Jule Bryson
Cumberland County Clerk

2 North Main Street, Suite 206 • Crossville, TN 38555 • (931) 484-6442 • Fax (931) 484-6440

January 8, 2016

TO: Cumberland County Commission, County Mayor, and News Media

FROM: Jule Bryson, Cumberland County Clerk

SUBJECT: January 19, 2016 Quarterly Monthly Cumberland County Commission Meeting

Take notice, pursuant to TCA 8-44-103, the Cumberland County Commission, the governing body of said county, will convene and meet in regular session on **Tuesday, January 19, 2016** at 6:00 o'clock P.M. in the large meeting room of the Cumberland County Courthouse, where and at which time and place the said Cumberland County Commissioners will transact such public business as may lawfully come before it.

Attached is a copy of the agenda as of this date.

I am looking forward to seeing you there.

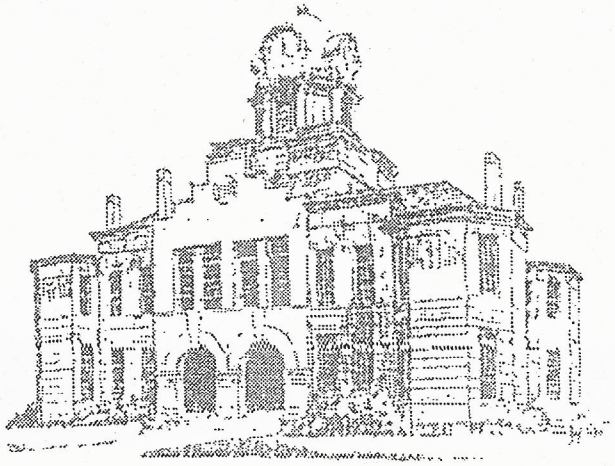
Sincerely,

Jule Bryson

Jule Bryson
Cumberland County Clerk

JB/dc

Enclosures



CUMBERLAND COUNTY COMMISSION QUARTERLY MONTHLY MEETING AGENDA

TUESDAY, JANUARY 19, 2016

6:00 O'CLOCK P.M.

1. Call to order: Chairperson or Cumberland County Sheriff
2. Invocation
3. Pledge to the Flag of the United States of America
4. Roll Call, Cumberland County Clerk, Jule Bryson
5. Minutes of December 21, 2015 Monthly Cumberland County Commission Meeting
6. Special recognitions, memorials, etc.
7. Comments by the General Public
8. Unfinished Business:
9. New Business:

First Civil District Cumberland County Commissioner Vacancy

Presentation by City of Crossville on Horizon Initiative

RESOLUTION 01-2016-1-Ordinance to establish an updated Occupational Safety and Health Program Plan, devise rules and regulations, and to provide for a safety director and the implementation of such program plan (Turner)

RESOLUTION 01-2016-2-To accept the 2016 version of the Cumberland County Road List (Carter)

RESOLUTION 01-2016-3-To request the State of Tennessee to increase funding for County Highway Departments (Stone)

RESOLUTION 01-2016-4-To apply to the Tennessee Department of Economic and Community Development for Community Development Block Grant Funds (Stone)

RESOLUTION 01-2016-5-Budget Amendment, Board of Education, Special Education Fund, $31,800.00 (Isham)

RESOLUTION 01-2016-6-Budget Amendment, General Fund, Preservation of Records, $100.00 (Foster)

RESOLUTION 01-2016-7-Budget Amendment, General Fund, Library, $600.00 (Hassler)

RESOLUTION 01-2016-8-Budget Amendment, General Fund, $1,284.00 (Hassler)

RESOLUTION 01-2016-9-Budget Amendment, General Fund, Library, $3,754.00 (Foster)

RESOLUTION 01-2016-10-Budget Amendment, General Fund, Register of Deeds, $4,646.00 (Foster)

RESOLUTION 01-2016-11-Budget Amendment, General Fund, County Commission, $19,800.00 (Rimmer)

RESOLUTION 01-2016-12-Budget Amendment, Highway Fund, $75,060.00 (Carter)

10. County Official Reports
11. County Attorney Report
12. Standing Committee Reports
13. Statutory Committee Reports
14. Election of Notaries, Appointments, and Confirmations
15. Announcements and Statements
16. Adjournment

DECEMBER 21, 2015

CUMBERLAND COUNTY COMMISSION MONTHLY MEETING

Be it remembered that the Cumberland County Commission met in monthly session on Monday, December 21, 2015 at the courthouse in Crossville, Tennessee. Present and presiding was Commission Chairman, County Mayor Kenneth Carey, Jr. who called the meeting to order and invited Minister Tim Chesson from the Faith Worship Center to give the Invocation. Commissioner Jeff Dyer was asked by the Mayor to lead the Pledge of Allegiance to the Flag of the United States of America. Also present at the meeting were County Clerk Jule Bryson, County Attorney Randal Boston, Finance Director Nathan Brock and the following County Commissioners:

Jeff Dyer	Tracey Scarbrough
Nancy Hyder	Tom Isham
David Hassler	Rebecca Stone
Allen Foster	David Gibson (absent)
Jack Davis	Terry Lowe
Terry Carter	Wendell Wilson
Elbert Farley	Roy Turner
Tim Claflin	Sonya Rimmer
Woody Geisler	John Kinnunen (absent)

A quorum being present, the Cumberland County Commission was opened in due form of law and the following proceedings were had to wit:

1. MINUTES OF NOVEMBER 16, 2015 MONTHLY CUMBERLAND COUNTY COMMISSION MEETING:

On motion of Commissioner Hyder, second by Commissioner Claflin, moved the minutes of the November 16, 2015 Monthly Commission Meeting be approved, treat same as read, made a matter of record, and filed.

The motion to approve the November 2015 Meeting Minutes carried by a roll vote of 15 ayes from the Commission present with Commissioner Rimmer absent for the vote on the minutes.

ANNOUNCEMENT; RESOLUTION 12-2015-2-CUMBERLAND COUNTY SOLID WASTE COLLECTION FEE:

The Mayor made everyone aware of a change to the December Agenda. He stated the sponsor of resolution 12-2015-2, regarding and Solid Waste Collection Fee, had withdrawn the resolution for consideration at the present time.

COMMENTS:

After calling for comments from the public, Mayor Carey recognized Billy Dodd to be the first to address the Board. Mr. Dodd's stated that after a preliminary investigation of the proposed solid waste collection levy, his concerns involved the fees that would be paid out to an Electric Utility Company that would administer the program. He suggested the Commission implement a property tax increase to raise funds to offset the cost of solid waste disposal instead of imposing a fee. Next seeking to make comments were Jack Turner and Jean Cheely who both cited numerous reasons why the Board should oppose any plans to privatize Tennessee State Parks.

2. UNFINISHED BUSINESS: FIRST CIVIL DISTRICT CUMBERLAND COUNTY COMMISSIONER:

Because Mayor Carey had announced at the November 2015 Meeting that Jeff Dyer had tendered his resignation as a Commission Member effective December 31, 2015, Commissioner Claflin moved to declare the First Civil District Commission seat vacant and instruct the County Clerk to prepare a Public Notice (T.C.A. 5-5-111) to forward to the News Media for publication that would direct interested candidates to file their intentions with the County Mayor before 4:00 o'clock P.M. on Tuesday, January 5, 2016. He further moved to hold the vote to fill the vacant position at the next regularly scheduled Commission Meeting on Tuesday, January 19, 2016. Commissioner Carter seconded the motion which carried by a roll call vote of 16 ayes from the Commission present. The Mayor thanked Jeff Dyer on behalf of the Commission for sharing his knowledge and wisdom and declared him an asset to the county.

