 17 – Design Guidelines for Wastewater Dispersal Using Drip Irrigation effective January 27, 2010, and as amended.

Proposed to read:

All Wastewater Treatment and Disposal Systems constructed in Williamson County using land for the disposal of the wastewater shall comply with the provisions of the State of Tennessee, Department of Environment and Conservation, Division of Water Pollution Control, **Chapter 15 – Small Alternative Wastewater Systems**, Chapter 16 - Design Guidelines for Wastewater Treatment Systems Using Spray Irrigation and/or Chapter 17 – Design Guidelines for Wastewater Dispersal Using Drip Irrigation **effective January 27, 2010, and as amended.**

**Amend Section 20.11(A)(2) as follows:**

Delete (2) in its entirety and replace with the following:

- (2) In order to protect the drinking water aquifers, abandoned water supply wells within the treatment site must be identified along with all public water supply wells within 1,500 linear feet of any wastewater treatment and disposal site and all private water supply wells within 500 linear feet of any community land treatment site. Shallow wells within 500 feet of a wastewater treatment and disposal system will require monitoring along with all other monitoring wells.

**Amend Section 20.12 (B) as follows (changes in Bold and Red):**

**(B) LOCATION OF SYSTEM COMPONENTS**

The disposal site shall be relatively isolated, easily accessible and not susceptible to flooding. In no event shall a disposal site be located within the 10 year floodplain. The limits of the 10 year floodplain shall be established by a field elevation survey utilizing FEMA cross-section data, or an equivalent engineering study which defines the site area having a 10 percent chance of storm water inundation in any given year. No disposal site shall be utilized when inundated or saturated with water. In no event shall a wastewater treatment system be located within the pre-existing boundary of the 100 year floodplain. The limits of the 100 year floodplain shall be established by a field elevation survey utilizing FEMA cross-section data, or an equivalent engineering study which defines the site area having a 1 percent chance of storm water inundation in any given year. Areas within the 10 year and/or 100 year floodplain boundaries cannot be manipulated in such a way that the pre-existing grade is changed. **Except as permitted for the exclusive benefit of a governmental entity as described in Section 20.09 herein**, under no circumstances shall the treatment system, storage pond, disposal site and back-up disposal site be installed upon properties encumbered by easements. Under no circumstances shall the treatment system, storage pond, disposal site and back-up disposal site be installed on properties with grades in excess of 15 percent slope.

**Amend Section 20.12 (F)(1) as follows:**

Delete (F)(1) in its entirety and replace with the following:

- (1) Except where permitted for the exclusive use and benefit of a governmental entity as described in Section 20.09, the back-up disposal site shall be owned by the wastewater system owner.

RESOLUTION NO. 10-22-3

Requested by: **Regional Planning Commission  
Planning Department**

**A RESOLUTION TO AMEND ARTICLES 13, 14 AND 19 OF THE ZONING  
ORDINANCE REGARDING THE LOCATION OF NATURAL RESOURCES WITHIN  
LARGE-LOT SUBDIVISIONS**

- WHEREAS,** on May 14, 2012, the Board of County Commissioners adopted the current Zoning Ordinance and Official Zoning Map, and established an effective date of January 1, 2013; and
- WHEREAS,** the Planning Commission reviews three types of subdivisions: Traditional Subdivisions, Conservation Subdivisions and Large-Lot Easement Subdivisions; and
- WHEREAS,** large-Lot Easement Subdivisions have always been viewed as a *limited* exception to the general requirement that all lots in subdivisions must abut a road that is built to County specifications. Because the easement drives are typically built to a lower standard, Large-Lot Easement Subdivisions are restricted to five or fewer lots, all of which must be at least five acres in size; and
- WHEREAS,** in Large-Lot Easement Subdivisions, the natural resources that require protection can be located on lots, but are restricted from being located within building envelopes; and
- WHEREAS,** by contrast, Traditional Subdivisions in the one unit per five acre zoning districts (which also require each lot to be at least five acres in size) require the natural resources to be located in open space, and there is a minimum open space requirement of thirty percent (30%); and
- WHEREAS,** staff has observed that this contrast in how natural resources are treated has served as a disincentive to developing Traditional Subdivisions, the preferred development option, because of the requirement of building roads to County specifications; and
- WHEREAS,** the result of this disincentive has often been developers choosing to develop multiple large-lot easement subdivisions on a parent parcel, creating a patchwork of private drives that don't connect internally; and
- WHEREAS,** in order to address this disincentive, Staff is proposing this Text Amendment, which will allow the natural resources to be located on lots but not within building envelopes in Traditional Subdivisions when lots are at least five acres in size, just as it is for Large-Lot Easement Subdivisions, while maintaining an open space requirement, in order to accommodate landscaping, stormwater facilities, etc., but reducing this requirement in these circumstances from 30% to 15%; and
- WHEREAS,** while Large-Lot Easement Subdivisions will continue to be a development option, Staff believes that this Text Amendment will eliminate this disincentive and result in better, safer, and more cohesive developments; and
- WHEREAS,** based upon its consideration of all the information, Planning staff recommendation, public comment and its own Public Hearing, the Williamson County Regional Planning Commission has recommended the adoption of the amendment as presented; and
- WHEREAS,** the Board of County Commissioners finds and determines that the best interests of Williamson County and its citizens will be served by the adoption of this

amendment to the Zoning Ordinance as recommended by the Regional Planning Commission; and

**WHEREAS,** due notice has been published and a public hearing has been held as required by the Tennessee Code Annotated, Title 13, Chapter 7, Part 1.

**NOW, THEREFORE, BE IT RESOLVED,** that the Williamson County Board of Commissioners at its regular meeting on this the 10<sup>th</sup> day of October, 2022, after conducting the public hearing as required by law, hereby adopts the amendment to the Williamson County Zoning Ordinance, which is attached hereto and incorporated herein as if included verbatim, in accordance with its authority in Tennessee Code Annotated, Title 13, Chapter 7, Part 1.

**NOW, THEREFORE, BE IT FURTHER RESOLVED,** that the amendment will be effective and enforced on this the 10<sup>th</sup> day of October 2022.

  
\_\_\_\_\_  
County Commissioner

**COMMITTEES REFERRED TO AND ACTION TAKEN:**

Regional Planning Commission: For:   8   Against:   0  

Commission Action Taken: For:            Against:            Pass:            Out:           

\_\_\_\_\_  
Jeff Whidby, County Clerk

\_\_\_\_\_  
Commission Chairman

\_\_\_\_\_  
Rogers C. Anderson, County Mayor

\_\_\_\_\_  
Date

Amend Section 13.02(C)(1) as follows:

**(C) PROTECTION STANDARDS**

- (1)** All WNAs shall be preserved as permanent open space set-aside areas (See Article 14: Open Space Set-Aside Standards.) except in developments where an open space set-aside is not required as part of this Ordinance or in Major Traditional Subdivisions where all lots are at least five (5) acres in size.

Amend Section 13.03(B)(4)ii as follows:

- ii. Where open space is not required as part of a development or in Major Traditional Subdivisions where all lots are at least five (5) acres in size, very steep slope areas may be located on a lot, provided that the area(s) is not located within a building envelope or areas subject to land disturbing activities.

Amend Section 13.03(C)(2)b as follows:

- b) Where open space is not required as part of a development or in Major Traditional Subdivisions where all lots are at least five (5) acres in size, hilltop and ridgetop areas may be located on a lot, provided that a minimum of 80 percent of the hilltop and ridgetop area(s) are not located within a building envelope or areas subject to land disturbing activities.

Amend Section 13.03(D)(2)a)ii as follows:

- ii. Where open space is not required as part of a development or in Major Traditional Subdivisions where all lots are at least five (5) acres in size, land containing slippage soils on slopes of 15 percent or greater may be located on a lot, provided that the area(s) is not located within a building envelope or areas subject to land disturbance activities.

Amend Section 13.04(C)(4) as follows:

- (4)** Where open space is not required as part of a development or in Major Traditional Subdivisions where all lots are at least five (5) acres in size, karst features may be located on individual building lots, but such features, along with the required buffers, must be preserved in their natural state and located outside of building envelopes.

Amend Section 13.06(C)(2) as follows:

- (2) Where open space is not required as part of a development, **or in Major Traditional Subdivisions where all lots are at least five (5) acres in size**, and where applicable State or Federal agencies find that there are jurisdictional wetlands that require protection on a site, wetlands may be located on individual lots and shall be preserved in their natural state.

Amend Section 13.07(C)(2)c)ii as follows:

- ii. Where open space is not required as part of a development **or in Major Traditional Subdivisions where all lots are at least five (5) acres in size**, any existing tree canopy required to be retained in accordance with **Table 13.07-1** may be located on individual lots provided that such canopy is not located within the building envelope or areas subject to land disturbing activities.

Amend Table 14.03-1: Open Space Set Aside, as follows:

<b>TABLE 14.03-1: OPEN SPACE SET-ASIDE</b>	
DISTRICT AND TYPE OF USE	MINIMUM PERCENTAGE OF GROSS SITE AREA DESIGNATED AS OPEN SPACE
<b>A DISTRICT</b>	
All Use Types	None
<b>RD-5, RP-5 AND TCA-1 DISTRICTS</b>	
Conservation Subdivisions	60%
Major Traditional Subdivisions	<del>30%</del> 15%
Nonresidential Uses	60%
<b>RD-1, RP-1, GVC1, AND SIC DISTRICTS</b>	
Conservation Subdivisions	50% (See Section 10.02(F)(2)c))
Major Traditional Subdivisions	25%
Multi-Family Dwellings	50%
Nonresidential Uses	50%
<b>V AND H DISTRICTS</b>	
Conservation Subdivisions	50%
Major Traditional Subdivisions	20%
Multi-Family Dwellings	40%
Nonresidential Uses	40%
Residential Institutional	40%
Retirement Communities	40%

Amend Section 19.07(A)(2) as follows:

- (2) Where open space is not required as part of a development or in Major Traditional Subdivisions where all lots are at least five (5) acres in size, areas of special flood hazard may be located on individual lots and shall be preserved and buffered in their natural state.

**A RESOLUTION TO AMEND THE ZONING ORDINANCE TEXT  
AS IT RELATES TO TELECOMMUNICATION TOWERS**

**WHEREAS,** on May 14, 2012, the Board of County Commissioners adopted the Update to the Zoning Ordinance (“2013 Zoning Ordinance”) and Official Zoning Map, and established an effective date of January 1, 2013; and

**WHEREAS,** the Zoning Ordinance currently regulates traditional telecommunication towers, including the location, standards and approval procedures; and

**WHEREAS** On April 12, 2018, Public Chapter 819 became effective (amended by Public Chapter 799, effective March 17, 2022), entitled the “Competitive Wireless Broadband Investment, Deployment and Safety Act of 2018,” which created a policy of the State of Tennessee and its local governments to “encourage investment in technologically advanced infrastructure that delivers access to information and connectivity between citizens” as well as the purpose of the law, which was to eliminate obstacles and discriminatory policies that may slow deployment of new infrastructure and improvements to existing networks for the purpose of supporting emerging wireless technologies, among other reasons; and

**WHEREAS** though Public Chapters 819 and 799 do not apply to the more traditional taller towers, Williamson County has regulated the construction of those for many years in accordance with the Telecommunications Act of 1996, which was further updated by the Spectrum Act of 2012; and

**WHEREAS,** since that original adoption, the Federal Communications Commission (FCC) has issued many orders and regulatory changes streamlining the required approval processes for these traditional towers and further limiting the authority of local governments to implement regulations and standards in such a way that could result in slowing or deterring deployment of these technologies; and

**WHEREAS,** Williamson County has always supported the deployment of advanced technologies for telecommunication, noting the benefits of this technology to its citizens in terms of safety, business support and advancement and general quality of life, while seeking to balance these opportunities, support and benefits with any potential negative effects that could result from the placement of telecommunication towers; and

**WHEREAS,** though the small cell technologies that are being deployed in the County for the most part thus far are being sited within the municipal limits, the County is beginning to see the interest of the telecommunication companies in the placement of small cell technology in the unincorporated County; and therefore, it is in the best interest of the County to have its procedures in place prior to any full-scale deployment; and

**WHEREAS,** the proposed amendments seek to achieve three things:

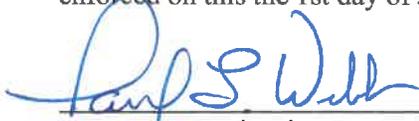
- 1) to update the existing provisions in the Zoning Ordinance related to the traditional towers to ensure they comply with the latest regulatory guidelines and standards from the FCC and to more accurately align the current state of authority of local governments to regulate these types of technologies, while also encouraging the location of this infrastructure in a way that supports the safety and quality of life of County residents and business owners,
- 2) to create a section in the Zoning Ordinance related to small cell technology that is in accordance with the standards and limitations of the new Public Chapters, and
- 3) recognizing that this is an ever-changing technological landscape, to provide for a regulatory framework for the deployment of the small cell technology in locations outside of the County rights-of-way, in recognition of the likely future desire to locate these types of facilities within private road developments and nonresidential uses and structures; and

**WHEREAS,** This update process has taken many months of researching the most up to date guidance and standards, and included discussions amongst the various County departments under the guidance of the County Mayor to arrive at the best outcome of the use of these technologies by the County residents and business owners, as well as engaging the expertise of the technology companies to ensure that the perspective of the regulated community has been taken into account; and

- WHEREAS,** Planning Staff believes that the proposed Text Amendments will further the goals of the County to ensure high quality telecommunications access and bring the County into compliance with the most updated statutory, procedural and regulatory guidelines; and
- WHEREAS,** on September 8, 2022, the Williamson County Regional Planning Commission conducted its official Public Hearing on these amendments, which are attached hereto and incorporated herein; and
- WHEREAS,** based upon its consideration of all the information, public comment and its own Public Hearing, the Williamson County Regional Planning Commission has recommended the adoption of the amendments as presented; and
- WHEREAS,** the Board of County Commissioners finds and determines that the best interests of Williamson County and its citizens will be served by the adoption of these amendments to the Zoning Ordinance as recommended by the Regional Planning Commission; and
- WHEREAS,** due notice has been published and a public hearing has been held as required by the Tennessee Code Annotated, Title 13, Chapter 7, Part 1.

