

WASHINGTON COUNTY, TENNESSEE BOARD OF COUNTY COMMISSIONERS

RESOLUTION NO. 19-06-11

RESOLUTION AUTHORIZING SPENDING FROM FISCAL YEAR BUDGET 2018-2019 RE: ENVIRONMENTAL COURT ADMINISTRATION CLEANUP OF PROPERTY OWNED BY RICKY ROYAL LOCATED AT 215 HENSLEY LOOP, JONESBOROUGH, TENNESSEE 37659

WHEREAS, the General Welfare Officer requests authorization to utilize \$2,250.00 from expense line item 101-53315-536 (Environmental Court Administration – Hazardous Waste Cleanup) to pay for court authorized (Exhibit A) cleanup of property (Exhibit B) owned by Ricky Royal located at 215 Hensley Loop, Jonesborough, Tennessee 37659; and

WHEREAS, on June 6, 2019, the Health, Education & Welfare Committee recommended consideration and approval of this request to the Board of County Commissioners; and

WHEREAS, on June 12, 2019, the Budget Committee recommended consideration and approval of this request to the Board of County Commissioners; now therefore

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, TENNESSEE THAT:

SECTION 1. The request to utilize \$2,250.00 from expense line item 101-53315-536 (Environmental Court Administration – Hazardous Waste Cleanup) to pay for court-authorized (Exhibit A) cleanup of property (Exhibit B) owned by Ricky Royal located at 215 Hensley Loop, Jonesborough, Tennessee 37659 is hereby approved.

SECTION 2. This Resolution shall take effect from and after the date on which it is approved by the County Mayor or as indicated by certification of the County Clerk, as hereinafter set forth.

Introduced by Commissioner: *Edens*

Seconded by Commissioner: *Fitzgerald*

Commissioners Voting FOR: *Matherly, England, Carriger, Williams, McAllister, Tester, Ford, Davenport, Light, Edens, Harris, Fitzgerald, Malone*


Commissioners Voting AGAINST: *None*

Commissioners Abstaining: *Wheeler*


Commissioners Absent: *Jones*

ADOPTED BY THE COUNTY LEGISLATIVE BODY, in session duly assembled, on this the 24th day of June, 2019.

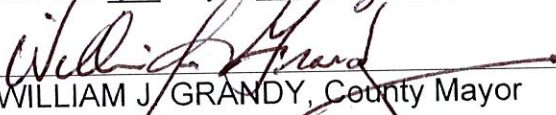

KATHY STOREY, County Clerk


GREG MATHERLY, Chair of the Board

REFERRED to County Mayor this the 2 day of July 2019.


KATHY STOREY, County Clerk

APPROVED by County Mayor on this the 2 day of July 2019.


WILLIAM J. GRANDY, County Mayor

The County Mayor having declined to approve this Resolution, the same became effective on the ___ day of _____ 2019, pursuant to Tennessee Code Annotated § 5-6-107(b)(5).

KATHY STOREY, County Clerk

Approved as to form by the County Attorney this 1st day of July 2019.


THOMAS J. SEELEY III, County Attorney

ENVIRONMENTAL COURT
IN THE GENERAL SESSIONS COURT FOR WASHINGTON COUNTY
AT JONESBOROUGH, TENNESSEE

WASHINGTON COUNTY, TENNESSEE
V.
Ricky Royal
215 Hensley Loop, Jonesborough, TN 37659
Defendant

DOCKET NO.

Case # CV-56518

Filed 3 day of
May 19 at
9:49 o'clock A M
Brenda Owens, Clerk

JUDGMENT ORDER

This matter came to be heard on Friday, May 24, 2019, before the Honorable James Midiffer, General Sessions Court Judge. Based on statements from the Defendant and statements of counsel for Washington County, Tennessee.