3. RESOLUTION 11-2015-1-TO PROTEST THE PRIVATIZATION OF CUMBERLAND MOUNTAIN STATE PARK:

Before the vote Commissioner Rimmer made everyone aware that after the state issued a RFQ (Request for Qualifications) to operate portions of the Cumberland Mountain State Park facilities, no bids were received from any private companies. The resolution's sponsor, Commissioner Hyder, informed the Board that the first version of the resolution called for a protest of "any department" of the State Park to be privatized, however she revised the wording in the resolution to strictly oppose the privatization of the Cumberland Mountain State Park. Commissioner Dyer stated that after attending the last Joint Economic and Community Development Board Meeting in which the privatization issue was addressed, he wished to maintain the option for privatization should it become an alternative way to preserve Cumberland Mountain State Park and keep it open to the public in the future.

Commissioner Hassler moved to adopt resolution 11-2015-1 with Commissioner Hyder seconding the motion. Before their vote, several Commissioners made know they concurred with Mr. Dyer's point of view and would be voting no on the resolution. Commissioner Stone stating she respected Governor Bill Haslam's right to study and collect information on ways to keep the parks open but felt the protest was important to make the governor aware of how Cumberland County citizens feel about the privatization plan.

The motion to adopt resolution 11-2015-1 failed with only nine (9) ayes from Commissioners Hyder, Isham, Hassler, Stone, Davis, Lowe, Carter, Wilson and Turner. Dyer, Scarbrough, Foster, Claflin, Rimmer and Geisler were the six (6) Commissioners who voted against the adoption of the resolution with Commissioner Farley abstaining from the vote.

4. RESOLUTION 12-2015-1-BUDGET AMENDMENT, GENERAL FUND, EMERGENCY MEDICAL SERVICES, $173,748.00:

On motion of Commissioner Rimmer, second by Commissioner Claflin, moved to adopt resolution 12-2015-1.

The motion to adopt resolution 12-2015-1, a budget amendment for disbursements for AMB/MARS Emergency Medical Service collections, carried by a roll call vote of 16 ayes from the Commission present.

COUNTY OFFICIAL REPORTS; COUNTY MAYOR, FINANCE DIRECTOR AND COUNTY ATTORNEY:

Mike Blackwell, the newly hired Director of Dispatch, was introduced to Commissioners by Mayor Carey. The November 2015 Financial Report detailing revenue and expenditures were provided by Finance Director Brock along with information about a new cash flow analysis report. Lastly, County Attorney Boston advised that no new lawsuits had transpired in the past month.

5. ELECTION OF NOTARIES:

On motion of Commissioner Carter, second by Commissioner Rimmer, moved that Rebecca Adams, Shannon Boelter, Angela M. Bressler, Vel Burgess, Linda Campbell, Cheryl H. Crain, Christina L. Evans, Angela Michelle Hall, Tiffany M. Harsh, Rachel Hawn, Gina M. Knight, Elizabeth Mena, Kaitlyn S. Reagan, Dawn R. Shaw and Delores Turner are elected as Notary Publics for the State of Tennessee.

The motion to approve the notaries carried by a roll call vote of 16 ayes from the Commission present.

6. ADJOURNMENT:

On motion of Commissioner Carter, second by Commissioner Hyder, moved the December 21, 2015 Monthly Commission Meeting be adjourned at 6:24 o'clock P.M.

The motion to adjourn the meeting carried by voice vote from the Commission present.

MINUTES APPROVED FOR ENTRY THIS _____ DAY OF JANUARY 2016.

_____
Kenneth Carey, County Mayor
Chairman, Cumberland County Commission

_____
Jule Bryson, Cumberland County Clerk

JULE BRYSON
CUMBERLAND COUNTY CLERK

2 NORTH MAIN STREET, SUITE 206 CROSSVILLE, TENNESSEE 38555 USA
PHONE (931) 484-6442 FAX (931) 210-5585

January 6, 2016

NOTICE TO CUMBERLAND COUNTY COMMISSION AND NEWS MEDIA

As of 4:00 o'clock P.M. on Tuesday, January 5, 2016, the following qualified citizens from the First Civil District have offered their names as candidates for the vacancy in the office of Cumberland County Commissioner.

1. Harry D. Sabine
2. Sue Ann York

Thank you,
Jule Bryson
Cumberland County Clerk

RESOLUTION NUMBER 01-2016-1

ORDINANCE TO ESTABLISH AN UPDATED OCCUPATIONAL SAFETY AND HEALTH PROGRAM PLAN, DEVISE RULES AND REGULATIONS, AND TO PROVIDE FOR A SAFETY DIRECTOR AND THE IMPLEMENTATION OF SUCH PROGRAM PLAN

WHEREAS, in compliance with Public Chapter 561 of the General Assembly of the State of Tennessee for the year 1972, Cumberland County hereby updates the Occupational Safety and Health Program Plan for our employees.

WHEREAS, due to various changes in subsequent years, it has become necessary to amend the program plan to comply with more recent state requirements.

NOW, THEREFORE,

SECTION 1. BE IT ORDAINED BY Cumberland County, that there be and is hereby amended as follows:

TITLE:

This section shall be known as "The Occupational Safety and Health Program Plan" for the employees of Cumberland County.

PURPOSE:

Cumberland County in electing to update the established Program Plan will maintain an effective and comprehensive Occupational Safety and Health Program Plan for its employees and shall:

1) Provide a safe and healthful place and condition of employment that includes:
   a) Top Management Commitment and Employee Involvement;
   b) Continually analyze the worksite to identify all hazards and potential hazards;
   c) Develop and maintain methods for preventing or controlling the existing or potential hazards; and
   d) Train managers, supervisors, and employees to understand and deal with worksite hazards.

2) Acquire, maintain and require the use of safety equipment, personal protective equipment and devices reasonably necessary to protect employees.

3) Record, keep, preserve, and make available to the Commissioner of Labor and Workforce Development, or persons within the Department of Labor and Workforce Development to whom such responsibilities have been delegated, adequate records of all occupational accidents and illnesses and personal injuries for proper evaluation and necessary corrective action as required.

4) Consult with the Commissioner of Labor and Workforce Development with regard to the adequacy of the form and content of records.

5) Consult with the Commissioner of Labor and Workforce Development, as appropriate, regarding safety and health problems which are considered to be unusual or peculiar and are such that they cannot be achieved under a standard promulgated by the State.

6) Provide reasonable opportunity for the participation of employees in the effectuation of the objectives of this Program Plan, including the opportunity to make anonymous complaints concerning conditions or practices injurious to employee safety and health.

7) Provide for education and training of personnel for the fair and efficient administration of occupational safety and health standards, and provide for education and notification of all employees of the existence of this Program Plan.

COVERAGE:

The provisions of the Occupational Safety and Health Program Plan for the employees of Cumberland County shall apply to all employees of each administrative department, commission, board, division, or other agency whether part-time or full-time, seasonal or permanent.

STANDARDS AUTHORIZED:

The Occupational Safety and Health standards adopted by Cumberland County are the same as, but not limited to, the State of Tennessee Occupational Safety and Health Standards promulgated, or which may be promulgated, in accordance with Section 6 of the Tennessee Occupational Safety and Health Act of 1972 (T.C.A. Title 50, Chapter 3).

VARIANCES FROM STANDARDS AUTHORIZED:

Upon written application to the Commissioner of Labor and Workforce Development of the State of Tennessee, we may request an order granting a temporary variance from any approved standards. Applications for variances shall be in accordance with Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, VARIANCES FROM OCCUPATIONAL SAFETY AND HEALTH STANDARDS, CHAPTER 0800-01-02, as authorized by T.C.A., Title 50. Prior to requesting such temporary variance, we will notify or serve notice to our employees, their designated representatives, or interested parties and present them with an opportunity for a hearing. The posting of notice on the main bulletin board shall be deemed sufficient notice to employees.

ADMINISTRATION:

For the purposes of this ordinance Director of Emergency Management is designated as the Safety Director of Occupational Safety and Health to perform duties and to exercise powers assigned to plan, develop, and administer this Program Plan. The Safety Director shall develop a plan of operation for the Program Plan in accordance with Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, SAFETY AND HEALTH PROVISIONS FOR THE PUBLIC SECTOR, CHAPTER 0800-01-05, as authorized by T.C.A., Title 50.