**NOW, THEREFORE, BE IT RESOLVED,** that the Williamson County Board of Commissioners at its regular meeting on this the 10th day of October, 2022, after conducting the public hearing as required by law, hereby adopts the amendments to the Williamson County Zoning Ordinance, which is attached hereto and incorporated herein as if included verbatim, in accordance with its authority in Tennessee Code Annotated, Title 13, Chapter 7, Part 1.

**NOW, THEREFORE, BE IT FURTHER RESOLVED,** that the amendments will be effective and enforced on this the 1st day of January, 2023.

  
County Commissioner

  
County Commissioner

**COMMITTEES REFERRED TO AND ACTION TAKEN:**

Regional Planning Commission: For: 6 Against: 0

Commission Action Taken: For: \_\_\_\_\_ Against: \_\_\_\_\_ Pass: \_\_\_\_\_ Out: \_\_\_\_\_

\_\_\_\_\_  
Jeff Whidby, County Clerk

\_\_\_\_\_  
Brian Beathard, Commission Chairman

\_\_\_\_\_  
Rogers C. Anderson, County Mayor

\_\_\_\_\_  
Date

Amend Article 11, Section 11.01, Tables 11.01-1 and 11.02-2 as follows:

Under the “Transportation and Utilities Use Category” Delete and Replace Use Type “Wireless Telecommunication Facilities” in all Zoning Districts with the following:

Use Category	Use Type	Zoning Districts/Additional Requirements
Transportation and Utilities	Wireless Telecommunication Facilities	Permitted or Special Use as Established in Section <del>11.03:(C)(13)</del>
	Wireless Communications Facilities (WCF)	See Section 11.06: Telecommunication Uses
	Small Wireless Facility (SWF)	See Section 11.06: Telecommunication Uses

Delete the contents of Article 11, Section 11.03:(C)(13): Wireless Telecommunication Facility in its entirety and replace with Section 11.03:(C)(13): Reserved

Amend Article 11 to add New Section 11.06: Telecommunication Uses

Section 11.06: Telecommunication Uses

**(A) Wireless Communication Facilities (WCF)**

**(1) Purpose and Intent**

The Telecommunications Act of 1996 and the Spectrum Act of 2012 affirmed Williamson County’s authority concerning the placement, construction, and modification of wireless communications facilities (“WCF”). Williamson County finds that it is in the best interest of the citizens of Williamson County to develop regulations that would minimize the visual impact of the placement of communication facilities. The County also recognizes that facilitating the development of wireless service technology can be an economic development asset to the County and of significant benefit to the County and its residents. In order to ensure that the placement, construction, or modification of communications facilities is consistent with the County’s land use policies, Federal law, and Tennessee law, the County is adopting a revised comprehensive wireless communications facilities application and permit

## FOR PLANNING COMMISSION AND COUNTY COMMISSION CONSIDERATION

process. The intent of this Ordinance is to minimize the negative impact of communications facilities, while establishing a fair and efficient process for review and approval of applications, assure an integrated, comprehensive review of environmental impacts of such facilities, and protect the health, safety and welfare of Williamson County.

### **(2) Title**

This Ordinance, which is contained within and made a part of the Williamson County Zoning Ordinance, shall be known and cited as the Wireless Communications Facilities Siting Ordinance for Williamson County.

### **(3) Severability**

- a) If any word, phrase, sentence, part, section, subsection, or other portion of this Ordinance or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the proscribed application thereof, shall be severable, and the remaining provisions of this Ordinance, and all applications thereof, not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.
- b) Any permit or Permit issued under this Ordinance shall be comprehensive and not severable. If part of a permit is deemed or ruled to be invalid or unenforceable in any material respect, by a competent authority, or is overturned by a competent authority, the permit shall be void in total, upon determination by the County.

### **(4) Overall Policy and Desired Goals for Permits for Communications Facilities**

In order to ensure that the placement, construction, and modification of WCF has minimum adverse effect on the County's health, safety, public welfare, environmental features, the nature and character of the community and neighborhood while recognizing the desire for and benefits associated with communication services, the County hereby adopts an overall policy with respect to issuing a Zoning Permit for all communications facilities for the express purpose of achieving the following goals:

- a) Requiring a Zoning Permit for any new, co-location, or modification of any communications facility unless otherwise provided herein.
- b) Establishing a policy for examining an application for and issuing a Zoning Permit for all communications facilities that is both fair and in compliance with State and Federal laws.
- c) Promoting and encouraging, wherever possible, the sharing and/or co-location of communications facilities among service providers.
- d) Promoting and encouraging, wherever possible, the placement, height and quantity of communications facilities in such a manner to include, but not be limited to, the use of stealth technology to minimize adverse aesthetic and visual impacts on the land, property, buildings, and other

facilities adjacent to, surrounding, and in generally the same area while balancing the desire for additional communication services.

- e) Ensuring a clear procedure for the application, review and approval of small wireless facilities.
- f) Encouraging the ability of technological upgrades to WCF to ensure that the citizens of Williamson County have access to the best and most efficient services.

**(5) Location Priority of Wireless Communications Facilities (WCF)**

- a) Applicants for WCF shall locate, site, and erect all WCF in accordance with the following priorities, with this Paragraph (i) being the highest priority and Paragraph (iv) being the lowest priority.
  - i) On existing towers or other structures increasing the height of the tower or structure no more than ten percent (10%).
  - ii) On County-owned properties.
  - iii) On properties owned by the Williamson County School Board.
  - iv) On existing towers or structures by increasing their height by more than ten percent 10%.
  - v) All other sites.
- b) Should an applicant by-pass sites of higher priority, it shall provide documentation showing substantial evidence that the higher priority option is not a commercially viable option or technically feasible. Agreements between providers limiting or prohibiting co-location shall not be by itself substantial evidence for a claim of commercial impracticability or hardship.
- c) Notwithstanding the above, the Codes Compliance Director may approve any site located within an area in the above list of i., ii. and iii. of priorities, with the finding that the proposed site is not injurious to the best interest of the health, safety and welfare of the County and its inhabitants and will not have an adverse effect on the nature and character of the community and neighborhood.

**(6) Shared Use of Wireless Communications Facilities and Other Structures**

- a) The County prefers the location of antennas on existing towers or others structures without increasing the height by more than ten percent (10%) as opposed to issuing a Zoning Permit for a new tower, thus discouraging the unneeded construction of a new WCF tower.
- b) No transmit equipment of any kind may be installed on any structure below ten (10) meters from the surface level without approval from the Codes Compliance Director.
- c) An applicant submitting an application for a co-location of an antenna that does not increase the height of the communication structure by more than ten percent (10%) will need only to provide the following to obtain a Zoning Permit:
  - i) Letter of Intent outlining the scope of work;
  - ii) A site plan;

## FOR PLANNING COMMISSION AND COUNTY COMMISSION CONSIDERATION

- iii) Construction plans showing the current and proposed conditions, including the location and elevation of the new antenna; and
- iv) A structural analysis showing the tower is capable of supporting the additional antenna/equipment.
- v) The Zoning Permit shall be granted at no cost to the applicant.

### **(7) Visibility of Wireless Communication Facilities**

- a) WCF shall not be artificially lit or marked, except as required by law. If lighting is required by the FAA, dual (low-intensity) lighting shall be encouraged. All FAA-required lighting shall use lights that are designed to minimize downward illumination. Security lighting for equipment shelters or cabinets and other on-the-ground ancillary equipment is permitted as long as full cutoff fixtures are used.
- b) Unless good cause is shown, towers shall be galvanized and/or painted with a rust-preventive paint of an appropriate color to harmonize with the surroundings, and shall be maintained in accordance with common practice in the communication industry. Stealth design is encouraged in all zoning districts. Stealth and concealment techniques must be appropriate given the proposed location, design, visual environment and nearby uses or structures and natural features (including, but not limited to clock towers, flag poles or faux trees). Stealth design shall be designed and constructed to substantially conform to surrounding building designs or natural settings, so as to be visually unobtrusive. Stealth design that relies on screening WCF in order to reduce visual impact must screen all substantial portions of the facility from view. Stealth and concealment techniques do not include incorporating faux-tree designs of a kind that are out of scale with natural vegetation.

### **(8) Height of Wireless Communication Facilities Towers**

- a) Any proposed co-location or modification of an existing WCF tower shall not, unless otherwise provided for in this Ordinance, exceed the current height of an existing telecommunication structure by more than ten percent (10%) at the time this Ordinance is adopted.
- b) No application for a new tower or any co-location that requires operation with new artificial lighting of any kind in accordance with all applicable laws, ordinances, or rules shall be approved without providing substantial evidence to the Codes Compliance Director supporting the need for the requested height.
- c) Any increase in the height of an existing tower by more than ten percent (10%) shall be considered a Substantial Change and will require a revision to the permit.

### **(9) Permit Application and Other Requirements**

Unless otherwise exempted by Tennessee Law or this Ordinance, all applicants for a Zoning Permit for WCF or any modification of such facility shall comply with the requirements set forth in this Ordinance. The Codes Compliance Director is the officially designated staff member of the County to whom

## FOR PLANNING COMMISSION AND COUNTY COMMISSION CONSIDERATION

applications for a Zoning Permit for all WCF must be made, and who is authorized to review, analyze, evaluate and make final decisions with respect to granting or not granting, or revoking permits for communications facilities.

- a) **New Wireless Communication Facility (WCF)**
  - i) An applicant for a new WCF must contact the Codes Compliance Director of the intent to construct a new WCF.
  - ii) Once an applicant has contacted the Codes Compliance Director of its interest to apply for a Zoning Permit for a new WCF, and upon written request by the applicant, there shall be a pre-application meeting scheduled within ten (10) working days of receipt of the request to be attended by the applicant, the Codes Compliance Director, Community Development Department staff, other County staff, and county consultants, if needed. The purpose of the pre-application meeting will be to address issues that will help to expedite the review and permitting process. In addition, the applicant will be able to ask questions and discuss the information and documentation that may be needed to expedite the application procedure. Staff, with the assistance of a consultant, if present, will explain the process of collecting the fee for the application process to reimburse Williamson County for the cost of the application process. The fee for the pre-application meeting shall be \$750 which is to be paid before or at the pre-application meeting. A pre-application meeting shall also include a site visit if the Codes Compliance Director deems it would assist in the application process.
  - iii) At the conclusion of the pre-application meeting, the Codes Compliance Director will provide general guidance as to whether the application will be reviewed, approved, or denied by staff.
  
- b) **Process for New Wireless Communication Facility (WCF)**
  - i) The applicant must fully complete and sign an application for a Zoning Permit for a new WCF attesting to the contents and representations made therein and to the truth and completeness of the information. The application shall then be submitted to the Codes Compliance Director for review.
  - ii) Any and all representations made by the applicant to the County on the record during the application process, whether written or verbal, shall be deemed a part of the application and may be relied upon in good faith by the County.
  - iii) The applicant is to provide documentation that shows the construction of the communication facility does not require lighting under the applicable FAA regulations, or if it does require such lighting, demonstrate that the lighting complies with the standards of this Section.
  - iv) The applicant is to provide the name and contact information of the owner of the facility and the name and contact information

FOR PLANNING COMMISSION AND COUNTY COMMISSION CONSIDERATION

- of the property owner if located on property owned by a third party.
- v) The applicant is to provide documentation to verify it has the right to proceed as proposed on the site. If the applicant owns the site, a copy of the ownership record is required.
  - vi) In addition to the above requirements, an application for a new WCF shall provide the following information to the Codes Compliance Director:
    - A. The zoning district or designation in which the property is situated;
    - B. A copy of the tax map and parcel number of the property that the proposed facility will be constructed on should the application be approved;
    - C. A map drawn to scale showing the size of the proposed lot, the property lines, as well as the location of all structures within the requested fall zone of the proposed WCF;
    - D. If applicable, documentation explaining why sites of a higher priority were not selected;
    - E. A description of the structures that are located in the fall zone radius of the proposed WCF tower;
    - F. A map of all existing communication facilities within a two (2) mile radius of the proposed WCF tower;
    - G. Documentation supporting and explaining why co-location on one of the existing WCF towers within the two (2) mile radius is not a viable option;
    - H. Documentation supporting and explaining the inability of the facility to be located on property owned by Williamson County;
    - I. Any other reasonable documentation needed by the Codes Compliance Director or its consultant to assess the application;
    - J. Reasonably detailed construction plans of the tower including the color, material used to construct, the model and all other additional facilities needed and any stealth technology;
    - K. Documentation to support the need for the proposed height of the WCF tower;
    - L. A site plan that details the location of all easements, the location of the proposed structure(s), location of all other structures, the location of existing utilities, including primary and back-up subsurface sewage disposal systems, and the location of the proposed means of ingress and egress;
    - M. Reasonably detailed plans showing the location of existing and proposed power lines and other utilities. The power lines shall be installed underground if the lines are to go through wooded area. Power lines that cross open, non-wooded land may be installed overhead. All utilities at a communications facility site

FOR PLANNING COMMISSION AND COUNTY COMMISSION CONSIDERATION

required to be installed shall be installed underground and in compliance with all laws, ordinances, rules and regulations of the County, including specifically, but not limited to, the National Electrical Safety Code and the National Electrical Code where appropriate;

- N. Description of stealth technology that will be used to make the facility less visually noticeable or documentation why stealth technology is not feasible for the proposed facility;
  - O. If needed to be constructed, the plans for the construction of any proposed method of ingress and egress;
  - P. A signed statement that should the installation cause any physical or RF interference with other existing telecommunication equipment or structures, that applicant will remedy within a reasonable period of time or as otherwise dictated by Federal or State law;
  - Q. A copy of the geotechnical sub-surface investigation, evaluation report and foundation recommendation for a proposed site for all WCF applications; and
  - R. A grading and erosion control plan, including access road, as required by Williamson County.
  - S. Nothing in this Section shall require the applicant to provide documentation to justify radio frequency. The applicant may voluntarily submit such documentation if it so desires.
  - T. If artificial lighting is required by the FAA, applicant shall use lights that are designed to minimize downward illumination. Security lighting for equipment shelters or cabinets and other on-the-ground ancillary equipment is permitted as long as full cutoff fixtures are used. Applicant shall file a lighting plan demonstrating compliance with these standards.
- vii) At a communications site, an access road, turn around space, and parking area shall be provided to assure adequate emergency and service access. Maximum use of existing roads, whether public or private, shall be made to the extent practicable. Road construction shall at all times minimize ground disturbance and the cutting of vegetation. Road grades shall closely follow natural contours to assure minimal visual disturbance and reduce soil erosion.
- viii) All WCF shall be constructed, operated, maintained, repaired, provided for removal of, modified or restored in strict compliance with all current applicable technical, safety and safety-related codes adopted by the County, State, or United States, including but not limited to the most recent editions of the ANSI Code, Clean Water Act, National Electrical Safety Code and the National Electrical Code, as well as accepted and responsible workmanlike industry practices and recommended

practices of the National Association of Tower Erectors. The codes referred to are codes that include, but are not limited to, construction, building, electrical, fire, safety, health, and land use codes. In the event of a conflict between or among any of the preceding, the more stringent shall apply.