The Court finds as follows:

1. The Defendant previously admitted the violation of Washington County Resolution No. 98-12-5 before this Court on April 12, 2019.
2. The General Welfare Officer inspected the subject property located at 215 Hensley Loop, Jonesborough, Washington County, Tennessee, 37659, and further described on Tax Map 082J, Parcel 004.00 in the 5th Civil District, on May 21, 2019, and has determined that the Defendant's property is not within compliance with the aforementioned resolutions or codes.
3. Defendant is in violation of Washington County Resolution No. 98-12-5 in that he has on the property trees, vines, grass, underbrush and the accumulation of debris, trash, litter, garbage, inoperable vehicles, pontoon boat, trailers and vacant dilapidated buildings or structures so as to endanger the health, safety or welfare of Washington County Citizens.
4. The County has the authority to enter the property to remove the dilapidated camper and secure the dilapidated mobile home, as well as move the inoperable vehicles, to include the inoperable pontoon boat, utility trailer and tow dolly to a location on the property so the County can abate the violations of Washington County Resolution No. 98-12-5.
5. The General Welfare Officer has the authority to enter the property to conduct a re-inspection of the property on or about Wednesday, September 18, 2019 in order to determine if the dilapidated mobile home is in compliance with Washington County Resolution No. 98-12-5. If the dilapidated mobile home is not in compliance with the aforesaid resolution, the County may remove the dilapidated mobile home.
6. Fifty-nine (59) days has passed since the citation was issued until the Court date of May 24, 2019, in which the property remained in violation of Washington County Resolution No. 98-12-5. The County has requested a fine in the amount of \$500.00 be levied against the Defendant.

THIS COPY IS A TRUE AND EXACT COPY OF THE ORIGINAL DOCUMENT AS APPEARS IN THE WASHINGTON COUNTY GENERAL SESSIONS COURT RECORD BOOK.

It is therefore Ordered, Adjudged and Decreed that:

1. A Judgment is granted to Washington County, Tennessee against the Defendant.

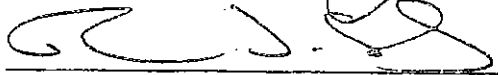
**ENVIRONMENTAL COURT
IN THE GENERAL SESSIONS COURT FOR WASHINGTON COUNTY
AT JONESBOROUGH, TENNESSEE**

2. Defendant is fined in the amount of \$500.00.
3. Defendant shall pay all court costs and fines associated with this case and execution may issue against Defendant for any unpaid fines and court costs.
4. The County is hereby authorized to bring the property into compliance. The County may remove from the property and dispose of the dilapidated camper and secure the dilapidated mobile home, as well as any inoperable vehicles, to include the inoperable pontoon boat, utility trailer and tow dolly. The County is authorized to place a lien against the property for any unpaid court costs and fines and for any costs incurred by the County pursuant to T.C.A. §5-1-115 to bring the property into compliance.
5. The County is authorized to enter the property to conduct a re-inspection on or about Wednesday, September 18, 2019 to determine if the dilapidated mobile home is in compliance with Washington Co. Resolution No. 98-12-5 and if not, remove the dilapidated mobile home from the property and place a lien against the property pursuant to T.C.A. §5-1-115 to bring the property into compliance.
6. Defendant is permanently enjoined and restrained from maintaining violations of the above referenced resolutions on their property.
7. Violations of this Order may be prosecuted as contempt of court or may result in the underlying charges being reinstated.

ENTER on this the 24th day of May, 2019.



JAMES NIDIFFER, GENERAL SESSIONS COURT JUDGE



Thomas J. Seeley III, BPR No. 018884
Attorney for Washington County Tennessee
P.O. Box 555
Jonesborough, Tennessee 37659
(423) 753-4864

CERTIFICATE OF SERVICE

I, Thomas J. Seeley, III, certify that a true and correct copy of the foregoing pleading was mailed to Defendant on or about the 24th day of May, 2019.

Ricky Royal
215 Hensley Loop
Jonesborough, TN 37659



Thomas J. Seeley III, BPR No. 018884