FUNDING THE PROGRAM PLAN:

Sufficient funds for administering and staffing the Program Plan pursuant to this ordinance shall be made available as authorized by Cumberland County.

SEVERABILITY:

SECTION 2. BE IT FURTHER ORDAINED that if any section, sub-section, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

AMENDMENTS, ETC:

SECTION 3. BE IT FURTHER ORDAINED that this ordinance shall take effect from and after the date it shall have

been passed, properly signed, certified, and has met all other legal requirements, and as otherwise provided by law, the general welfare of Cumberland County requiring it.

Adopted this 19th day of January, 2016

SPONSOR:

Roy Turner

COUNTY COMMISSIONER

APPROVED:

COUNTY MAYOR

ATTEST:

COUNTY CLERK

PLAN OF OPERATION FOR THE OCCUPATIONAL SAFETY AND HEALTH
PROGRAM PLAN FOR THE EMPLOYEES OF CUMBERLAND COUNTY

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I. PURPOSE AND COVERAGE

The purpose of this plan is to provide guidelines and procedures for implementing the Occupational Safety and Health Program Plan for the employees of Cumberland County.

This plan is applicable to all employees, part-time or full-time, seasonal or permanent.

Cumberland County in electing to update and maintain an effective Occupational Safety and Health Program Plan for its employees,

a. Provide a safe and healthful place and condition of employment.
b. Require the use of safety equipment, personal protective equipment, and other devices where reasonably necessary to protect employees.
c. Make, keep, preserve, and make available to the Commissioner of Labor and Workforce Development, his designated representatives, or persons within the Department of Labor and Workforce Development to whom such responsibilities have been delegated, including the Safety Director of the Division of Occupational Safety and Health, adequate records of all occupational accidents and illnesses and personal injuries for proper evaluation and necessary corrective action as required.
d. Consult with the Commissioner of Labor and Workforce Development or his designated representative with regard to the adequacy of the form and content of such records.
e. Consult with the Commissioner of Labor and Workforce Development regarding safety and health problems which are considered to be unusual or peculiar and are such that they cannot be resolved under an occupational safety and health standard promulgated by the State.
f. Assist the Commissioner of Labor and Workforce Development or his monitoring activities to determine Program Plan effectiveness and compliance with the occupational safety and health standards.
g. Make a report to the Commissioner of Labor and Workforce Development annually, or as may otherwise be required, including information on occupational accidents, injuries, and illnesses and accomplishments and progress made toward achieving the goals of the Occupational Safety and Health Program Plan.
h. Provide reasonable opportunity for and encourage the participation of employees in the effectuation of the objectives of this Program Plan, including the opportunity to make anonymous complaints concerning conditions or practices which may be injurious to employees□ safety and health.

II. DEFINITIONS

For the purposes of this Program Plan, the following definitions apply:

a. COMMISSIONER OF LABOR and Workforce Development means the chief executive officer of the Tennessee Department of Labor and Workforce Development. This includes any person appointed, designated, or deputized to perform the duties or to exercise the powers assigned to the Commissioner of Labor and Workforce Development.
b. EMPLOYER means Cumberland County and includes each administrative department, board, commission, division, or other agency of Cumberland County.
c. SAFETY DIRECTOR OF OCCUPATIONAL SAFETY AND HEALTH or SAFETY DIRECTOR means the person designated by the establishing ordinance, or executive order to perform duties or to exercise powers assigned so as to plan, develop, and administer the Occupational Safety and Health Program Plan for the employees of Cumberland County.

d. INSPECTOR(S) means the individual(s) appointed or designated by the Safety Director of Occupational Safety and Health to conduct inspections provided for herein. If no such compliance inspector(s) is

appointed, inspections shall be conducted by the Safety Director of Occupational Safety and Health.

e. APPOINTING AUTHORITY means any official or group of officials of the employer having legally designated powers of appointment, employment, or removal there from for a specific department, board, commission, division, or other agency of this employer.
f. EMPLOYEE means any person performing services for this employer and listed on the payroll of this employer, either as part-time, full-time, seasonal, or permanent. It also includes any persons normally classified as □volunteers□ provided such persons received remuneration of any kind for their services. This definition shall not include independent contractors, their agents, servants, and employees.
g. PERSON means one or more individuals, partnerships, associations, corporations, business trusts, or legal representatives of any organized group of persons.
h. STANDARD means an occupational safety and health standard promulgated by the Commissioner of Labor and Workforce Development in accordance with Section VI (6) of the Tennessee Occupational Safety and Health Act of 1972 which requires conditions or the adoption or the use of one or more practices, means, methods, operations, or processes or the use of equipment or personal protective equipment necessary or appropriate to provide safe and healthful conditions and places of employment.
i. IMMINENT DANGER means any conditions or practices in any place of employment which are such that a hazard exists which could reasonably be expected to cause death or serious physical harm immediately or before the imminence of such hazard can be eliminated through normal compliance enforcement procedures.
j. ESTABLISHMENT or WORKSITE means a single physical location under the control of this employer where business is conducted, services are rendered, or industrial type operations are performed.
k. SERIOUS INJURY or HARM means that type of harm that would cause permanent or prolonged impairment of the body in that:

    1. A part of the body would be permanently removed (e.g., amputation of an arm, leg, finger(s); loss of an eye) or rendered functionally useless or substantially reduced in efficiency on or off the job (e.g., leg shattered so severely that mobility would be permanently reduced), or
    2. A part of an internal body system would be inhibited in its normal performance or function to such a degree as to shorten life or cause reduction in physical or mental efficiency (e.g., lung impairment causing shortness of breath).

On the other hand, simple fractures, cuts, bruises, concussions, or similar injuries would not fit either of these categories and would not constitute serious physical harm.

l. ACT or TOSH Act shall mean the Tennessee Occupational Safety and Health Act of 1972.
m. GOVERNING BODY means the County Quarterly Court, Board of Aldermen, Board of Commissioners, City or Town Council, Board of Governors, etc., whichever may be applicable to the local government, government agency, or utility to which this plan applies.
n. CHIEF EXECUTIVE OFFICER means the chief administrative official, County Judge, County Chairman, County Mayor, Mayor, City Manager, General Manager, etc., as may be applicable.

III. EMPLOYERS RIGHTS AND DUTIES

Rights and duties of the employer shall include, but are not limited to, the following provisions:

a. Employer shall furnish to each employee conditions of employment and a place of employment free from recognized hazards that are causing or are likely to cause death or serious injury or harm to employees.
b. Employer shall comply with occupational safety and health standards and regulations promulgated pursuant to Section VI (6) of the Tennessee Occupational Safety and Health Act of 1972.
c. Employer shall refrain from and unreasonable restraint on the right of the Commissioner of Labor and Workforce Development to inspect the employers place(s) of business. Employer shall assist the

Commissioner of Labor and Workforce Development in the performance of their monitoring duties by supplying or by making available information, personnel, or aids reasonably necessary to the effective conduct of the monitoring activity.

d. Employer is entitled to participate in the development of standards by submission of comments on proposed standards, participation in hearing on proposed standards, or by requesting the development of standards on a given issue under Section 6 of the Tennessee Occupational Safety and Health Act of 1972.
e. Employer is entitled to request an order granting a variance from an occupational safety and health standard.
f. Employer is entitled to protection of its legally privileged communication.
g. Employer shall inspect all worksites to insure the provisions of this Program Plan are complied with and carried out.
h. Employer shall notify and inform any employee who has been or is being exposed in a biologically significant manner to harmful agents or material in excess of the applicable standard and of corrective action being taken.
i. Employer shall notify all employees of their rights and duties under this Program Plan.