- ix) In addition to the requirements to obtain a Zoning Permit granted under this Ordinance, the applicant shall obtain, at its own expense, all other permits and licenses required by applicable Law, rule, regulation or code, and must maintain the same, in full force and effect, for as long as required by the County or other government entity or agency having jurisdiction over the applicant.
- x) Should the Codes Compliance Director make a final determination to approve the application, the applicant will be notified in writing of the approval including a detailed description of any conditions and the reasons for the conditions within thirty (30) days of the decision. Should an applicant disagree with any of the conditions, it may appeal to the Board of Zoning Appeals.
- xi) Should the Codes Compliance Director make a final determination to deny an application, the applicant will be notified in writing of the denial and a detailed description of the reasons for the denial. The applicant may appeal the Codes Compliance Director's decision, by appealing to the Board of Zoning Appeals within sixty (60) days of receipt of the denial notice.
- xii) The County may employ the services of an outside consultant for assistance in the review of new WCF towers. Should the County need such assistance, the applicant shall be required to pay for a reasonable consultant fee, as described below:
  - A. The County may hire any consultant and/or expert necessary to assist the County in reviewing and evaluating the application for any new WCF including any plans for the construction and modification of a site, and any site inspections. The County may refer any application or part thereof to any advisory or other committee for a non-binding recommendation. The consultant's opinion is merely a recommendation and as such is not binding in any way on the governmental body tasked with making the final determination.
  - B. The applicant will be assessed a fee by Williamson County before any final decision is reached in an amount sufficient to reimburse the County for all reasonable costs of consultant and expert evaluation and consultation to the County in connection with the review of any application.
  - C. The total amount of the funds needed for the consultant may vary with the scope and complexity of the project, the completeness of the application and other information as may be needed to complete the

necessary review, analysis, and inspection of any construction or modification.

c) **Modification of Existing WCF Tower That Does Not Qualify as an Eligible Facility**

Unless otherwise provided for herein, the Codes Compliance Director shall have the authority to approve with or without any reasonable conditions or deny any application should the applicant fail to satisfy the conditions or requirements included in this Ordinance for modification or a co-location which increases the height of an existing WCF structure and does not qualify as an Eligible Facility.

d) **Process for the Modification of Existing WCF**

- i) The applicant must fully complete and sign an application for a Zoning Permit for a WCF modification attesting to the contents and representations made therein and to the truth and completeness of the information. The application shall then be submitted to the Codes Compliance Director for review.
- ii) Any and all representations made by the applicant to the County on the record during the application process, whether written or verbal, shall be deemed a part of the application and may be relied upon in good faith by the County.
- iii) The applicant is to provide documentation that shows the construction or modification of the communication facility does not require lighting under the applicable FAA regulations, or if it does require lighting, demonstrate that the lighting complies with the standards of this Section.
- iv) The applicant is to provide the name and contact information of the owner of the facility subject to the request and the name of the property owner if located on property owned by a third party.
- v) In addition to the above requirements, an application for a modification of a WCF facility that does not qualify as an eligible facility shall provide the following information to the Codes Compliance Director:
  - A. The zoning district or designation in which the property is situated;
  - B. A copy of the tax map and parcel number of the property that the proposed facility will be constructed on should the application be approved;
  - C. A map drawn to scale showing the size of the proposed lot, the footage of the property lines, as well as the location of all structures within the requested fall zone of the proposed WCF;
  - D. A description of the structures that are located in the fall zone radius of the proposed WCF tower;
  - E. A map of all existing communication facilities within a three (3) mile radius of the proposed modified WCF tower;

## FOR PLANNING COMMISSION AND COUNTY COMMISSION CONSIDERATION

- F. Any other reasonable documentation needed by the Codes Compliance Director or its consultant to assess the application;
  - G. Reasonably detailed construction plans of the tower including the color, material used to construct, the model and all other additional facilities needed and any stealth technology;
  - H. Documentation to support the need for the proposed height of the modified WCF tower;
  - I. Provide a site plan that details the location of all easements, the location of the proposed modified structure(s), location of all other structures, the location of existing utilities, and the location of the means of ingress and egress and modification thereto, if any;
  - J. Reasonably detailed plans showing the installation of power lines and other utilities. The power lines shall be installed underground if the lines are to go through wooded area. Power lines that cross open, non-wooded land may be installed overhead. All utilities at a communications facility site required to be installed shall be installed underground and in compliance with all applicable laws, ordinances, rules and regulations of the County, including specifically, but not limited to, the National Electrical Safety Code and the National Electrical Code where appropriate;
  - K. Description of stealth technology that will be used to make the modified facility less visually noticeable or documentation why stealth technology is not feasible for the proposed modified facility;
  - L. If needed to be constructed, the plans for the construction of any proposed modification of the method of ingress and egress;
  - M. A signed statement that should the installation cause any physical or RF interference with other existing telecommunication equipment or structures, that applicant will remedy within a reasonable period of time or as otherwise dictated by Federal or State law
  - N. A copy of the geotechnical sub-surface investigation, evaluation report and foundation recommendation for a proposed site for all WCF applications;
  - O. A grading and erosion control plan, including access road, as required by Williamson County; and
  - P. Nothing in this Section shall require the applicant to provide documentation to justify radio frequency. The applicant may voluntarily submit such documentation if it so desires.
- vi) Should the Codes Compliance Director make a final determination to approve the application, the applicant will be

notified in writing of the approval including a detailed description of any conditions and the reasons for the conditions within thirty (30) days of the decision. Should an applicant disagree with any of the conditions, it may appeal to the Board of Zoning Appeals.

- vii) Should the Codes Compliance Director make a final determination to deny an application, the applicant will be notified in writing of the denial and a detailed description of the reasons for the denial. The applicant may appeal the Codes Compliance Director's decision, by appealing to the Board of Zoning Appeals within sixty (60) days of receipt of the denial notice.

e) **Eligible Facility Request**

Unless otherwise provided for herein, the County may not deny and shall approve any Eligible Facilities request for modification of an eligible support structure that is not a Substantial Change to the physical dimensions of such structure.

f) **Process for Eligible Facility Request**

i) **Documentation requirement for review**

When an applicant asserts in writing that a request for modification is an Eligible Facility, the County may require the applicant to provide documentation or information only to the extent reasonably related to determining whether the request meets the requirements herein. The County may not require an applicant to submit any other documentation, including but not limited to documentation intended to illustrate the need for such wireless facilities or to justify the business decision to modify such wireless facilities.

ii) **Timeframe for review**

Within sixty (60) days of the date on which an applicant submits a request seeking approval under this Section, the County shall approve the application unless it determines that the application is not covered by this Section.

iii) **Tolling of timeframe for review**

The sixty (60) day period begins to run when the application is filed, and may be tolled only by mutual agreement or in cases where the County determines that the application is incomplete. The timeframe for review is not tolled by a moratorium on the review of applications.

- A. To toll the timeframe for incompleteness, the County must provide written notice to the applicant within thirty (30) days of receipt of the application, clearly and specifically delineating all missing documents or information. Such delineated information is limited to documents or information meeting the standards of section (i) above.

FOR PLANNING COMMISSION AND COUNTY COMMISSION CONSIDERATION

- B. The timeframe for review begins running again when the applicant makes a supplemental submission in response to the County's notice of incompleteness.
  - C. Following a supplemental submission, the County will have ten (10) days to notify the applicant that the supplemental submission did not provide the information identified in the original notice delineating missing information. The timeframe is tolled in the case of second or subsequent notices pursuant to the procedures identified in this subsection. Second or subsequent notices of incompleteness may not specify missing documents or information that were not delineated in the original notice of incompleteness, except where there is missing information from the second or subsequent supplemental submission.
  - D. **Failure to act**  
In the event the County fails to approve or deny a request under this section within the timeframe for review (accounting for any tolling), the request shall be deemed granted. The deemed grant does not become effective until the applicant notifies the County in writing after the review period has expired (accounting for any tolling) that the application has been deemed granted.
- iv) An Eligible Facility is one that does not propose a Substantial Change. Substantial change, for purposes of this Section, means: A modification which substantially changes the physical dimensions or an eligible support structure if it meets any of the following criteria:
- A. For WCF towers, it increases the height of the tower by more than ten percent (10%), or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty (20) feet, whichever is greater, for other eligible support structure, it increases the height of the structure by more than ten percent (10%) or more than ten (10) feet, whichever is greater.
  - B. Changes in height should be measured from the original support structure in cases where deployments are or will be separated horizontally, such as building' rooftops; in other circumstances, changes in height should be measured from the dimensions of the tower or base station, inclusive of originally approved appurtenances and any modifications that were approved prior to the passage of the Spectrum Act of 2012.
  - C. For WCF towers, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the tower more than twenty (20) feet, or more

- than the width of the tower structure at the level of the appurtenance, whichever is greater; for other eligible support structures, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six (6) feet.
- D. For any eligible support structure, involves the installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four (4) cabinets; or, for towers in the public rights of way and base stations, it involves installation of any new equipment cabinets on the ground if there are not pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than ten percent (10%) larger in height or overall volume than any other ground cabinets associated with the structure.
  - E. It entails any excavation or deployment outside of the current site, except that, for towers other than towers in the public rights of way, it entails any excavation or deployment of transmission equipment outside of the current site by more than thirty (30) feet in any direction. The site boundary from which the thirty (30) feet is measured excludes any access or utility easements currently related to the site.
  - F. It would defeat the concealment or stealth elements of the eligible support structure; or
  - G. It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment, provided, however that this limitation does not apply to any modification that is non-compliant only a manner that would not exceed thresholds identified in (A)-(D) above.

**(10) General Exceptions and Exclusions**

No person shall be permitted to site, place, build, construct, modify or prepare any site for the placement or use of WCF without having first obtained a Zoning Permit for WCF. Notwithstanding anything to the contrary in this Section, no Zoning Permit shall be required for the following:

- a) All WCF existing on or before the effective date of this Ordinance on ---- (date) shall be allowed to continue as they presently exist. Any increase in the height of the WCF by any means shall not be exempted and shall be subject to the requirements and restrictions of this Ordinance.
- b) Fire, police, or other public service facilities owned or operated by Williamson County, another local government, electric or other public utility cooperative or by a Utility District.
- c) Over-the-air reception devices including the reception antennas for direct broadcast satellites (DBS), multi-channel multipoint distribution

(wireless cable) providers (MMDS), television broadcast stations (TVBS) and other customer-end antennas that receive and transmit fixed wireless signals that are primarily used for reception.

- d) Facilities exclusively for private, non-commercial radio and television reception and private citizen's bands, licensed amateur radio and other similar non-commercial telecommunications.
- e) Facilities exclusively for providing unlicensed spread spectrum technologies (such as IEEE 802.11a, b, g (Wi-Fi) and Bluetooth) where the facility does not require a new tower.

**(11) Security of Wireless Communications Facilities**

All WCF and antennas shall be located, fenced, or otherwise secured in a manner that prevents unauthorized access. Specifically:

- a) All antennas, towers, and other supporting structures, including, but not limited to, guy wires, shall be made inaccessible to individuals and constructed or shielded in such a manner that they cannot be climbed or made readily accessible; and
- b) Transmitters and communications control points shall be installed in such a manner that they are readily accessible only to persons authorized to operate or service them.

**(12) Signage**

WCF shall contain a sign no larger than four (4) square feet in area in order to provide adequate notification to persons in the immediate area of the presence of RF radiation or to control exposure to RF radiation within a given area. A sign of the same size is also to be installed and shall contain the name(s) of the owner(s) of the tower and antenna(s) as well as an emergency phone number. The sign shall be on the equipment shelter or cabinet of the structure, and be visible from the access point of the site and must identify the equipment owner of the shelter or cabinet. On tower sites, an FCC registration sign as applicable is also to be present. The signs shall not be lit, unless applicable law, rule or regulation requires lighting. No other signage, including advertising, shall be permitted.

**(13) Fall Zone and Setbacks**

- a) WCF Towers shall be located so that there is a sufficient fall zone radius around the tower to ensure its collapse would be contained within an unoccupied area. For lattice-type towers, the radius shall be determined by measuring the proposed height of the tower and adding any additional height required to accommodate all proposed antennas and other appurtenances. For all other types of towers, the applicant shall demonstrate the area required to contain a collapse of the tower, based upon the design and engineering of the tower. Should an engineer not certify a fall zone radius for any towers other than lattice-type towers, then the default fall zone radius shall be determined by measuring the proposed height of the tower and adding any additional height required to accommodate all proposed antennas and other appurtenances

## FOR PLANNING COMMISSION AND COUNTY COMMISSION CONSIDERATION

- b) The applicant shall provide proof of ownership, lease, or permanent easement rights for the designated fall zone.
- c) On-site buildings shall only be used for the storage of necessary on-site equipment, and must meet nonresidential setback requirements for the applicable zoning district.
- d) The radius shall not encompass public roads, public easements, or public property without first obtaining written permission from the government owning the interest in the property.

### **(14) Extent and Parameters of Zoning Permit**

The extent and parameters of a Zoning Permit for WCF, shall be as follows:

- a) Such Zoning Permit shall not be assigned, transferred, or conveyed without providing Williamson County notice of the act including the name and current address of the assignee.
- b) Permit Revocation:
  - i) A Zoning Permit may be revoked if a deficiency is not cured within 180 days of being given notice. Upon expiration of the 180 days, the Community Development Department shall provide the owner with notice of a hearing to revoke the Zoning Permit before the Board of Zoning Appeals.
  - ii) The applicant will be provided with (thirty) 30-days' notice of the hearing and will be allowed to address and answer any claims made against it.
  - iii) Should the Board of Zoning Appeals find substantial evidence that the Zoning Permit holder has materially violated this Ordinance or any condition included in the approval of the Zoning Permit, the Board of Zoning Appeals may revoke, cancel, or terminate the Zoning Permit for the violation of the conditions and provisions of the Zoning Permit.
  - iv) This Section does not limit the remedies that may be sought by Williamson County should a violation occur.

### **(15) Performance Security**

- a) The applicant and the owner of record of any proposed WCF not in existence at the time of adoption of this revised Ordinance shall, at its cost and expense, be required to execute and file with the County a bond, or other form of security acceptable to the County as to type of security and the form and manner of execution, in an amount of at least \$75,000 for a WCF facility to assure the faithful performance of the terms and conditions of this Ordinance and conditions of any Zoning Permit issued pursuant to this Ordinance. Any existing WCF with an applicable security on file shall continue without interruption or alteration as a result of this revised Ordinance.
- b) The full amount of the bond or security shall remain in full force and effect throughout the term of the Zoning Permit and/or until any necessary site restoration is completed to restore the site to a condition comparable to that which existed prior to the issuance of the original Zoning Permit.

**(16) Liability Insurance**

- a) Should an applicant receive permission to construct its WCF on Williamson County property, the applicant agrees to secure and maintain public liability insurance for personal injuries, death and property damage, and umbrella insurance coverage, for the duration of the Zoning Permit in amounts as set forth below or as required by agreement with the County:
  - i) Commercial general liability covering personal injuries, death and property damage: \$1,000,000 per occurrence/\$2,000,000 aggregate;
  - ii) Automobile coverage: \$1,000,000 per occurrence and \$2,000,000 aggregate; and
  - iii) Workers compensation and disability: Statutory amounts, when required by State Law.
- b) The insurance policies shall be issued by an agent or representative of an insurance company licensed to do business in the State of Tennessee.
- c) The insurance policies shall contain an endorsement obligating the insurance company to furnish the County with at least thirty (30) days prior written notice in advance of the cancellation of the insurance.
- d) All insurance provided by the applicant shall be primary as to any other insurance or self-insurance programs afforded to or maintained by the County.
- e) Before construction on Williamson County property of a permitted WCF is initiated, but in no case later than fifteen (15) days after the grant of the Zoning Permit, the holder of the Zoning Permit shall deliver to the County a copy of each of the policies or permits representing the insurance in the required amounts.

**(17) Indemnification**

- a) Any application for WCF that is proposed for County property, pursuant to this Ordinance, shall contain a provision with respect to indemnification. Such provision shall require the applicant, to the extent permitted by the Law, to at all times defend, indemnify, protect, save, hold harmless, and exempt the County, and its officers, councils, employees, committee members, attorneys, agents, and consultants from any and all penalties, damages, costs, or charges arising out of any and all claims, suits, demands, causes of action, or award of damages, whether compensatory or punitive, or expenses arising therefrom, either at law or in equity, which might arise out of, or are caused by, the placement, construction, erection, modification, location, products performance, use, operation, maintenance, repair, installation, replacement, removal, or restoration of said facility, excepting, however, any portion of such claims, suits, demands, causes of action or award of damages as may be attributable to the negligent or intentional acts or omissions of the County, or its servants or agents. With respect to the penalties, damages or charges referenced herein, reasonable attorneys' fees, consultants' fees, and expert witness fees are included in those costs that are recoverable by the County.

- b) Notwithstanding the requirements noted in this Subsection, an indemnification provision will not be required in those instances where such clause is prohibited or limited by applicable law.

**(18) Default and/or Revocation**

Unless otherwise provided for herein, if a WCF is repaired, rebuilt, placed, moved, re-located, modified or maintained in a way that is inconsistent or not in compliance with the provisions of this Ordinance or of the Zoning Permit, then the County shall notify the holder of the Zoning Permit in writing of such violation. A Zoning Permit holder in violation may be considered in default and if a violation is not corrected to the satisfaction of the County, in accordance with Section (n)(ii) above within 180 days of receipt of written notice, the Zoning Permit may be subject to revocation after hearing by the Board of Zoning Appeals.

**(19) Removal of Wireless Communications Facilities**

- a) Under the following circumstances, the County may determine that the health, safety, and welfare interests of the County warrant and require the removal of WCF:
  - i) WCF with a permit have been abandoned (i.e., not used as WCF or SWF) for a period exceeding 365 consecutive days.
  - ii) Permitted WCF fall into such a state of disrepair that it creates a health or safety hazard and is not corrected within 180 days.
  - iii) WCF have been located, constructed, or modified without first obtaining, or in a manner not authorized by the required Zoning Permit or any other necessary authorization and the Zoning Permit may be revoked.
- b) If the County makes such a determination as noted in Subsection (i) of this Section, then the County shall provide written notice to the holder of the Zoning Permit for the WCF at issue within 30 days of the hearing date to be held before the Board of Zoning Appeals to appeal the decision. The appellant shall be given an opportunity to provide information and to testify before the Board of Zoning Appeals and to show by substantial evidence that the facility has not been abandoned as provided for herein. This Section does not attempt to limit an applicant's right to appeal a decision of the Board of Zoning Appeals to the Chancery Court of Williamson County.
- c) Should the Board of Zoning Appeals determine that the communication facility has been abandoned then the holder of the Zoning Permit, or its successors or assigns, shall dismantle and remove such WCF, and all associated structures and facilities, from the site and restore the site to as close to its original condition as is possible, such restoration being limited only by physical or commercial impracticability, within ninety (90) days of receiving the written decision by the Board of Zoning Appeals. However, if the owner of the property upon which the WCF are located wishes to retain the WCF or any part of it, then the owner may be granted an additional thirty (30) days to reach an agreement with the owner of the facility.

## FOR PLANNING COMMISSION AND COUNTY COMMISSION CONSIDERATION

- d) If WCF are not removed or substantial progress has not been made to remove the facilities within ninety (90) days after the Zoning Permit holder has received the written decision by the Board of Zoning Appeals, then Williamson County may order officials or representatives of Williamson County to remove and dispose as they see fit the facilities at the sole expense of the owner or Zoning Permit holder.
- e) Notwithstanding anything in this Section to the contrary, the County may approve a temporary use permit/agreement for a WCF for no more than 180 days, during which time a suitable plan for removal, conversion, or re-location of the affected WCF shall be developed by the holder of the Zoning Permit, subject to the approval of the Codes Compliance Director, and an agreement to such plan shall be executed by the holder of the Zoning Permit and Williamson County. If such a plan is not developed, approved and executed within the 180 day time period, then Williamson County may take possession of and dispose of the affected facilities in the manner provided in this Subsection (s).

### **(20) Relief**

- a) Any applicant desiring relief, waiver or exemption from any aspect or requirement of this Ordinance may request such at the pre-application meeting, provided that the relief or exemption is contained in the submitted application for either a Zoning Permit, or in the case of an existing or previously granted Zoning Permit a request for modification of its tower and/or facilities. Such relief may be temporary or permanent, partial or complete. However, the burden of proving the need for the requested relief, waiver or exemption is solely on the applicant. The applicant shall bear all reasonable costs of the County in considering the request and the relief, waiver or exemption. No such relief or exemption shall be approved unless the applicant demonstrates by substantial evidence that, if granted, the relief, waiver or exemption will have no significant effect on the health, safety and welfare of the County, its residents and other service providers. Should the Codes Compliance Director deny the applicant's request for relief, the applicant may petition the Board of Zoning Appeals as provided for herein.
- b) Any final decision made by the Codes Compliance Director may be appealed to the Board of Zoning Appeals.

### **(21) Adherence to State and/or Federal Rules and Regulations**

- a) To the extent that the holder of a Zoning Permit for WCF has not received relief, or is otherwise exempt, from appropriate State and/or Federal agency rules or regulations, then the holder of such a Zoning Permit shall adhere to, and comply with, all applicable rules, regulations, standards, and provisions of any State or Federal agency, including, but not limited to, the FAA and the FCC. Specifically included in this requirement are any rules and regulations regarding height, lighting, security, electrical and RF emission standards.
- b) To the extent that applicable rules, regulations, standards, and provisions of any State or Federal agency, including but not limited to, the FAA and the FCC, and specifically including any rules and regulations

FOR PLANNING COMMISSION AND COUNTY COMMISSION CONSIDERATION

regarding height, lighting, and security are changed and/or are modified during the duration of a Zoning Permit for WCF, then the holder of such a Zoning Permit shall conform the permitted facilities to the applicable changed and/or modified rule, regulation, standard, or provision within a maximum of 24 months of the effective date of the applicable changed and/or modified rule, regulation, standard, or provision, or sooner as may be required by the issuing entity, unless otherwise dictated by the applicable Federal or State Law.

**(B) Small Wireless Facility (SWF)**

**(1) Purpose and Intent**

a) **Purpose**

In accordance with TCA Section 13-24-401, et seq., known as “Competitive Wireless Broadband Investment, Deployment and Safety Act of 2018” and as amended the purpose of this subsection is to establish policies and procedures for the placement of small wireless facilities (“SWF”) in the public rights-of-way within the County’s jurisdiction on any County-owned property, which will provide public benefit consistent with the preservation of the integrity, safe usage, and visual qualities of the County’s rights-of-way, County-owned property and to the County as a whole. The further purpose of this subsection is to establish similar policies and procedures for the placement of SWF in private rights-of-way or on any private property but within the jurisdiction of the unincorporated County.

b) **Intent**

In enacting this subsection, the County is establishing uniform standards to address issues presented by SWF, including without limitation, to:

- i) Prevent interference with the use of streets, sidewalks, alleys, parkways, and other public ways and places;
- ii) Prevent the creation of visual and physical obstructions and other conditions that are hazardous to vehicular and pedestrian traffic;
- iii) Prevent interference with the facilities and operations of facilities lawfully located in public rights-of-way or public property;
- iv) Protect against environmental damage, including damage to trees;
- v) Preserve the character of the neighborhoods, areas, and zones in which facilities are installed; and
- vi) Facilitate rapid deployment of SWF to provide the benefits of advanced wireless services.

c) **Conflicts with other Articles**

This Subsection supersedes all Articles, sections, chapters or parts of chapters adopted prior hereto that are in conflict herewith, to the extent of such conflict.

**(2) Permitted Use; Application and Fees**

a) **Permitted Use**

Collocation of a SWF or installation of a new, replacement, or modified Potential Support Structure (PSS) shall be a permitted use, subject to the restrictions of this Section.

- b) **Permit Required**
  - i) **Right-of-Way Use Permit**

No person may construct, install, and/or operate SWF that occupy the right-of-way without first obtaining a Right-of-Way Use Permit from the County. Any Right-of-Way Use Permit shall be reviewed, issued, and administered in a non-discriminatory manner, shall be subject to such reasonable conditions as the County may from time to time establish for effective management of the right-of-way, and otherwise shall conform to the requirements of this subsection and applicable law.
  - ii) **County Property Use Permit**

No person may construct, install, and/or operate SWF that occupy any County-owned property without first obtaining a County Property Use Permit from the County. Any County Property Use Permit shall be reviewed, issued, and administered in a non-discriminatory manner, shall be subject to such reasonable conditions as the County may from time to time establish for effective management of its property, and otherwise shall conform to the requirements of this subsection and applicable law.
  - iii) **Private Property Use Permit**

No person may construct, install, and/or operate SWF that occupy any privately-owned property without first obtaining a Private Property Use Permit from the County. Any Private Property Use Permit shall be reviewed, issued, and administered in a non-discriminatory manner, shall be subject to such reasonable conditions as the County may from time to time establish, and otherwise shall conform to the requirements of this subsection and applicable law.
- c) **Permit Applications**

All applications for Permits filed pursuant to this subsection shall be on a form, paper or electronic, provided by the County. The applicant may include up to twenty (20) SWF within a single application. The applicant may designate portions of its application materials that it reasonably believes contain proprietary or confidential information as “proprietary” or “confidential” by clearly marking each page of such materials accordingly.
- d) **Application Requirements**

The application shall be made by the wireless provider, wireless infrastructure provider or their duly authorized representative and shall contain the following:

  - i) The applicant’s name, address, telephone number, and email address;
  - ii) The names, addresses, telephone numbers and email addresses of all consultants, contractors, and subcontractors, if any, acting

- on behalf of the applicant with respect to the filing of the application or who may be involved in doing any work on behalf of the applicant.
- iii) A site plan for each proposed location with a diagram or engineered drawing depicting the design for installation of the SWF with sufficient detail for the County to determine that the design of the installation and any new PSS or any modification of a PSS is consistent with all generally applicable safety and design requirements, including the requirements of the Manual on Uniform Traffic Control Devices.
  - iv) The location of the site(s), including the latitudinal and longitudinal coordinates of the specific location(s) of the site.
  - v) Identification of any third party upon whose PSS the applicant intends to collocate and certification and documentation by the applicant that it has obtained approval from the third party.
  - vi) The applicant's identifying information and the identifying information of the owner of the SWF and certification by the applicant or the owner that such person agrees to pay applicable fees and rates, repair damage, and comply with all nondiscriminatory and generally applicable ROW requirements for deployment of any associated infrastructure that is not a SWF and the contact information for the party that will respond in the event of an emergency related to the SWF.
  - vii) The applicant's certification of compliance with surety bond, insurance or indemnification requirements as set forth herein; rules requiring maintenance or infrastructure deployed in the ROW, on County property or on private property; rules requiring relocation or timely removal of infrastructure no longer utilized; and any rules requiring relocation or repair procedures for infrastructure under emergency conditions, if any, that the County imposes on a general and non-discriminatory basis upon entities that are entitled to deploy infrastructure no longer utilized.
  - viii) The applicant's certification that the proposed site plan and design plans meet or exceed all applicable engineering, materials, electrical, and safety standards, including all standards related to the structural integrity and weight-bearing capacity of the PSS and SWF. Those standards relevant to engineering must be certified by a licensed professional engineer.
  - ix) A statement that all wireless facilities shall comply with all applicable codes.
  - x) If on private property, proof of easement or other legal authority to deploy on the property from the property owner.
- e) **Approval or Denial of Application; Response Time**  
The County shall respond to the applications for permit per the timelines prescribed in federal law and in TCA Section 13-24-409(b), as may be amended, regarding the approval or denial of applications, and the County shall respond to applications per the specific requirements of TCA Section 13-24-409(b)(3), as may be amended. The County

reserves the right to require a surcharge as indicated in TCA Section 13-24-409(b)(7)(F)(i), as may be amended, for high-volume applicants.