IV. EMPLOYEES RIGHTS AND DUTIES

Rights and duties of employees shall include, but are not limited to, the following provisions:

a. Each employee shall comply with occupational safety and health act standards and all rules, regulations, and orders issued pursuant to this Program Plan and the Tennessee Occupational Safety and Health Act of 1972 which are applicable to his or her own actions and conduct.
b. Each employee shall be notified by the placing of a notice upon bulletin boards, or other places of common passage, of any application for a permanent or temporary order granting the employer a variance from any provision of the TOSH Act or any standard or regulation promulgated under the Act.
c. Each employee shall be given the opportunity to participate in any hearing which concerns an application by the employer for a variance from a standard or regulation promulgated under the Act.
d. Any employee who may be adversely affected by a standard or variance issued pursuant to the Act or this Program Plan may file a petition with the Commissioner of Labor and Workforce Development or whoever is responsible for the promulgation of the standard or the granting of the variance.
e. Any employee who has been exposed or is being exposed to toxic materials or harmful physical agents in concentrations or at levels in excess of that provided for by any applicable standard shall be provided by the employer with information on any significant hazards to which they are or have been exposed, relevant symptoms, and proper conditions for safe use or exposure. Employees shall also be informed of corrective action being taken.
f. Subject to regulations issued pursuant to this Program Plan, any employee or authorized representative of employees shall be given the right to request an inspection and to consult with the Safety Director or Inspector at the time of the physical inspection of the worksite.
g. Any employee may bring to the attention of the Safety Director any violation or suspected violations of the standards or any other health or safety hazards.
h. No employee shall be discharged or discriminated against because such employee has filed any complaint or instituted or caused to be instituted any proceeding or inspection under or relating to this Program Plan.
i. Any employee who believes that he or she has been discriminated against or discharged in violation of subsection (h) of this section may file a complaint alleging such discrimination with the Safety Director. Such employee may also, within thirty (30) days after such violation occurs, file a complaint with the Commissioner of Labor and Workforce Development alleging such discrimination.
j. Nothing in this or any other provisions of this Program Plan shall be deemed to authorize or require any employee to undergo medical examination, immunization, or treatment for those who object thereto on religious grounds, except where such is necessary for the protection of the health or safety or others or when

a medical examination may be reasonably required for performance of a specific job.

k. Employees shall report any accident, injury, or illness resulting from their job, however minor it may seem to be, to their supervisor or the Safety Director within twenty-four (24) hours after the occurrence.

V. ADMINISTRATION

a. The Safety Director of Occupational Safety and Health is designated to perform duties or to exercise powers assigned so as to administer this Occupational Safety and Health Program Plan.

1. The Safety Director may designate person or persons as he deems necessary to carry out his powers, duties, and responsibilities under this Program Plan.
2. The Safety Director may delegate the power to make inspections, provided procedures employed are as effective as those employed by the Safety Director.
3. The Safety Director shall employ measures to coordinate, to the extent possible, activities of all departments to promote efficiency and to minimize any inconveniences under this Program Plan.
4. The Safety Director may request qualified technical personnel from any department or section of government to assist him in making compliance inspections, accident investigations, or as he may otherwise deem necessary and appropriate in order to carry out his duties under this Program Plan.
5. The Safety Director shall prepare the report to the Commissioner of Labor and Workforce Development required by subsection (g) of Section 1 of this plan.
6. The Safety Director shall make or cause to be made periodic and follow-up inspections of all facilities and worksites where employees of this employer are employed. He shall make recommendations to correct any hazards or exposures observed. He shall make or cause to be made any inspections required by complaints submitted by employees or inspections requested by employees.
7. The Safety Director shall assist any officials of the employer in the investigation of occupational accidents or illnesses.
8. The Safety Director shall maintain or cause to be maintained records required under Section VIII of this plan.
9. **The Safety Director shall, in the eventuality that there is a fatality or an accident resulting in the hospitalization of three or more employees, insure that the Commissioner of Labor and Workforce Development receives notification of the occurrence within eight (8) hours. All work-related inpatient hospitalizations, amputations, and loss of an eye must be reported to TOSHA within 24 hours.**

b. The administrative or operational head of each department, division, board, or other agency of this employer shall be responsible for the implementation of this Occupational Safety and Health Program Plan within their respective areas.

1. The administrative or operational head shall follow the directions of the Safety Director on all issues involving occupational safety and health of employees as set forth in this plan.
2. The administrative or operational head shall comply with all abatement orders issued in accordance with the provisions of this plan or request a review of the order with the Safety Director within the abatement period.
3. The administrative or operational head should make periodic safety surveys of the establishment under his jurisdiction to become aware of hazards or standards violations that may exist and make an attempt to immediately correct such hazards or violations.
4. The administrative or operational head shall investigate all occupational accidents, injuries, or illnesses reported to him. He shall report such accidents, injuries, or illnesses to the Safety Director along with his findings and/or recommendations in accordance with APPENDIX IV of this plan.

VI. STANDARDS AUTHORIZED

The standards adopted under this Program Plan are the applicable standards developed and promulgated under Section VI (6) of the Tennessee Occupational Safety and Health Act of 1972. Additional standards may be promulgated by the governing body of this employer as that body may deem necessary for the safety and health of employees. Note: 29 CFR 1910 General Industry Regulations; 29 CFR 1926 Construction Industry Regulations; and the Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, CHAPTER 0800-01-1 through CHAPTER 0800-01-11 are the standards and rules invoked.

VII. VARIANCE PROCEDURE

The Safety Director may apply for a variance as a result of a complaint from an employee or of his knowledge of certain hazards or exposures. The Safety Director should definitely believe that a variance is needed before the application for a variance is submitted to the Commissioner of Labor and Workforce Development.

The procedure for applying for a variance to the adopted safety and health standards is as follows:

a. The application for a variance shall be prepared in writing and shall contain:

   1. A specification of the standard or portion thereof from which the variance is sought.
   2. A detailed statement of the reason(s) why the employer is unable to comply with the standard supported by representations by qualified personnel having first-hand knowledge of the facts represented.
   3. A statement of the steps employer has taken and will take (with specific date) to protect employees against the hazard covered by the standard.
   4. A statement of when the employer expects to comply and what steps have or will be taken (with dates specified) to come into compliance with the standard.
   5. A certification that the employer has informed employees, their authorized representative(s), and/or interested parties by giving them a copy of the request, posting a statement summarizing the application (to include the location of a copy available for examination) at the places where employee notices are normally posted and by other appropriate means. The certification shall contain a description of the means actually used to inform employees and that employees have been informed of their right to petition the Commissioner of Labor and Workforce Development for a hearing.

b. The application for a variance should be sent to the Commissioner of Labor and Workforce Development by registered or certified mail.

c. The Commissioner of Labor and Workforce Development will review the application for a variance and may deny the request or issue an order granting the variance. An order granting a variance shall be issued only if it has been established that:

   1. The employer:
      i. Is unable to comply with the standard by the effective date because of unavailability of professional or technical personnel or materials and equipment required or necessary construction or alteration of facilities or technology.
      ii. Has taken all available steps to safeguard employees against the hazard(s) covered by the standard.
      iii. Has as effective Program Plan for coming into compliance with the standard as quickly as possible.

   2. The employee is engaged in an experimental Program Plan as described in subsection (b), section 13 of the Act.

d. A variance may be granted for a period of no longer than is required to achieve compliance or one (1) year, whichever is shorter.
e. Upon receipt of an application for an order granting a variance, the Commissioner to whom such application is addressed may issue an interim order granting such a variance for the purpose of permitting time for an orderly consideration of such application. No such interim order may be effective for longer than one hundred eighty (180) days.
f. The order or interim order granting a variance shall be posted at the worksite and employees notified of such order by the same means used to inform them of the application for said variance (see subsection (a)(5) of this section).

VIII. RECORDKEEPING AND REPORTING

Recording and reporting of all occupational accident, injuries, and illnesses shall be in accordance with instructions and on forms prescribed in the booklet. You can get a copy of the Forms for Recordkeeping from the internet. Go to ww.osha.gov and click on Recordkeeping Forms located on the home page.

The position responsible for recordkeeping is shown on the SAFETY AND HEALTH ORGANIZATIONAL CHART, Appendix IV to this plan.