- f) **Deployment After Permit**  
An applicant must complete deployment of the applicant's SWF within nine (9) months of approval of applications for the SWF unless the County and the applicant agree to extend the period, or a delay is caused by a lack of commercial power or communications transport facilities to the site. If an applicant fails to complete deployment within the time required pursuant to this subsection, then the County may require the applicant to complete a new application and pay an application fee.
- g) **Multiple Permit Applications At Same Location**  
If the County receives multiple applications seeking to deploy or collocate SWF at the same location in an incompatible manner, then the County may deny the later filed application.
- h) **Bridge and/or Overpass Special Provision**  
If the applicant's site plan includes any collocation design that includes attachment of any facility or structure to a bridge or overpass, then the applicant must designate a safety contact. After the applicant's construction is complete, the applicant shall provide to the safety contact a licensed professional engineer's certification that the construction is consistent with the applicant's approved design, that the bridge or overpass maintains the same structural integrity as before the construction and installation process, and that during the construction and installation process neither the applicant nor its contractors have discovered evidence of damage to or deterioration of the bridge or overpass that compromise its structural integrity. If such evidence is discovered during construction, then the applicant shall provide notice of the evidence to the safety contact.
- i) **Information Updates**  
Except as otherwise provided herein, any amendment to information contained in a permit application shall be submitted in writing to the County within thirty (30) days after the change necessitating the amendment.
- j) **Application Fees**  
Unless otherwise provided by law, all permit applications for SWF pursuant to this subsection shall be accompanied by a fee in accordance with TCA Section 13-24-407. For SWF collocations on existing or replacement PSSs, the maximum application fee is \$500.00 for a single application up to five (5) SWFs and \$100.00 for each additional SWF included in a single application. For a new PSS, other than a replacement PSS, together with the collocation of an associated SWF, the maximum application fee is \$1,000.00.

**(3) Facilities in the ROW; maximum height; other requirements**

**a) Aesthetic Plan**

Unless otherwise determined by County staff, in an attempt to blend into the build environment, all SWF, new or modified utility poles, PSSs for the collocation of SWF, and associated equipment shall be consistent in size, mass, shape, and color to similar facilities and equipment in the immediate area, and its design for the PSS shall meet any adopted aesthetic plan, subject to the following requirements:

- i) Collocation is recommended, when possible. Should the wireless provider not be able to collocate, then wireless provider shall provide justification in the application.
- ii) When unable to match the design and color of existing utility poles/PSSs in the immediate area SWF and/or new PSSs shall be designed using stealth or camouflaging techniques, to make the installation as minimally intrusive as possible including stealth poles that are black or bronze in color, powder-coated and that do not exceed sixteen (16) inches in diameter. The County reserves the right to require a street light on the PSS.
- iii) New SWF, antenna, and associated equipment shall be consistent in size, mass and color to similar facilities and equipment in the immediate area of the proposed facilities and equipment, minimizing the physical and visual impact to the community.

**b) Replacing an Existing County-Owned PSS**

County-owned PSS may be replaced for the collocation of SWF. When replacing a PSS, any replacement PSS must reasonably conform to the design aesthetics of the PSS being replaced, and must continue to be capable of performing the same function in a comparable manner as it performed prior to replacement.

- i) When replacing a County-owned PSS, the replacement PSS becomes the property of the County, subject to TCA Section 13-24-408(g), as may be amended.
- ii) The County reserves the right to require a street light on the new PSS.

**c) Maximum Height**

A new PSS installed or an existing PSS replaced in the ROW (public or private) shall not exceed the greater of:

- i) Ten percent (10%) taller than the tallest existing PSS in place as of the effective date of this Section that is located within five hundred feet (500) of the new PSS in the ROW and, in residential neighborhoods, the tallest existing PSS that is located within five hundred feet (500) of the new PSS and is also located within the same residential neighborhood as the new PSS in the ROW.
- ii) Fifty (50) feet above ground level; or
- iii) For a PSS installed in a residential neighborhood, forty (40) feet above ground level.

- d) Maximum height for SWF deployed or replaced in the ROW (public or private) must not extend:
    - i) More than ten percent (10%) taller than an existing PSS in place as of the effective date of this Subsection; or
    - ii) On a new PSS, ten percent (10%) taller than the height permitted for a new PSS under this subsection.
  
  - e) **Construction in the Right-Of-Way**

All construction, installation, maintenance, and operation of wireless facilities in the right-of-way by any wireless provider shall conform to the requirements of the following publications, as from time to time amended: The Rules of Williamson County Highway Department, Tennessee Department of Transportation Right-of-Way Division, the National Electrical Code, and the National Electrical Safety Code, as might apply.
  
  - f) **Additional Criteria**

Additional criteria regarding the location, type, and/or design of small cell facilities and utility poles shall be subject to change. All changes shall be made available to the public for thirty (30) days prior to their effective date and compiled into a set of guidelines titled, "Williamson County Guidelines for Wireless Communications Facilities in the Public Rights-of-Way." In no case shall any guidelines be retroactive. Facilities approved for which Right-of-Way Use Permits have been issued prior to the effective date of a new guideline shall not be affected.
  
  - g) SWF constructed or installed in the County right-of-way will be subject to an annual use fee as described in Subsection (8) herein.
- (4) Facilities on other County-owned Property; maximum height, other provisions:**
- a) **Aesthetic Plan**

Unless otherwise determined by County staff, in an attempt to blend into the build environment, all SWF, new or modified utility poles, PSSs for the collocation of SWF, and associated equipment shall be consistent in size, mass, shape, and color to similar facilities and equipment in the immediate area, and its design for the PSS shall meet any adopted aesthetic plan, subject to the following requirements:

    - i) Collocation is recommended, when possible. Should the wireless provider not be able to collocate, then wireless provider shall provide justification in the application.
    - ii) When unable to match the design and color of existing utility poles/PSSs in the immediate area SWF and/or new PSSs shall be designed using stealth or camouflaging techniques, to make the installation as minimally intrusive as possible including stealth poles that are black or bronze in color, powder-coated and that do not exceed sixteen (16) inches in diameter. The County

- reserves the right to require a street light on the PSS. New wooden PSSs shall be strictly prohibited.
- iii) New SWF, antenna, and associated equipment shall be consistent in size, mass and color to similar facilities and equipment in the immediate area of the proposed facilities and equipment, minimizing the physical and visual impact to the community.
- b) **Replacing an Existing County-Owned PSS**  
County-owned PSS may be replaced for the collocation of SWF. When replacing a PSS, any replacement PSS must reasonably conform to the design aesthetics of the PSS being replaced, and must continue to be capable of performing the same function in a comparable manner as it performed prior to replacement.
- i) When replacing a County-owned PSS, the replacement PSS becomes the property of the County, subject to TCA Section 13-24-408(g), as may be amended.
  - ii) The County reserves the right to require a street light on the new PSS.
- c) **Maximum height**  
A new PSS installed or an existing PSS replaced shall not exceed the greater of:
- i) Ten percent (10%) taller than the tallest existing PSS in place as of the effective date of this Act that is located within five hundred feet of the new PSS and, in residential neighborhoods, the tallest existing PSS that is located within five hundred (500) feet of the new PSS and is also located within the same residential neighborhood as the new PSS.
  - ii) Fifty (50) feet above ground level; or
  - iii) For a PSS installed in a residential neighborhood, forty (40) feet above ground level.
- d) **Maximum height for SWF deployed or replaced must not extend:**
- i) More than ten percent (10%) taller than an existing PSS in place as of the effective date of this Subsection; or
  - ii) On a new PSS, ten percent (10%) taller than the height permitted for a new PSS under this subsection.
- e) **Construction on County property**  
All construction, installation, maintenance, and operation of wireless facilities on County-owned property by any wireless provider shall conform to the requirements of any applicable agreement between the County and the applicant as well as the requirements of the following publications, as from time to time amended: The Rules of Tennessee Department of Transportation Right-of-Way Division, the Williamson County Zoning Ordinance, the National Electrical Code, the National Electrical Safety Code, and any other applicable building or safety codes.

- f) **Additional Criteria**  
Additional criteria regarding the location, type, and/or design of small cell facilities and utility poles shall be subject to change. All changes shall be made available to the public for thirty (30) days prior to their effective date and compiled into a set of guidelines titled, "Williamson County Guidelines for Wireless Communications Facilities in the Public Rights-of-Way and on County property." In no case shall any guidelines be retroactive. Facilities approved for which County Property Use Permits have been issued prior to the effective date of a new guideline shall not be affected.

**(5) Facilities on Privately-owned Property; maximum height, other provisions**

- a) **Aesthetic Plan**  
Unless otherwise determined by County staff, in an attempt to blend into the build environment, all SWF, new or modified utility poles, PSSs for the collocation of SWF, and associated equipment shall be consistent in size, mass, shape, and color to similar facilities and equipment in the immediate area, and its design for the PSS shall meet any adopted aesthetic plan, subject to the following requirements:
  - i) Collocation is recommended, when possible. Should the wireless provider not be able to collocate, then wireless provider shall provide justification in the application.
  - ii) When unable to match the design and color of existing utility poles/PSSs in the immediate area SWF and/or new PSSs shall be designed using stealth or camouflaging techniques, to make the installation as minimally intrusive as possible including stealth poles that are black or bronze in color, powder-coated and that do not exceed sixteen (16) inches in diameter. The County reserves the right to require a street light on the PSS. New wooden PSSs shall be strictly prohibited.
  - iii) New SWF, antenna, and associated equipment shall be consistent in size, mass and color to similar facilities and equipment in the immediate area of the proposed facilities and equipment, minimizing the physical and visual impact to the community.
- b) **Replacing an existing PSS**  
PSS may be replaced for the collocation of SWF. When replacing a PSS, any replacement PSS must reasonably conform to the design aesthetics of the PSS being replaced, and must continue to be capable of performing the same function in a comparable manner as it performed prior to replacement.
- c) **Maximum height**  
A new PSS installed or an existing PSS replaced shall not exceed the greater of:

- i) Ten percent (10%) taller than the tallest existing PSS in place as of the effective date of this Act that is located within five hundred feet of the new PSS and, in residential neighborhoods, the tallest existing PSS that is located within five hundred feet of the new PSS and is also located within the same residential neighborhood as the new PSS.
  - ii) Fifty (50) feet above ground level; or
  - iii) For a PSS installed in a residential neighborhood, forty (40) feet above ground level.
- d) Maximum height for SWF deployed or replaced must not extend:
- i) More than ten percent (10%) taller than an existing PSS in place as of the effective date of this Act; or
  - ii) On a new PSS, ten percent (10%) taller than the height permitted for a new PSS under this subsection.
- e) **Construction on Private property**  
All construction, installation, maintenance, and operation of wireless facilities on privately-owned property by any wireless provider shall conform to the requirements of the following publications, as applicable and as from time to time may be amended: The Rules of Tennessee Department of Transportation Right-of-Way Division, the Williamson County Zoning Ordinance, the National Electrical Code, the National Electrical Safety Code, and any other applicable building or safety codes.
- f) **Additional Criteria**  
Additional criteria regarding the location, type, and/or design of small cell facilities and utility poles shall be subject to change. All changes shall be made available to the public for thirty (30) days prior to their effective date and compiled into a set of guidelines titled, "Williamson County Guidelines for Wireless Communications Facilities and Small Wireless Facilities." In no case shall any guidelines be retroactive. Facilities approved for which any Use Permits have been issued prior to the effective date of a new guideline shall not be affected.

**(6) Effect of Permit**

**Authority Granted; No Property Right or Other Interest Created**

A permit authorizes an applicant to undertake only certain activities in accordance with this Ordinance and does not create a property right or grant authority to the applicant to impinge upon the rights of others who may already have an interest in the rights-of-way or other County or private property.

**(7) Maintenance, Removal, Relocation or Modification of SWF and Fiber**

**a) Notice**

Within ninety (90) days following written notice from the County, the permittee shall, at its own expense, protect, support, temporarily or permanently disconnect, remove, relocate, change or alter the position of any SWF and support structures within the rights-of-way or on

County property whenever the County has determined that such removal, relocation, change or alteration is reasonably necessary for the construction, repair, maintenance, or installation of any County improvement in or upon, or the operations of the County in or upon the rights-of-way or County property. The County agrees to use good faith efforts to accommodate any such disconnection, removal, relocation, change, or alteration to assist with identifying and securing a mutually agreed upon alternative location.

b) **Maintenance of Existing Facilities**

With respect to each wireless facility installed pursuant to a Right-of-Way Use Permit or County Property Use Permit, permittee is hereby permitted to enter the right-of-way or applicable County property at any time to conduct repairs, maintenance or replacement not substantially changing the physical dimension of the wireless facility. Permittee shall comply with all rules, standards, restrictions applied by the County to all work within the right-of-way or on County property. If required by the County, permittee shall submit a "Maintenance of Traffic" plan for any work resulting in significant blockage of a right-of-way. However, no excavation or work of any kind may be performed without a permit, except in the event of an emergency. In the event of emergency, permittee shall attempt to provide written or verbal advance notice to the Highway Superintendent, if in the right-of-way and to the Property Manager, if on County property.

c) **Removal of Existing Facilities**

If the permittee removes any wireless facilities, it shall notify the County of such change within sixty (60) days.

d) **Damage to Facilities or Property**

A permittee, including any contractor or subcontractor working for a permittee, shall avoid damage to any wireless facilities and/or public or private property. If any wireless facilities and/or public or private property are damaged by permittee, including any contractor or subcontractor working for permittee, the permittee shall promptly commence such repair and restore (to a comparable or better condition) such property within ten (10) business days unless such time period is extended by the Highway Superintendent, the Property Manager, as applicable, or his/her designee. Permittee shall utilize Tennessee One Call System prior to any disturbance of the rights-of-way or on County property and shall adhere to all other requirements of the Tennessee Underground Utility Damage Protection Act.

- e) **Emergency Removal or Relocation of Facilities**  
The County retains the right and privilege to cut or move any SWF located within the rights-of-way of the County or on County property, as the County may determine to be necessary, appropriate or useful in response to any serious public health or safety emergency. If circumstances permit, the County shall notify the wireless provider in writing and provide the wireless provider a reasonable opportunity to move its own wireless facilities prior to cutting or removing a wireless facility and shall notify the wireless provider after cutting or removing a wireless facility. Any removal shall be at the wireless provider's sole cost. Should the wireless facility be collocated on property owned by a third party, the County shall rely on the third party to remove the wireless facility and shall be provided adequate notice and time to facilitate such removal.
- f) **Abandonment of Facilities**  
Upon abandonment of a SWF within the rights-of-way of the County or County property, the wireless provider shall notify the County within ninety (90) days. Following receipt of such notice the County may direct the wireless provider to remove all or any portion of the SWF if the County reasonably determines that such removal will be in the best interest of the public health, safety and welfare. Should the wireless facility be collocated on property owned by a third-party, the County shall rely on the third-party to remove the wireless facility and shall be provided adequate notice and time to facilitate such removal. Any removal shall be at the wireless provider's sole cost.
- g) No application, fee, rate, and/or approval is required for the installation, placement, maintenance, operation, or replacement of a micro wireless facility that is suspended on cables that are strung between existing PSSs, in compliance with the National Electrical Safety Code as set out in T.C.A. § 68-101-104.

**(8) Permit Use Rates-Attachment to County-Owned /Leased PSSs and New PSSs Installed Within the Public Right-Of-Way or County-Owned/Leased Property**

- a) **Annual Rate**  
The fee to place a SWF on a County-owned or leased PSS in the right-of-way shall be \$100.00 per year for all County-owned or leased PSSs in the rights-of-way. All equipment attached to a County-owned pole shall constitute a single attachment and therefore a single use of a County-owned PSS. Such compensation, for the first year or for any portion thereof, together with the application fee specified in this subsection shall be the sole compensation that the wireless provider shall be required to pay the County. This rate will be due January 1 of each year after the SWF permit is issued.

## FOR PLANNING COMMISSION AND COUNTY COMMISSION CONSIDERATION

- b) A wireless provider authorized to place a new PSS within public right-of-way on County-owned or leased property shall pay to the County for use of the right-of-way or property in the amount of \$100.00. This rate will be due January 1 of each year after the SWF permit is issued.
- c) A wireless provider authorized to place a new PSS or to place a SWF on a County-owned PSS on any County property shall be \$100 per year. This rate will be due January 1 of each year after the SWF permit is issued.
- d) This fee shall be due and payable to the Williamson County Highway Superintendent.

### **(9) Remedies; violations**

In the event a reasonable determination is made that a person has violated any provision of this subsection, or any permit, such person shall be provided written notice of the determination and the specific, detailed reasons therefor. Except in the case of an emergency, the person shall have thirty (30) days to commence to cure the violation. If the nature of the violation is such that it cannot be fully cured within such time period, the County, in its reasonable judgment, may extend the time period to cure, provided that the person has commenced to cure and is diligently pursuing its efforts to cure. If the violation has not been cured within the time allowed, the County may take all actions authorized by this subsection and/or Tennessee law and regulations.

### **(10) General provisions**

- a) **Insurance**

Each permittee shall, at all times during the entire term of the permit, maintain and require each contractor and subcontractor to maintain insurance with a reputable insurance company authorized to do business in the State of Tennessee and which has an A.M. Best rating (or equivalent) no less than "A" indemnifying the County from and against any and all claims for injury or damage to persons or property, both real and personal, caused by the construction, installation, operation, maintenance or removal of permittee's wireless facilities in the rights-of-way or on County property. The amounts of such coverage shall be not less than the following:

  - i) Worker's compensation and employer's liability insurance: Tennessee statutory requirements.
  - ii) Comprehensive general liability: Commercial general liability occurrence form, including premises/operations, independent contractor's contractual liability, product/completed operations; X, C, U coverage; and personal injury coverage for limits as specified in appendix A - comprehensive fees and penalties but in no case less than \$1,000,000.00 per occurrence, combined single limit and \$2,000,000.00 in the aggregate.

## FOR PLANNING COMMISSION AND COUNTY COMMISSION CONSIDERATION

- iii) Commercial automobile liability: Commercial automobile liability coverage for all owned, non-owned and hired vehicles involved in operations under this shall in no case be less than \$1,000,000.00 per occurrence combined single limit each accident.
- iv) Commercial excess or umbrella liability: Commercial excess or umbrella liability coverage may be used in combination with primary coverage to achieve the required limits of liability.
- v) The County shall be designated as an additional insured under each of the insurance policies required by this Section for a SWF placed on County property or in the County right-of-way, except worker's compensation and employer's liability insurance. Permittee shall not cancel any required insurance policy without obtaining alternative insurance in conformance with this section. Permittee shall provide the County with at least thirty (30) days' advance written notice of any material changes or cancellation of any required insurance policy, except for non-payment of premium of the policy coverages.
- vi) Permittee shall impose similar insurance requirements as identified in this section on its contractors and subcontractors.

b) **Indemnification**

Each permittee, its consultant, contractor, and subcontractor, shall, at its sole cost and expense, indemnify, defend and hold harmless the County, its elected and appointed officials, employees and agents, at all times against any and all claims for personal injury, including death, and property damage arising in whole or in part from, caused by or connected with any act or omission of the permittee, its officers, agents, employees or contractors arising out of, but not limited to, the construction, installation, operation, maintenance or removal of permittee's wireless system or wireless facilities in the rights-of-way or on County property. Each permittee shall defend any actions or proceedings against the County in which it is claimed that personal injury, including death, or property damage was caused by the permittee's construction, installation, operation, maintenance or removal of permittee's wireless system or wireless facilities in the rights-of-way or on County property. The obligation to indemnify, hold harmless and defend shall include, but not be limited to, the obligation to pay judgments, injuries, liabilities, damages, reasonable attorneys' fees, reasonable expert fees, court costs and all other reasonable costs of indemnification.

c) **As-Built Maps**

As the County controls and maintains the public right-of-way for the benefit of its citizens, it is the responsibility of the County to ensure that such public right-of-way meet acceptable public safety standards. Upon request by the County and within thirty (30) days of such a request, a permittee shall submit to the Highway Department (or shall have otherwise maintained on file with the department), if a Right-of-Way Use Permit or the Property Management Department if a County

Property Use Permit, as-built maps, plans and engineering specifications depicting and certifying the location of all its existing SWF, provided in standard electronic or paper format in a manner established by the Highway Superintendent, the Property Manager, as applicable, or his or her designee. Such maps are, and shall remain, confidential documents and are exempt from public disclosure under the Tennessee Public Records Act (T.C.A. § 10-7-101 et seq.) to the maximum extent of the law. After submittal of the as-built maps as required under this subsection, each permittee shall update such maps as required under this subsection upon written request by the County.

d) **Right to Inspect**

With just and reasonable cause, the County shall have the right to inspect all of the SWF, including aerial facilities and underground facilities, to ensure general health and safety with respect to such facilities and to determine compliance with the terms of this subsection and other applicable laws and regulations. Any permittee shall be required to cooperate with all such inspections and to provide reasonable and relevant information requested by the County as part of the inspection.

e) **Proprietary Information**

If a person considers information it is obligated to provide to the County under this subsection to be a business or trade secret or otherwise proprietary or confidential in nature and desires to protect the information from disclosure, then the person shall mark such information as proprietary and confidential. Subject to the requirements of the Tennessee Public Records Act (T.C.A. § 10-7-101 et seq.) as amended, and other applicable law, the County shall exercise reasonable good faith efforts to protect such proprietary and confidential information that is so marked from disclosure to the maximum extent of the law. The County shall provide written notice to the person in the following circumstances: i) if the County receives a request for disclosure of such proprietary and confidential information and the County Attorney determines that the information is or may be subject to disclosure under applicable law; or ii) if the County Attorney determines that the information should be disclosed in relation to its enforcement of this subsection or the exercise of its police or regulatory powers. In the event the person does not obtain a protective order barring disclosure of the information from a court of competent jurisdiction within thirty (30) days following receipt of the County's notice, then the County may disclose the information without further written notice to the person.

f) **Duty to Provide Information**

Within ten (10) days of a written request from the County, a permittee shall furnish the County with information sufficient to demonstrate the following: that the permittee has complied with all requirements of this subsection; that all fees due to the County in connection with the services provided and wireless facilities installed

## FOR PLANNING COMMISSION AND COUNTY COMMISSION CONSIDERATION

by the permittee have been properly paid by the permittee; and any other information reasonably required relating to the permittee's obligations pursuant to this subsection.

- g) **No Substitute for Other Required Permissions**  
No Right-of-Way Use Permit and no County Property Use Permit includes, means, or is in whole or part a substitute for any other permit or authorization required by the laws and regulations of the County for the privilege of transacting and carrying on a business within the County or any permit or agreement for occupying any other property of the County.
- h) **No Waiver**  
The failure of the County to insist on timely performance or compliance by any permittee shall not constitute a waiver of the County's right to later insist on timely performance or compliance by that permittee or any other permittee. The failure of the County to enforce any provision of this subsection on any occasion shall not operate as a waiver or estoppel of its right to enforce any provision of this subsection on any other occasion, nor shall the failure to enforce any prior ordinance or County rule or regulation affecting, the right-of-way, any County-owned property, any wireless facilities, or any user or occupant of the right-of-way act as a waiver or estoppel against enforcement of this subsection or any other provision of applicable law.
- i) **Policies and Procedures**  
The County is authorized to establish such written policies and procedures consistent with this subsection as the County reasonably deems necessary for the implementation of this subsection.
- j) **Severability**  
If any section, subsection, sentence, clause, phrase or word of this subsection is for any reason held illegal or invalid by any court of competent jurisdiction, such provision shall be deemed a separate, distinct and independent provision, and such holding shall not render the remainder of this subsection invalid.

Amend Article 23, Section 23.04: Definitions to add the following definitions:

**Aesthetic Plan (Related to Telecommunication Uses)**

Any publicly available written resolution, regulation, policy, site plan or approved plat establishing generally applicable aesthetic requirements within the County or designated area within the County. An aesthetic plan may include a provision that limits the plan's application to construction or deployment that occurs after adoption of the aesthetic plan. For purposes of this part, such a limitation is not discriminatory as long as all construction or deployment occurring after adoption, regardless of the entity constructing or deploying, is subject to the aesthetic plan and so long as any differentiation between service providers of functionally equivalent services is reasonable.

**Antenna (Related to Telecommunication Uses)**

Communications equipment that transmits or receives electromagnetic radio frequency signals used in the provision of wireless services.

**Applicable Codes (Related to Telecommunication Uses)**

Uniform building, fire, electrical, plumbing or mechanical codes adopted by a recognized national code organization or local amendments to those codes enacted solely to address imminent threats of destruction of property or injury to persons to the extent not inconsistent with the terms of this chapter.

**Authority-Owned PSS or County-Owned PSS (Related to Telecommunication Uses)**

A PSS owned by the County in the rights-of-way, including (i) a utility pole that provides lighting or traffic control functions, including light poles, traffic signals, and structures for traffic cameras or signage; and (ii) a pole or similar structure owned by the County in the rights-of-way that supports only wireless facilities. Authority-owned PSS does not include a PSS owned by a distributor of electric power, regardless of whether an electric distributor is investor-owned, cooperatively-owned, or government-owned.

**Collocate, Collocating and Collocation (Related to Telecommunication Uses)**

In their respective noun and verb forms, to install, mount, maintain, modify, operate, or replace SWF on, adjacent to, or related to a PSS. "colocation" does not include the installation of a new PSS or a replacement of authority-owned PSS.

**Communications Facility (Related to Telecommunication Uses)**

The set of equipment and network components, including wires and cables and associated facilities, used by a communications service provider to provide communications service.

**Communications Service (Related to Telecommunication Uses)**

Cable service as defined in 47 U.S.C. Section 522(6), telecommunications services as defined in 47 U.S.C. Section 153(53), information service defined in 47 U.S.C. Section 153(24) or wireless service.

**County Property (Related to Telecommunication Uses)**

Any real property owned, operated, leased or licensed by Williamson County Government, Williamson County Schools or any department or division of same, including any property sub-leased to another entity but for which Williamson County Government or Williamson County Schools retains ownership or ultimate responsibility.

**Micro Wireless Facility (Related to Telecommunication Uses)**

A SWF that:

- a) Does not exceed 24 inches in length, 15 inches in width, and 12 inches in height; and
- b) Any exterior antenna does not exceed 11 inches in length.

**Permit, County Property Use (Related to Telecommunication Uses)**

A permit for the construction or installation of wireless facilities, SWF, wireless backhaul facilities, fiber optic cable, conduit, and associated equipment necessary to install wireless facilities on any County-owned property, not including wireless facilities constructed in the County right-of-way.

**Permit, Right-Of-Way Use (Related to Telecommunication Uses)**

A permit for the construction or installation of wireless facilities, SWF, wireless backhaul facilities, fiber optic cable, conduit, and associated equipment necessary to install wireless facilities in the right of way, public or private.

**Permit, Private Property Use (Related to Telecommunication Uses)**

A permit for the construction or installation of wireless facilities, SWF, wireless backhaul facilities, fiber optic cable, conduit, and associated equipment necessary to install wireless facilities on any privately owned property, not including wireless facilities constructed in the County right-of-way or a private right-of-way.

**Permittee (Related to Telecommunication Uses)**

An applicant who has been granted a permit.