Details of how reports of occupational accidents, injuries, and illnesses will reach the recordkeeper are specified by ACCIDENT REPORTING PROCEDURES, Appendix IV to this plan. The Rule of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, OCCUPATIONAL SAFETY AND HEALTH RECORD-KEEPING AND REPORTING, CHAPTER 0800-01-03, as authorized by T.C.A., Title 50.

IX. EMPLOYEE COMPLAINT PROCEDURE

If any employee feels that he is assigned to work in conditions which might affect his health, safety, or general welfare at the present time or at any time in the future, he should report the condition to the Safety Director of Occupational Safety and Health.

a. The complaint should be in the form of a letter and give details on the condition(s) and how the employee believes it affects or will affect his health, safety, or general welfare. The employee should sign the letter but need not do so if he wishes to remain anonymous (see subsection (h) of Section 1 of this plan).
b. Upon receipt of the complaint letter, the Safety Director will evaluate the condition(s) and institute any corrective action, if warranted. Within ten (10) working days following the receipt of the complaint, the Safety Director will answer the complaint in writing stating whether or not the complaint is deemed to be valid and if no, why not, what action has been or will be taken to correct or abate the condition(s), and giving a designated time period for correction or abatement. Answers to anonymous complaints will be posted upon bulletin boards or other places of common passage where the anonymous complaint may be reasonably expected to be seen by the complainant for a period of three (3) working days.
c. If the complainant finds the reply not satisfactory because it was held to be invalid, the corrective action is felt to be insufficient, or the time period for correction is felt to be too long, he may forward a letter to the Chief Executive Officer or to the governing body explaining the condition(s) cited in his original complaint and why he believes the answer to be inappropriate or insufficient.
d. The Chief Executive Officer or a representative of the governing body will evaluate the complaint and will begin to take action to correct or abate the condition(s) through arbitration or administrative sanctions or may find the complaint to be invalid. An answer will be sent to the complainant within ten (10) working days

following receipt of the complaint or the next regularly scheduled meeting of the governing body following receipt of the complaint explaining decisions made and action taken or to be taken.

e. After the above steps have been followed and the complainant is still not satisfied with the results, he may then file a complaint with the Commissioner of Labor and Workforce Development. Any complaint filed with the Commissioner of Labor and Workforce Development in such cases shall include copies of all related correspondence with the Safety Director and the Chief Executive Officer or the representative of the governing body.

f. Copies of all complaint and answers thereto will be filed by the Safety Director who shall make them available to the Commissioner of Labor and Workforce Development or his designated representative upon request.

X. EDUCATION AND TRAINING

a. Safety Director and/or Compliance Inspector(s):

1. Arrangements will be made for the Safety Director and/or Compliance Inspector(s) to attend training seminars, workshops, etc., conducted by the State of Tennessee or other agencies. A list of Seminars can be obtained.

2. Access will be made to reference materials such as 29 CFR 1910 General Industry Regulations; 29 CFR 1926 Construction Industry Regulations; The Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, and other equipment/supplies, deemed necessary for use in conducting compliance inspections, conducting local training, wiring technical reports, and informing officials, supervisors, and employees of the existence of safety and health hazards will be furnished.

b. All Employees (including supervisory personnel):

A suitable safety and health training program for employees will be established. This program will, as a minimum:

1. Instruct each employee in the recognition and avoidance of hazards or unsafe conditions and of standards and regulations applicable to the employees work environment to control or eliminate any hazards, unsafe conditions, or other exposures to occupational illness or injury.
2. Instruct employees who are required to handle or use poisons, acids, caustics, toxicants, flammable liquids, or gases including explosives, and other harmful substances in the proper handling procedures and use of such items and make them aware of the personal protective measures, person hygiene, etc., which may be required.
3. Instruct employees who may be exposed to environments where harmful plants or animals are present, of the hazards of the environment, how to best avoid injury or exposure, and the first aid procedures to be followed in the event of injury or exposure.
4. Instruct all employees of the common deadly hazards and how to avoid them, such as Falls; Equipment Turnover; Electrocution; Struck by/Caught In; Trench Cave In; Heat Stress and Drowning.
5. Instruct employees on hazards and dangers of confined or enclosed spaces.

   i. Confined or enclosed space means space having a limited means of egress and which is subject to the accumulation of toxic or flammable contaminants or has an oxygen deficient atmosphere. Confined or enclosed spaces include, but are not limited to, storage tanks, boilers, ventilation or exhaust ducts, sewers, underground utility accesses, tunnels, pipelines, and open top spaces more than four feet (4) in depth such as pits, tubs, vaults, and vessels.

   ii. Employees will be given general instruction on hazards involved, precautions to be taken, and on use of personal protective and emergency equipment required. They shall also be instructed on all specific standards or regulations that apply to work in dangerous or potentially dangerous areas.

iii. The immediate supervisor of any employee who must perform work in a confined or enclosed space shall be responsible for instructing employees on danger of hazards which may be present, precautions to be taken, and use of personal protective and emergency equipment, immediately prior to their entry into such an area and shall require use of appropriate personal protective equipment.

XI. GENERAL INSPECTION PROCEDURES

It is the intention of the governing body and responsible officials to have an Occupational Safety and Health Program Plan that will insure the welfare of employees. In order to be aware of hazards, periodic inspections must be performed. These inspections will enable the finding of hazards or unsafe conditions or operations that will need correction in order to maintain safe and healthful worksites. Inspections made on a pre-designated basis may not yield the desired results. Inspections will be conducted, therefore, on a random basis at intervals not to exceed thirty (30) calendar days.

a. In order to carry out the purposes of this Ordinance, the Safety Director and/or Compliance Inspector(s), if appointed, is authorized:
   1. To enter at any reasonable time, any establishment, facility, or worksite where work is being performed by an employee when such establishment, facility, or worksite is under the jurisdiction of the employer and;
   2. To inspect and investigate during regular working hours and at other reasonable times, within reasonable limits, and in a reasonable manner, any such place of employment and all pertinent conditions, processes, structures, machines, apparatus, devices, equipment, and materials therein, and to question privately any supervisor, operator, agent, or employee working therein.

b. If an imminent danger situation is found, alleged, or otherwise brought to the attention of the Safety Director or Inspector during a routine inspection, he shall immediately inspect the imminent danger situation in accordance with Section XII of this plan before inspecting the remaining portions of the establishment, facility, or worksite.

c. An administrative representative of the employer and a representative authorized by the employees shall be given an opportunity to consult with and/or to accompany the Safety Director or Inspector during the physical inspection of any worksite for the purpose of aiding such inspection.

d. The right of accompaniment may be denied any person whose conduct interferes with a full and orderly inspection.

e. The conduct of the inspection shall be such as to preclude unreasonable disruptions of the operation(s) of the workplace.

f. Interviews of employees during the course of the inspection may be made when such interviews are considered essential to investigative techniques.

g. Advance Notice of Inspections.

   1. Generally, advance notice of inspections will not be given as this precludes the opportunity to make minor or temporary adjustments in an attempt to create misleading impression of conditions in an establishment.
   2. There may be occasions when advance notice of inspections will be necessary in order to conduct an effective inspection or investigation. When advance notice of inspection is given, employees or their

authorized representative(s) will also be given notice of the inspection.

h. The Safety Director need not personally make an inspection of each and every worksite once every thirty (30) days. He may delegate the responsibility for such inspections to supervisors or other personnel provided:

1. Inspections conducted by supervisors or other personnel are at least as effective as those made by the Safety Director.
2. Records are made of the inspections, any discrepancies found and corrective actions taken. This information is forwarded to the Safety Director.

i. The Safety Director shall maintain records of inspections to include identification of worksite inspected, date of inspection, description of violations of standards or other unsafe conditions or practices found, and corrective action taken toward abatement. Those inspection records shall be subject to review by the Commissioner of Labor and Workforce Development or his authorized representative.

XII. IMMINENT DANGER PROCEDURES

a. Any discovery, any allegation, or any report of imminent danger shall be handled in accordance with the following procedures:

1. The Safety Director shall immediately be informed of the alleged imminent danger situation and he shall immediately ascertain whether there is a reasonable basis for the allegation.
2. If the alleged imminent danger situation is determined to have merit by the Safety Director, he shall make or cause to be made an immediate inspection of the alleged imminent danger location.
3. As soon as it is concluded from such inspection that conditions or practices exist which constitutes an imminent danger, the Safety Director or Compliance Inspector shall attempt to have the danger corrected. All employees at the location shall be informed of the danger and the supervisor or person in charge of the worksite shall be requested to remove employees from the area, if deemed necessary.
4. The administrative or operational head of the workplace in which the imminent danger exists, or his authorized representative, shall be responsible for determining the manner in which the imminent danger situation will be abated. This shall be done in cooperation with the Safety Director or Compliance Inspector and to the mutual satisfaction of all parties involved.
5. The imminent danger shall be deemed abated if:

   i. The imminence of the danger has been eliminated by removal of employees from the area of danger.
   ii. Conditions or practices which resulted in the imminent danger have been eliminated or corrected to the point where an unsafe condition or practice no longer exists.

6. A written report shall be made by or to the Safety Director describing in detail the imminent danger and its abatement. This report will be maintained by the Safety Director in accordance with subsection (i) of Section XI of this plan.

b. Refusal to Abate.

1. Any refusal to abate an imminent danger situation shall be reported to the Safety Director and Chief Executive Officer immediately.
2. The Safety Director and/or Chief Executive Officer shall take whatever action may be necessary to achieve abatement.

XIII. ABATEMENT ORDERS AND HEARINGS

a. Whenever, as a result of an inspection or investigation, the Safety Director or Compliance Inspector(s) finds that a worksite is not in compliance with the standards, rules or regulations pursuant to this plan and is unable to negotiate abatement with the administrative or operational head of the worksite within a reasonable period of time, the Safety Director shall:

   1. Issue an abatement order to the head of the worksite.
   2. Post or cause to be posted, a copy of the abatement order at or near each location referred to in the abatement order.

b. Abatement orders shall contain the following information:

   1. The standard, rule, or regulation which was found to violated.
   2. A description of the nature and location of the violation.
   3. A description of what is required to abate or correct the violation.
   4. A reasonable period of time during which the violation must be abated or corrected.

c. At any time within ten (10) days after receipt of an abatement order, anyone affected by the order may advise the Safety Director in writing of any objections to the terms and conditions of the order. Upon receipt of such objections, the Safety Director shall act promptly to hold a hearing with all interested and/or responsible parties in an effort to resolve any objections. Following such hearing, the Safety Director shall, within three (3) working days, issue an abatement order and such subsequent order shall be binding on all parties and shall be final.

XIV. PENALTIES

a. No civil or criminal penalties shall be issued against any official, employee, or any other person for failure to comply with safety and health standards or any rules or regulations issued pursuant to this Program Plan.
b. Any employee, regardless of status, who willfully and/or repeatedly violates, or causes to be violated, any safety and health standard, rule, or regulation or any abatement order shall be subject to disciplinary action by the appointing authority. It shall be the duty of the appointing authority to administer discipline by taking action in one of the following ways as appropriate and warranted:

   1. Oral reprimand.
   2. Written reprimand.
   3. Suspension for three (3) or more working days.
   4. Termination of employment.

XV. CONFIDENTIALITY OF PRIVILEGED INFORMATION

All information obtained by or reported to the Safety Director pursuant to this plan of operation or the legislation (ordinance, or executive order) enabling this Occupational Safety and Health Program Plan which contains or might reveal information which is otherwise privileged shall be considered confidential. Such information may be disclosed to other officials or employees concerned with carrying out this Program Plan or when relevant in any proceeding under this Program Plan. Such information may also be disclosed to the Commissioner of Labor and

Workforce Development or their authorized representatives in carrying out their duties under the Tennessee Occupational Safety and Health Act of 1972.

XVI. DISCRIMINATION INVESTIGATIONS AND SANCTIONS

The Rule of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, DISCRIMINATION AGAINST EMPLOYEES EXERCISING RIGHTS UNDER THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1972 0800-01-08, as authorized by T.C.A., Title 50. The agency agrees that any employee who believes they have been discriminated against or discharged in violation of Tenn. Code Ann § 50-3-409 can file a complaint with their agency/safety Safety Director within 30 days, after the alleged discrimination occurred. Also, the agency agrees the employee has a right to file their complaint with the Commissioner of Labor and Workforce Development within the same 30 day period. The Commissioner of Labor and Workforce Development may investigate such complaints, make recommendations, and/or issue a written notification of a violation.

XVII. COMPLIANCE WITH OTHER LAWS NOT EXCUSED

a. Compliance with any other law, statute, ordinance, or executive order, which regulates safety and health in employment and places of employment, shall not excuse the employer, the employee, or any other person from compliance with the provisions of this Program Plan.
b. Compliance with any provisions of this Program Plan or any standard, rule, regulation, or order issued pursuant to this Program Plan shall not excuse the employer, the employee, or any other person from compliance with the law, statue, ordinance, or executive order, as applicable, regulating and promoting safety and health unless such law, statute, ordinance, or executive order, as applicable, is specifically repealed.

Keith Garrison 12/15/2015

Signature: Safety Director, Occupational Safety and Health and Date

APPENDIX - I WORK LOCATIONS

Cumberland County Emergency Medical Services 84 Southbend Drive Crossville, Tennessee 38555 (931)484-1044	75 Employees
Cumberland County Sheriff 90 Justice Street Crossville, Tennessee 38555 (931)484-6176	113 Employees
Cumberland County Justice Center 60 Justice Street Crossville, Tennessee 38555 (931)484-6176	26 Employees
Cumberland County Highway Department 178 County Garage Road Crossville, Tennessee 38555 (931)484-5424	21 Employees
Cumberland County Fire Department 1391 Livingston Road Crossville, Tennessee 38555 (931)484-9119	11 Employees
Cumberland County Health Department 1503 South Main Street Crossville, Tennessee 38555 (931)484-6196	01 Employees
Cumberland County Solid Waste 96 Maryetta Street Crossville, Tennessee 38555 (931)484-9328	56 Employees
Art Circle Public Library 3 East Street Crossville, Tennessee 38555	20 Employees

(931)484-6790

APPENDIX - I WORK LOCATIONS

Cumberland County Court House 2 North Main Street Crossville, Tennessee 38555 (931) 484-6165	30 Employees
Milo Lemert Building 2 South Main Street Crossville, Tennessee 38555 (931)484-6165	20 Employees
Cumberland County Community Complex 1398 Livingston Road Crossville, Tennessee (931)484-6431	11 Employees
Cumberland County Maintenance Garage 24 Obed River Park Drive Crossville, Tennessee 38555 (931) 484-6165	02 Employees
Central Communications Building 42 Southbend Drive Crossville, Tennessee 38555 (931)484-7016	32 Employees
Total Number of Employees:	418 Employees

APPENDIX – II NOTICE TO ALL EMPLOYEES

NOTICE TO ALL EMPLOYEES OF CUMBERLAND COUNTY

The Tennessee Occupational Safety and Health Act of 1972 provide job safety and health protection for Tennessee workers through the promotion of safe and healthful working conditions. Under a plan reviewed by the Tennessee Department of Labor and Workforce Development, this government, as an employer, is responsible for administering the Act to its employees. Safety and health standards are the same as State standards and jobsite inspections will be conducted to insure compliance with the Act.

Employees shall be furnished conditions of employment and a place of employment free from recognized hazards that are causing or are likely to cause death or serious injury or harm to employees.

Each employee shall comply with occupational safety and health standards and all rules, regulations, and orders issued pursuant to this Program Plan which are applicable to his or her own actions and conduct.