**Potential Support Structure for a SWF or PSS (Related to Telecommunication Uses)**

A pole or other structure used for wireline communications, electric distribution, lighting, traffic control, signage, or a similar function, including poles installed solely for the collocation of a SWF. When "PSS" is modified by the term "new", then the "new PSS" means a PSS that does not exist at the time the application is submitted, including, but not limited to, a PSS that will replace an existing pole. The fact that a structure is a PSS does not alone authorize an applicant to collocate on, modify or replace the PSS until an application is approved and all requirements are satisfied pursuant to this part.

**Residential Neighborhood (Related to Telecommunication Uses)**

An area within the County's geographic unincorporated boundary that is zoned or otherwise designated by the County for general purposes as an area primarily used for single-family residences and does not include multiple commercial properties and is subject to speed limits and traffic controls consistent with residential areas.

**Right-of-Way (Related to Telecommunication Uses)**

The space, in, upon, above, along, across and over all public streets, highways, avenues, roads, alley, sidewalks, tunnels, viaducts, bridges, skywalks under the control of the County, or under private control, and any unrestricted public utility easement established, dedicated, platted, improved, or devoted for utility purposes and accepted as such public utility easement by the County that are contiguous to paved roads.

**Small Wireless Facility (SWF) (Related to Telecommunication Uses)**

A wireless facility with:

- a) Each antenna being able to fit within an enclosure of no more than three cubic feet in volume; and
- b) Other wireless equipment in addition to the antenna that is cumulatively no more than 28 cubic feet in volume, regardless of whether the facility is ground-mounted or pole-mounted. For purposes of this Section, "other wireless equipment" does not include concealment elements in the volume calculation.
- c) SWF includes a micro wireless facility.

**Wireline Backhaul Facility (Related to Telecommunication Uses)**

A communications facility used to transport communications services by wire from a wireless facility to a network.

**Wireless Communication Facility (WCF) (Related to Telecommunication Uses)**

A wireless facility that does not qualify as a Small Wireless Facility (SWF)

**Wireless Facility (Related to Telecommunication Uses)**

Equipment at a fixed location that enables wireless communications between user equipment and a communications network, including:

- a) Equipment associated with wireless communications; and
- b) Radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration;

Wireless facility does not include:

- a) The structure or improvements on, under, or within which the equipment is collocated;
- b) Wireline backhaul facilities; or
- c) Coaxial or fiber-optic cable that is between wireless structures or utility poles or that is otherwise not immediately adjacent to or directly associated with a particular antenna;

Wireless facility includes SWF.

**Wireless Infrastructure Provider (Related to Telecommunication Uses)**

Any person, including a person authorized to provide telecommunications service in the state, that builds or installs wireless communication transmission equipment, wireless facilities or PSSs, but that is not a wireless services provider.

**Wireless Provider (Related to Telecommunication Uses)**

A wireless infrastructure provider or a wireless services provider.

**Wireless Services (Related to Telecommunication Uses)**

Any services using licensed or unlicensed spectrum, including the use of WIFI, whether at a fixed location or mobile, provided to the public.

**Wireless Services Provider (Related to Telecommunication Uses)**

A person who provides wireless services.

**RESOLUTION APPROPRIATING AND AMENDING THE 2022-23 SHERIFF'S OFFICE BUDGET BY \$1,661,539 TO PROVIDE INCREASES IN SALARIES TO MEET MARKET DEMANDS – REVENUES TO COME FROM UNAPPROPRIATED COUNTY GENERAL FUNDS**

**WHEREAS,** law enforcement services are among the most crucial services provided by local government; and

**WHEREAS,** there is a pressing need to address critical personnel shortages of law enforcement and detention deputies within the Sheriff's Office; and

**WHEREAS,** law enforcement organizations and detention facilities throughout Middle Tennessee and the state are experiencing personnel shortages and are adjusting their Pay scales to address these shortages; and

**WHEREAS,** the Sheriff's Office has had employees leave to work for other employers, including other local law enforcement agencies at higher pay; and

**WHEREAS,** there are presently 40 law enforcement and detention deputy positions open in the Williamson County Sheriff's office at this time, and despite aggressive recruitment efforts, the Sheriff's Office has been unable to fill many positions over an extended period; and

**WHEREAS,** it is necessary to adjust law enforcement and detention deputy salaries and pay scales to become more competitive with other local law enforcement agencies in order to attract and retain qualified law enforcement and detention employees; and,

**WHEREAS,** additional funds are needed to adjust existing pay scales and salaries;

**NOW, THEREFORE, BE IT RESOLVED,** that 2022-23 Sheriff's Office budget be amended, as follows:

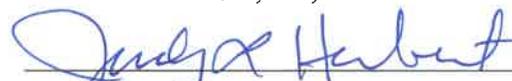
**REVENUES**

Unappropriated County General Funds \$ 1,661,539  
(101.00000.390000.00000.00.00.00)

**EXPENDITURES**

Salaries -Detention Deputies \$ 578,077  
101.54210.516000.00000.00.00.00

Salaries - Deputies 1,083,462  
101.54110.510600.00000.00.00.00 \$ 1,661,539

  
Judy Herbert County Commissioner

**COMMITTEES REFERRED TO & ACTION TAKEN:**

Budget Committee For 4 Against 0 Pass 1 Out \_\_\_  
Commission Action Taken: For \_\_\_ Against \_\_\_ Pass \_\_\_ Out \_\_\_

\_\_\_\_\_  
Jeff Whidby, County Clerk

\_\_\_\_\_  
Brian Beathard-Commission Chairman

\_\_\_\_\_  
Rogers Anderson, Williamson County Mayor

\_\_\_\_\_  
Date

**RESOLUTION ACCEPTING A DONATION OF \$1,000.00 FROM THE CITY OF BERRY HILL TO BE USED FOR MAINTENANCE OF THE SHERIFF OFFICE'S GUN RANGE AND APPROPRIATING AND AMENDING THE 2022-23 WILLIAMSON COUNTY SHERIFF'S OFFICE BUDGET BY \$1,000.00 – REVENUES TO COME FROM DONATIONS**

**WHEREAS,** *Tennessee Code Annotated, Section 5-8-101*, provides that a county government may accept donations of money, intangible personal property, tangible personal property and real property that are subject to conditional or restrictive terms if the county legislative body takes action to accept the conditional donation; and

**WHEREAS,** the Williamson County Sheriff's Office has a gun range located at 408 Century Court, Franklin; and

**WHEREAS,** the City of Berry Hill has generously donated \$1,000.00 to the Williamson County Sheriff's Office for repairs and maintenance related expenses of the gun range made during the 2021-22 fiscal year; and

**WHEREAS,** this revenue was not anticipated during the 2022-23 budget process; and

**WHEREAS,** the Williamson County Board of Commissioners finds it in the interest of the citizens of Williamson County to accept the generous donation of \$1,000.00 from the City of Berry Hill:

**NOW, THEREFORE, BE IT RESOLVED,** that the Williamson County Board of Commissioners, meeting in regular session this the 10th day of October, 2022, on behalf of the Williamson County Sheriff's Office, accepts the generous donation of \$1,000.00 from the City of Berry Hill to be used towards maintenance related costs for the gun range:

**AND BE IT FURTHER RESOLVED,** that the 2022-23 Williamson County Sheriff's Office budget be amended as follows:

**REVENUES:**

Donations **\$1,000.00**  
(101.00000.486100.00000.00.00.00)

**EXPENDITURES:**

Sheriff's Office – Maintenance **\$1,000.00**  
(101.54110.533500.00000.00.00.00)

  
County Commissioner

**COMMITTEES REFERRED TO & ACTION TAKEN:**

Law Enforcement/Public Safety Committee: For 3 Against 0  
Budget Committee For 5 Against 0  
Commission Action Taken: For      Against      Pass      Out     

\_\_\_\_\_  
Jeff Whidby, County Clerk

\_\_\_\_\_  
Brian Beathard, Commission Chairman

\_\_\_\_\_  
Rogers C. Anderson, County Mayor

\_\_\_\_\_  
Date

**RESOLUTION AMENDING THE 2022-23 HIGHWAY DEPARTMENT BUDGET AND APPROPRIATING UP TO \$ 195,964.68 FOR BRIDGE EXPENSES ON ARNO COLLEGE GROVE ROAD - REVENUES TO COME FROM STATE AID PROGRAM**

- WHEREAS,** the Williamson County Highway Department maintains state aid bridges within Williamson County
- WHEREAS,** the State of Tennessee allocates funding to County Highway Departments for maintenance of State Aid Bridges,
- WHEREAS,** the Williamson County Highway Department completed and paid total cost of replacing the bridge on Arno College Grove Road,
- WHEREAS,** the final payment of reimbursable expense from the State of Tennessee totals \$195,964.68;

**NOW, THEREFORE, BE IT RESOLVED,** that the 2022-23 Highway budget be amended, as follows:

<b><u>REVENUES:</u></b>	
State Aid Program	
(131.00000.464200.00000.48.00.00)	<b>\$195,964.68</b>
 <b><u>EXPENDITURES:</u></b>	
Bridge Construction	
(131.68000.570500.00000.00.00.00)	<b>\$ 95,964.68</b>
Engineering Services	
(131.61000.5321.00000.00.00.00)	<b><u>\$100,000.00</u></b>
	<b>\$195,964.68</b>

  
County Commissioner

**COMMITTEES REFERRED TO & ACTION TAKEN:**

Highway Commission For \_\_\_ Against \_\_\_  
 Budget Committee For 5 Against 0  
 Commission Action Taken: For \_\_\_ Against \_\_\_ Pass \_\_\_ Out \_\_\_

\_\_\_\_\_  
Jeff Whidby, County Clerk

\_\_\_\_\_  
Brian Beathard, Commission Chairman

\_\_\_\_\_  
Rogers C. Anderson, County Mayor

\_\_\_\_\_  
Date

**RESOLUTION OF THE WILLIAMSON COUNTY BOARD OF COMMISSIONERS  
APPROPRIATING UP TO \$5,632,193.37 FOR WATER INFRASTRUCTURE—REVENUE TO  
COME FROM TDEC GRANT OF STATE AMERICAN RESCUE PLAN ACT FUNDS**

- WHEREAS,** the State of Tennessee (the “State”) has dedicated \$1.35 billion of the State’s American Rescue Plan Act (the “Act”) funds to water, wastewater, and stormwater infrastructure projects; and
- WHEREAS,** the State has placed the Tennessee Department of Environment & Conservation (“TDEC”) in charge of administering part of said funds through a non-competitive grant program for municipalities across Tennessee (the “TDEC Grant Program”); and
- WHEREAS,** through the TDEC Grant Program, Williamson County (the “County”) has been allocated up to \$5,632,193.37 to be used for water, stormwater, and wastewater projects; and
- WHEREAS,** to ensure the TDEC Grant Program funds are used efficiently and effectively, the County solicited applications for proposed uses of the funds from municipalities with applicable water infrastructure, and from utility districts within the County; and
- WHEREAS,** the County ultimately received five applications—one from a municipality and four from utility districts—proposing to spend the funds on projects that comply with the TDEC Grant Program requirements and that will serve the County’s residents; and
- WHEREAS,** the municipality, the utility districts, and their respective projects include the following: (1) the Harpeth Wastewater Cooperative—Asset Management, Collection System, and Wastewater Treatment Plant Project; (2) the H.B. & T.S. Utility District—Water Tank Replacement Project; (3) the City of Brentwood—Emergency Generators and System Resiliency Project; (4) the Mallory Valley & Nolensville College Grove Utility Districts (the “MVU & NCGU”)—Water Line Construction Project; and (5) the Milcrofton Utility District—Rural Community Water Line Extension Project.
- WHEREAS,** the County engaged the engineering firm Smith Seckman Reid, Inc. (“SSR”) to study the proposed projects, the potential methods for allocating the TDEC Grant Program funds, and how to use the funds in a manner that will satisfy the state and federal requirements for the funding while best supporting the County’s Residents; and
- WHEREAS,** SSR evaluated each project based on its cost-effectiveness, alignment with the TDEC Grant Program priorities, importance to the County, and the need for funding; and
- WHEREAS,** SSR has recommended that the County appropriate the TDEC Grant Program funds to the projects in the following manner: (1) the Harpeth Wastewater Cooperative—\$971,520.00; (2) the H.B. & T.S. Utility District—\$1,806,000.00; (3) the City of Brentwood—\$1,089,665.00; (4) the MVU & NCGU—\$923,245.37; and (5) the Milcrofton Utility District—\$841,763.00; and
- WHEREAS,** the County Board of Commissioners (“Board of Commissioners”) recognizes that any funds from the TDEC Grant Program will be forfeited if the funds are not used entirely; and
- WHEREAS,** the Board of Commissioners finds that the allocation of funding set forth above will fully utilize all \$5,632,193.37 the County is receiving from the TDEC Grant Program, thereby avoiding the forfeiture of any funds; and
- WHEREAS,** the Board of Commissioners finds that appropriating the TDEC Grant Program funds in the manner described above will allocate the funds in a way that maximizes the long-term benefits to the County’s water infrastructure systems; and
- WHEREAS,** the Board of Commissioners finds that appropriating the TDEC Grant Program funds in the manner described above is in the best interest of the County’s citizens; and
- WHEREAS,** all funds appropriated through this resolution will be subject to the Act, the associated Final Rule released by the U.S. Treasury Secretary on January 6, 2022, and all applicable state regulations and requirements, including guidance promulgated by the TDEC; and

**WHEREAS,** each entity receiving funds through this resolution will be responsible for complying with the applicable reporting requirements found in the *Uniform Administrative Requirements, Cost Principles, And Audit Requirements for Federal Awards* located at 2 C.F.R. § 200.1 et seq.; and

**WHEREAS,** the appropriations contemplated in this resolution may also be subject to additional documentation the County may require the entities to execute in order to comply with state and federal requirements for the TDEC Grant Program;

**NOW, THEREFORE, BE IT RESOLVED,** the Board of Commissioners, meeting in regular session this 10 day of October, 2022, hereby appropriates \$971,520.00 to the Harpeth Wastewater Cooperative, \$1,806,000.00 to the H.B. & T.S. Utility District, \$1,089,665.00 to the City of Brentwood, \$923,245.37 to the MVU & NCGU, and \$841,763.00 to the Milcrofton Utility District, altogether equaling \$5,632,193.37

**Expenditures:**

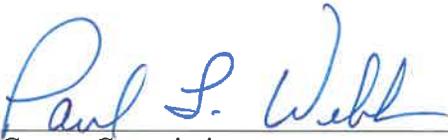
Harpeth Wastewater Cooperative	\$971,520.00
H.B. & T.S. Utility District	\$1,806,000.00
City of Brentwood	\$1,089,665.00
MVU & NCGU	\$923,245.37
Milcrofton Utility District	\$841,763.00

**Total** **\$5,632,193.37**  
(127.58807.579900.00000.00.00.00)

**Revenues:**

**ARPA Grant via TDEC** **\$5,632,193.37**  
(127.00000.478040.00000.00.00.00)

**BE IT FURTHER RESOLVED,** the Board of Commissioners hereby authorize the County Mayor to execute any agreements or other documents necessary to effectuate the appropriations contemplated in this resolution.