Each employee shall be notified by the placing upon bulletin boards or other places of common passage of any application for a temporary variance from any standard or regulation.

Each employee shall be given the opportunity to participate in any hearing which concerns an application for a variance from a standard.

Any employee who may be adversely affected by a standard or variance issued pursuant to this Program Plan may file a petition with the Safety Director or Cumberland County.

Any employee who has been exposed or is being exposed to toxic materials or harmful physical agents in concentrations or at levels in excess of that provided for by an applicable standard shall be notified by the employer and informed of such exposure and corrective action being taken.

Subject to regulations issued pursuant to this Program Plan, any employee or authorized representative(s) of employees shall be given the right to request an inspection.

No employee shall be discharged or discriminated against because such employee has filed any complaint or instituted or caused to be instituted any proceedings or inspection under, or relating to, this Program Plan.

Any employee who believes he or she has been discriminated against or discharged in violation of these sections may, within thirty (30) days after such violation occurs, have an opportunity to appear in a hearing before Cumberland County for assistance in obtaining relief or to file a complaint with the Commissioner of Labor and Workforce Development alleging such discrimination.

A copy of the Occupational Safety and Health Program Plan for the Employees of Cumberland County is available for inspection by any employee at 2 N Main St #203, Crossville, TN 38555 during regular office hours.

_____

Signature: COUNTY MAYOR DATE

APPENDIX - III PROGRAM PLAN BUDGET

(Either answer questions 1-11 **or** fill in the statement below)

1. Prorated portion of wages, salaries, etc., for program administration and support.
2. Office space and office supplies.
3. Safety and health educational materials and support for education and training.
4. Safety devices for personnel safety and health.
5. Equipment modifications.
6. Equipment additions (facilities)
7. Protective clothing and equipment (personnel)
8. Safety and health instruments
9. Funding for projects to correct hazardous conditions.
10. Reserve fund for the Program Plan.
11. Contingencies and miscellaneous,

TOTAL ESTIMATED PROGRAM PLAN FUNDING,
ESTIMATE OF TOTAL BUDGET FOR:

OR Use This Statement:

STATEMENT OF FINANCIAL RESOURCE AVAILABILITY

Be assured that (Name of local government) Cumberland County has sufficient financial resources available or will make sufficient financial resources available as may be required in order to administer and staff its Occupational Safety and Health Program Plan and to comply with standards.

APPENDIX – IV ACCIDENT REPORTING PROCEDURES

(1-15) Employees shall report all accidents, injuries, or illnesses directly to the Safety Director as soon as possible, but not later than twenty-four (24) hours after the occurrence. Such reports may be verbal or in writing. All fatalities or accidents involving the hospitalization of three (3) or more employees shall be reported to the Safety Director and/or record keeper immediately, either by telephone or verbally, and will be followed by a written report within four (4) hours after their occurrence. The Safety Director will insure completion of required reports and records in accordance with Section VIII of the basic plan.

(16-50) Employees shall report all accidents, injuries, or illnesses to their supervisor as soon as possible, but not later than two (2) hours after the occurrence. All fatalities or accidents involving the hospitalization of three (3) or more employees shall be reported to the Safety Director and/or record keeper immediately, either by telephone or verbally, and will be followed by a written report within four (4) hours after their occurrence. The supervisor will investigate the accident or illness, complete an accident report, and forward the accident report to the Safety Director and/or record keeper within twenty-four (24) hours of the time the accident or injury occurred or the time of the first report of the illness.

(51-250) Employees shall report all accidents, injuries, or illnesses to their supervisors as soon as possible, but not later than two (2) hours after the occurrence. The supervisor will provide the Safety Director and/or record keeper with the name of the injured or ill employee and a brief description of the accident or illness by telephone as soon as possible, but not later than four (4) hours, after the accident or injury occurred or the time of the first report of the illness. All fatalities or accidents involving the hospitalization of three (3) or more employees shall be reported to the Safety Director and/or record keeper immediately, either by telephone or verbally, and will be followed by a written report within four (4) hours after their occurrence. The supervisor will then make a thorough investigation of the accident or illness (with the assistance of the Safety Director or Compliance Inspector, if necessary) and will complete a written report on the accident or illness and forward it to the Safety Director within seventy-two (72) hours after the accident, injury, or first report of illness and will provide one (1) copy of the written report to the recordkeeper.

(251-Plus) Employees shall report all accidents, injuries, or illnesses to their supervisors as soon as possible, but not later than two (2) hours after their occurrence. The supervisor will provide the administrative head of the department with a verbal or telephone report of the accident as soon as possible, but not later than four (4) hours, after the accident. If the accident involves loss of consciousness, a fatality, broken bones, severed body member, or third degree burns, the Safety Director will be notified by telephone immediately and will be given the name of the injured, a description of the injury, and a brief description of how the accident occurred. The supervisor or the administrative head of the accident within seventy-two (72) hours after the accident occurred (four (4) hours in the event of accidents involving a fatality or the hospitalization of three (3) or more employees).

Since Workers Compensation Form 6A or OSHA NO. 301 Form must be completed; all reports submitted in writing to the person responsible for recordkeeping shall include the following information as a minimum:

1. Accident location, if different from employer's mailing address and state whether accident occurred on premises owned or operated by employer.
2. Name, social security number, home address, age, sex, and occupation (regular job title) of injured or ill employee.
3. Title of the department or division in which the injured or ill employee is normally employed.
4. Specific description of what the employee was doing when injured.
5. Specific description of how the accident occurred.
6. A description of the injury or illness in detail and the part of the body affected.
7. Name of the object or substance which directly injured the employee.
8. Date and time of injury or diagnosis of illness.
9. Name and address of physician, if applicable.
10. If employee was hospitalized, name and address of hospital.
11. Date of report.

NOTE: A procedure such as one of those listed above or similar information is necessary to satisfy Item Number 4 listed under PROGRAM PLAN in Section V. ADMINISTRATION, Part b of the Tennessee Occupational Safety and Health Plan. This information may be submitted in flow chart form instead of in narrative form if desired. These procedures may be modified in any way to fit local situations as they have been prepared as a guide only.

The four (4) procedures listed above are based upon the size of the work force and relative complexity of the organization. The approximate size of the organization for which each procedure is suggested is indicated in parenthesis in the left hand margin at the beginning, i.e., (1-15), (16-50), (51-250), and (251 Plus), and the figures relate to the total number of employees including the Chief Executive Officer but excluding the governing body (County Court, City Council, Board of Directors, etc.).

Generally, the more simple an accident reporting procedure is, the more effective it is. Please select the one procedure listed above, or prepare a similar procedure or flow chart, which most nearly fits what will be the most effective for your local situation. Note also that the specific information listed for written reports applies to all three of the procedures listed for those organizations with sixteen (16) or more employees.

RESOLUTION NUMBER 01-2016-2

A RESOLUTION TO ACCEPT THE 2016 VERSION OF THE CUMBERLAND COUNTY ROAD LIST

WHEREAS, the Environmental Committee, Highway Department and Cumberland County Regional Planning Commission are submitting for approval amendments for the 2016 Official Cumberland County Road List, reflecting completed road improvements, proposed road additions, and road name changes; and,

WHEREAS, no additional roads have been added to the County Road List; and

WHEREAS, a portion of Carey Drive was closed and the road was shortened to 0.08 miles; and

NOW, THEREFORE BE IT RESOLVED, by the Cumberland County Board of Commissioners hereby formally approve and adopt the 2016 Official County Road List as attached this 19th day of January, 2016.