  
\_\_\_\_\_  
County Commissioner

**COMMITTEES REFERRED TO & ACTION TAKEN:**

Budget Committee: For 5 Against 0  
Commission Action Taken: For \_\_\_\_\_ Against \_\_\_\_\_ Pass \_\_\_\_\_ Out \_\_\_\_\_

\_\_\_\_\_  
Jeff Whidby, County Clerk

\_\_\_\_\_  
Brian Beathard, Commission Chairman

\_\_\_\_\_  
Rogers C. Anderson, Williamson County Mayor

\_\_\_\_\_  
Date

Resolution No. 10-22-9  
Requested by: Commissioner Paul Webb

FILED 9-26-22  
ENTERED 11:45 a.m.  
JEFF WHIDBY, COUNTY CLERK JW

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF WILLIAMSON COUNTY  
APPROPRIATING THE SECOND \$6,000,000 GRANT PAYMENT TO WILLIAMSON COUNTY  
MEDICAL CENTER FOR EXPANDING THE EMERGENCY DEPARTMENT — REVENUE  
TO COME FROM AMERICAN RESCUE PLAN ACT FUNDS**

- WHEREAS,** Williamson County (“County”) is the recipient of funds disbursed from the United States Government pursuant to the American Rescue Plan Act (“ARPA” or the “Act”); and
- WHEREAS,** The County Board of Commissioners (“Board of Commissioners”) is responsible for the expenditure of said funds in furtherance of the goals and guidelines contained in the Act and the associated Final Rule released by the U.S. Treasury Secretary on January 6, 2022 (“Final Rule”); and
- WHEREAS,** the funds the County received pursuant to ARPA are to be used for the purpose of responding to the public health emergency and the negative economic consequences that resulted from the COVID-19 pandemic, which includes the use of funds for emergency health services, preventative services, treatment services, facilities, and equipment; and
- WHEREAS,** the Board of Commissioners met in regular session on May 9, 2022, and voted to appropriate the first of two six-million-dollar (\$6,000,000) payments from the County’s ARPA funds to Williamson Medical Center (“WMC”) for the purpose of expanding WMC’s emergency department; and
- WHEREAS,** Williamson County, Tennessee has received the second appropriation of ARPA funds from the United States Treasury and the Board of Commissioners now finds that appropriating the second of the two six-million-dollar (\$6,000,000) payments—twelve million dollars (\$12,000,000) total—to WMC from the County’s ARPA funds is timely and necessary to complete WMC’s emergency department expansion; and
- WHEREAS,** the Board of Commissioners finds that the County’s unprecedented growth in recent years has created a strain on WMC’s existing emergency department; and
- WHEREAS,** the Board of Commissioners finds that the pandemic exacerbated existing issues for WMC’s emergency department, such as overcrowding, lack of ICU capacity, and overuse of aging equipment; and
- WHEREAS,** the Board of Commissioners finds that WMC’s emergency department serves a critical role for the County’s citizens, especially those citizens who live in lower-income households and who were disproportionately impacted by the pandemic; and
- WHEREAS,** the Board of Commissioners finds that expanding WMC’s emergency department will create better health outcomes and greater access to health-related programs for the County’s citizens, especially low-income individuals who rely heavily on WMC; and
- WHEREAS,** expanding WMC’s emergency department will provide WMC with the ability to better address the public health emergency created by the pandemic and any future surges of COVID-19 by allowing WMC to have a greater capacity for treating patients, creating safer facilities in which patients can better remain socially distant, and providing medical personnel facilities in which they can better protect themselves against infection; and
- WHEREAS,** after reviewing alternative options to expanding WMC’s emergency department, the Board of Commissioners and the administration at WMC have determined that the alternatives to expanding the emergency department are inadequate; and

**WHEREAS,** any ARPA funds appropriated through this resolution to WMC will be subject to the conditions of the corresponding MOU that the County and WMC execute to ensure that WMC uses the funds in compliance with applicable laws and regulations:

**NOW, THEREFORE, BE IT RESOLVED,** the Board of Commissioners, meeting in regular session this 10<sup>th</sup> day of October, 2022, hereby appropriates six-million-dollars (\$6,000,000) to Williamson County Medical Center to be used for the expansion of its emergency department.

**REVENUES:**

ARPA Funds  
(127.00000.478020.00000.00.00.00)                      \$6,000,000

**EXPENDITURES:**

WC Medical – Contracted Services  
(127.58809.539900.00000.00.00.00)                      \$6,000,000

  
\_\_\_\_\_  
County Commissioner

**COMMITTEES REFERRED TO & ACTION TAKEN:**

Budget Committee:                      For   5      Against   0    
Commission Action Taken:            For           Against           Pass           Out       

\_\_\_\_\_  
Jeff Whidby, County Clerk

\_\_\_\_\_  
Brian Beathard, Commission Chairman

\_\_\_\_\_  
Rogers C. Anderson, Williamson County Mayor

\_\_\_\_\_  
Date

**AN INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$23,200,000 OF GENERAL OBLIGATION BONDS OF WILLIAMSON COUNTY, TENNESSEE**

**BE IT RESOLVED** by the Board of County Commissioners of Williamson County, Tennessee (the "County") that for the purpose of providing funds for the (i) design, construction, improvement, renovation and equipping of parks and recreational facilities, and public safety and emergency services facilities; (ii) acquisition of all real and personal property related thereto; (iii) payment of engineering, legal, fiscal and administrative costs incident to the foregoing (collectively, the "Projects"); (iv) payment of the principal of and interest on any bond anticipation notes issued for the costs of the Projects; (v) payment of capitalized interest on the bonds during the completion of the Projects; and (vi) payment of costs incident to the issuance and sale of the bonds authorized herein; there shall be issued bonds of the County in an aggregate principal amount of not to exceed \$23,200,000, which bonds shall bear interest at a rate or rates per annum not to exceed the maximum rate or rates permitted by Tennessee law, and shall be payable from unlimited ad valorem taxes to be levied on all taxable property within the County.

**BE IT FURTHER RESOLVED** by the Board of County Commissioners of Williamson County, Tennessee that the County Clerk be, and is, hereby directed and instructed to cause the foregoing initial resolution relative to the issuance of not to exceed \$23,200,000 general obligation bonds to be published in full in a newspaper having a general circulation in the County, for one issue of said paper followed by the statutory notice, to-wit:

**NOTICE**

The foregoing resolution has been adopted. Unless within twenty (20) days from the date of publication hereof a petition signed by at least ten percent (10%) of the registered voters of the County shall have been filed with the County Clerk protesting the issuance of the bonds, such bonds will be issued as proposed.

Jeff Whidby, County Clerk

Adopted and approved this 10<sup>th</sup> day of October, 2022.

  
Commissioner

**COMMITTEES REFERRED TO AND ACTION TAKEN:**

Budget Committee                      For 5    Against 0  
Commission Action Taken            For \_\_\_\_\_ Against \_\_\_\_\_ Pass \_\_\_\_\_ Out \_\_\_\_\_

\_\_\_\_\_  
Jeff Whidby, County Clerk

\_\_\_\_\_  
Brian Beathard, Commission Chairman

\_\_\_\_\_  
Rogers Anderson, County Mayor

\_\_\_\_\_  
Date

**RESOLUTION APPROPRIATING AND AMENDING THE 2022-23 COUNTY CLERK'S BUDGET BY \$300,000 FOR ADDITIONAL POSTAGE - REVENUES TO COME FROM UNAPPROPRIATED COUNTY GENERAL FUNDS**

**WHEREAS,** the local County Clerk's Office is responsible for the issuance of vehicle titles, certified marriage copies, business license copies as well as car tag online renewals and mailed copies; and,

**WHEREAS,** these funds are deposited into the County General Fund balance; and,

**WHEREAS,** there is a need to increase the operating budget for the County Clerk's office to provide sufficient funding to offset the increase in the number of postage fees incurred by the office; and,

**WHEREAS,** there are sufficient funds within the County General Fund balance to be appropriated for this additional postage costs;

**NOW, THEREFORE, BE IT RESOLVED,** that the 2022-23 County Clerk's Office budget be amended, as follows:

**REVENUES:** \$300,000  
Unappropriated County General Funds  
(101.00000.390000.00000.00.00.00)

**EXPENDITURES:**  
Postage \$300,000  
(101.52500.534800.00000.00.00.00)

  
County Commissioner

**COMMITTEES REFERRED TO & ACTION TAKEN:**

Budget Committee: For 5 Against 0  
Commission Action Taken: For \_\_\_\_\_ Against \_\_\_\_\_ Pass \_\_\_\_\_ Out \_\_\_\_\_

\_\_\_\_\_  
Jeff Whidby - County Clerk

\_\_\_\_\_  
Brian Beathard - Commission Chairman

\_\_\_\_\_  
Rogers C. Anderson - County Mayor

\_\_\_\_\_  
Date

**RESOLUTION AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT  
BETWEEN WILLIAMSON COUNTY, TENNESSEE AND THE METROPOLITAN  
GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY**

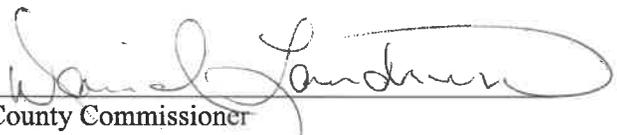
**WHEREAS,** Williamson County ("County") is a governmental entity of the State of Tennessee and, as such, is authorized to enter into an intergovernmental agreement ("Agreement") on behalf of the Williamson County Sheriff's Office with the Metropolitan Government of Nashville and Davidson County ("Metro") acting on behalf of the Metropolitan Nashville Police Department for cooperation concerning law enforcement services; and

**WHEREAS,** Metro has received grant funds from the State of Tennessee through grant contract number 69807; and

**WHEREAS,** the Agreement provides that Metro will distribute funds to surrounding Middle Tennessee Internet Crimes Against Children ("ICAC") agencies for the purchase of equipment, training, and travel costs associated with ICAC training; and

**WHEREAS,** the Williamson County Board of Commissioners finds it in the interest of the citizens of Williamson County to authorize the Williamson County Mayor to enter into an intergovernmental agreement with Metro:

**NOW, THEREFORE, BE IT RESOLVED,** that the Williamson County Board of Commissioners, meeting in regular session this the 10<sup>th</sup> day of October 2022, authorizes the intergovernmental agreement on behalf of the Williamson County Sheriff's Office with the Metropolitan Government of Nashville and Davidson County as well as all other related documents concerning reimbursement for law enforcement equipment, training, and travel costs associated with Middle Tennessee Internet Crimes Against Children.

  
County Commissioner

**COMMITTEES REFERRED TO & ACTION TAKEN:**

Law Enforcement Committee For 3 Against 0  
Budget Committee For 5 Against 0  
Commission Action Taken: For     Against     Pass     Out    

\_\_\_\_\_  
Jeff Whidby, County Clerk

\_\_\_\_\_  
Brian Beathard, Commission Chairman

\_\_\_\_\_  
Rogers Anderson, Williamson County Mayor

\_\_\_\_\_  
Date

Resolution No. 10-22-12  
Requested by: Sheriff's Office

FILED 9-26-22  
ENTERED 11:45 a.m.  
JEFF WHIDBY, COUNTY CLERK *JW*

**RESOLUTION AUTHORIZING WILLIAMSON COUNTY TO ACCEPT A DONATION OF 500 ROUNDS OF HORNADY AMMUNITION FROM MR. TOM FREEMAN ON BEHALF OF THE WILLIAMSON COUNTY SHERIFF'S OFFICE**

**WHEREAS,** *Tennessee Code Annotated, Section 5-8-101,* provides that a county government may accept donations of money, intangible personal property, tangible personal property, and real property that are subject to conditional or restrictive terms if the county legislative body takes action to accept the conditional donation; and

**WHEREAS,** Mr. Tom Freeman has offered a generous donation of 500 rounds of Hornady 55 Grain Full Metal Jacket ammunition to Williamson County on behalf of the Williamson County Sheriff's Office, to be used for law enforcement purposes; and

**WHEREAS,** the approximate value of the donation is \$300.00; and

**WHEREAS,** the Sheriff's Office desires for Williamson County to accept the donation on its behalf; and

**WHEREAS,** the Williamson County Board of Commissioners finds it in the interest of the citizens of Williamson County to accept the generous donation from Mr. Tom Freeman on behalf of the Sheriff's Office:

**NOW, THEREFORE, BE IT RESOLVED,** that the Williamson County Board of Commissioners, meeting in regular session this the 10<sup>th</sup> day of October, 2022, on behalf of the Williamson County Sheriff's Office, accepts the generous donation of 500 rounds of Hornady 55 Grain Full Metal Jacket ammunition, to be used by the Sheriff's Office for law enforcement purposes.

  
Commissioner

**COMMITTEES REFERRED TO & ACTION TAKEN:**

Law Enforcement/Public Safety Board	For <u>3</u>	Against <u>0</u>	Pass <u>    </u>	Out <u>    </u>
Budget Committee	For <u>5</u>	Against <u>0</u>	Pass <u>    </u>	Out <u>    </u>
Commission Action Taken:	For <u>    </u>	Against <u>    </u>	Pass <u>    </u>	Out <u>    </u>

\_\_\_\_\_  
Jeff Whidby, County Clerk

\_\_\_\_\_  
Brian Beathard, Commission Chairman

\_\_\_\_\_  
Rogers Anderson, Williamson County Mayor

\_\_\_\_\_  
Date