SPONSOR:

Terry H. Carter (KP)
COUNTY COMMISSIONER

APPROVED:

_____
COUNTY MAYOR

ATTEST:

_____
COUNTY CLERK

RESOLUTION NO 01-2016-3
RESOLUTION TO REQUEST THE STATE OF TENNESSEE TO INCREASE FUNDING FOR COUNTY HIGHWAY DEPARTMENTS

WHEREAS, the Cumberland County Highway Department receives funding from the State of Tennessee's fuel taxes, which are assed at a fixed rate per gallon of fuel, to maintain the roads of Cumberland County;

WHEREAS, fuel consumption is declining due to increased fuel efficiency of vehicles, higher fuel prices, as well as increased use of alternative fuel vehicles, such as electric vehicles, which are not currently subject to highway fuel taxes;

WHEREAS, Cumberland County is the fourth largest county in the State of Tennessee in geographic size;

WHEREAS, the number of roads in Cumberland County has increased to 1,759 roads that consists of 1,079 miles over the last two decades;

WHEREAS, the cost of paving has more than tripled over the last two decades;

WHEREAS, Cumberland County's fuel tax revenue has remained relatively flat and is no longer adequate;

NOW, THEREFORE BE IT RESOLVED, by the Cumberland County Board of Commissioners to request, through this resolution to the Honorable Governor Bill Haslam, Senator Paul Bailey, and State Representative Cameron Sexton, that the State Budget for County Highway Departments be increased to adapt to greater costs and growing road miles.

Comparisons of Asphalt Mix Paving Projects regarding costs over past 12 years
2000-$22 per Ton
2004-$28 per Ton
2008-$49 per Ton
2012-$79 per Ton
Comparisons of Oil since 2002 until 2012
2002-.56 per gallon
2004-.55 per gallon
2008-$1.57 per gallon
2012-$2.33 per gallon
Comparisons of Rock since 2002 until 2012
2002-$3.75 for 33C 1/2' $4.00 per ton
2012-$6.25 for 33C 1/2"' $9.00 per ton

Adopted this 19th day of January, 2016.

SPONSOR:
Rebecca N Stone
COUNTY COMMISSIONER

APPROVED:

_____
COUNTY MAYOR

ATTEST:

_____
COUNTY CLERK

RESOLUTION NO. 01-2016-4

A RESOLUTION TO APPLY TO THE TENNESSEE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

WHEREAS, Cumberland County, Tennessee, is eligible for grant funds under the Community Development Block Grant Program administered by the Tennessee Department of Economic and Community Development; and

WHEREAS, Cumberland County, Tennessee, is eligible for a maximum grant of five hundred and twenty-five thousand dollars ($525,000.00) under the Community Development Block Grant Water/Sewer category including the three star bonus; and

WHEREAS, Cumberland County, Tennessee is in need of water system expansion by applying for grant funding; and

WHEREAS, water line/system improvement projects are eligible activities under the Community Development Block Grant Program; and

WHEREAS, the Crab Orchard Utility District has agreed to pay the required match amount.

NOW, THEREFORE BE IT RESOLVED, by the Cumberland County Commission that:

1. The County Mayor be authorized and directed to:

   A. Execute and submit an application for Community Development Block Grant funds to the Tennessee Department of Economic and Community Development in order to provide water service to an un-served area in the community.

   B. Enter into the necessary agreements with the Tennessee Department of Economic and Community Development to receive and administer said grant funds.

   C. Execute necessary agreements for Administrative and Engineering services without further action by the County Commission, contingent upon approval by the funding agencies.

2. The Upper Cumberland Development District shall prepare all necessary documents for the completion of said application for the proposed project at no charge to Cumberland County. Should said CDBG grant be approved, UCDD shall be engaged to perform all administrative services for said project upon approval of the state funding agency.

Be it further resolved, this resolution shall take effect immediately, the public welfare requiring it.

SPONSOR:

Robert H. Sh

COUNTY COMMISSIONER

APPROVED:

COUNTY MAYOR

ATTEST:

COUNTY CLERK

RESOLUTION 01-2016-5

BUDGET AMENDMENT APPROVAL

To the Cumberland County Commission meeting in regular monthly session, this _____. This amendment is to reallocate funds to the necessary lines within the Special Education budget to hire a Speech Language Teacher to replace a Speech pathologist who resigned.

BOARD OF EDUCATION
SPECIAL EDUCATION FUND

DECREASE EXPENDITURES:

141-71200-171	Speech Pathologist	$31,800.00
TOTAL DECREASE		$31,800.00

INCREASE EXPENDITURES

141-71200-116	Teachers	18,915.00
141-71200-163	Assistants	2,000.00
141-71200-198	Non-Certified Substitute Teachers	1,000.00
141-71200-201	Social Security	150.00
141-71200-204	Retirement	200.00
141-71200-207	Medical	700.00
141-71200-208	Dental	35.00
141-72220-355	Travel	5,800.00
141-72220-499	Other Supplies & Materials	3,000.00
TOTAL INCREASE		$31,800.00

Explanations:

Decreases:
Line 171 – We need to move the remaining salary left after the resignation of the Speech Pathologist into other lines where it is needed.

Increases:
Line 116- to pay salary for Speech Language Teacher.
Lines 163,198,201,204,207,208-to place the money into the lines to pay for salary and benefits for an assistant who is now shared between Special Education and Federal.
Lines 355, 499-to cover expenses in these areas.

SPONSORED BY:

Tom Parker
COUNTY COMMISSIONER

ATTEST:

_____
COUNTY CLERK

APPROVED BY:

_____
COUNTY MAYOR

RESOLUTION # 01-2016-6

CUMBERLAND COUNTY, TENNESSEE
General Fund

To the Cumberland County Commission meeting in regular session this 19th Day of January, 2016:

Whereas, private citizens have made donations to Cumberland County for the use and benefit of the Archives and Family Heritage Center.

Therefore, be it resolved that the following budget amendment be adopted by the Cumberland County Commission.

Preservation Of Records

Increase Revenue:		
101-48610	Donations	$100.00
Increase Expenditures:		
101-51910-599	Other Charges	$100.00

Sponsor: _____
County Commissioner

Approval: _____
County Mayor

Attest: _____
County Clerk

Budget Committee Vote:

Ayes: 7 Nays: 0 Abstain: 0

RESOLUTION # 01-2016-7

CUMBERLAND COUNTY, TENNESSEE
General Fund

To the Cumberland County Commission meeting in regular session this 19th Day of January, 2016:

Whereas, private citizens and civic organizations have made donations to Cumberland County for the use and benefit of the Art Circle Public Library.

Therefore, be it resolved that the following budget amendment be adopted by the Cumberland County Commission.

Library

Increase Revenue:		
101-48610	Donations	$600.00
Increase Expenditures:		
101-56500-599	Other Charges	$600.00

Sponsor: _____
County Commissioner

Approval: _____
County Mayor

Attest: _____
County Clerk

Budget Committee Vote:

Ayes: 7 Nays: 0 Abstain: 1

Resolution # 01-2016-8

Cumberland County, Tennessee

To the Cumberland County Commission meeting in regular session this 19th Day of January, 2016:

Whereas, it appears there will be budget overruns in various department expenditures in the General Government operations.

Therefore, be it resolved that the following budget amendments be adopted by the Cumberland County Commission.

GENERAL FUND

Decrease:

101-39000	Unassigned Fund Balance	$ 1,284.00
Total		$ 1,284.00

Increase Expenditures:

101-51800-186	Co. Bldg-Longevity	$ 62.00
101-51800-201	Co. Bldg-Social Security	$ 5.00
101-51800-204	Co. Bldg-Retirement	$ 7.00
101-51900-299	Vehicle Maint.-Other Fringe Benefits	$ 503.00
101-51900-201	Vehicle Maint.-Social Security	$ 39.00
101-51900-204	Vehicle Maint.-Retirement	$ 50.00
101-54210-186	Jail-Longevity	$ 192.00
101-54210-201	Jail-Social Security	$ 15.00
101-54210-204	Jail-Retirement	$ 20.00
101-54310-186	Fire-Longevity	$ 332.00
101-54310-201	Fire-Social Security	$ 26.00
101-54310-204	Fire-Retirement	$ 33.00
Total		$ 1,284.00

Sponsor: _____
County Commissioner

Approval: _____
County Mayor

Attest: _____
County Clerk

Budget Committee Vote:
Ayes: 7 Nays: 0 Abstain: 0