

**CITY CLERK MEMORANDUM
10-49**

DATE: July 8, 2010

TO: Honorable Mayor and Members of City Council

FROM: Jacquelyn J. Bernard, City Clerk

SUBJECT: PROPOSED ADDITIONS TO JULY 12, 2010 COUNCIL MEETING AGENDA

The staff recommends the addition of three (3) items to the agenda for the July 12, 2010 meeting of City Council. They are:

1. Under Proclamations:

A proclamation designating the week of July 12 – 16, 2010 as “Anderson County Fair Week.”

Anderson County Commissioner Robin Biloski requested this proclamation subsequent to the distribution of the agenda for this meeting. She will be present at the meeting to accept the proclamation and to comment on the Fair.

2. Under the Consent Agenda:

A resolution authorizing the submittal of a grant application to the Tennessee Municipal League Risk Management Pool for a grant in the amount of \$2,000.00.

The information about the availability of this grant was received subsequent to the distribution of the agenda for the July 12th meeting. The submittal is time sensitive, with applications being received on a “1st come, 1st awarded basis.”

3. Under Elections:

The addition of Mr. Hugh B. Ward, Jr., to the ballot of the Board of Building and Housing Code Appeals for consideration of election to the Board to complete the balance of an unexpired term of office ending on July 31, 2012.

Mr. Ward's name was omitted from the ballot through error, as was his resume from the agenda packet. He has met all the requirements for election to this Board. See attached City Clerk Memorandum 10-48.


City Clerk

Attachments

CITY CLERK MEMORANDUM
10-47

DATE: July 8, 2010

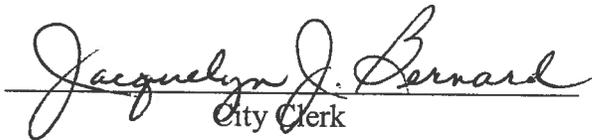
TO: Honorable Mayor and Members of City Council

FROM: Jacquelyn J. Bernard, City Clerk

SUBJECT: PROCLAMATION

Anderson County Fair Week

The accompanying proclamation is presented for the Council's consideration at the request of Ms. Robin Biloski, an Oak Ridge member of the Anderson County Commission.


City Clerk

Attachment

PROCLAMATION

WHEREAS, the Anderson County Fair was established in its present form in 1889 and the 2010 Fair will be the 121st fair in its proud history; and

WHEREAS, the Anderson County Fair was designated as a "Century Fair" by the Tennessee Department of Agriculture in 2003, in recognition of 100+ years of continuous operation within the State of Tennessee; and

WHEREAS, the Anderson County Fair is an annual educational and entertainment opportunity that is enjoyed by thousands of people of all ages; and

WHEREAS, it is a true partnership of hundreds of volunteers working together with local agencies, businesses and industries to provide an opportunity to showcase the Anderson County area, and to effectively highlight Tennessee agriculture and products; and

WHEREAS, the Anderson County Fair Association, which is the Fair's governing agency, is a completely volunteer organization and its members serve the community; and

WHEREAS, the Fair was awarded "Most Improved Fair in 2007" by the Tennessee Association of Fairs, and was voted "2nd Runner Up Champion of Fairs AAA Division" in 2008; and

WHEREAS, working with the *Keep Anderson County Beautiful* organization, the Fair Association last year introduced recycling into the event with great success, and will do so again this year on an even bigger scale; and

WHEREAS, Oak Ridgers are proud to be a part of Anderson County and, like all Anderson County citizens, we take great pride in our outstanding Anderson County Fair.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE, that the week of July 12–16, 2010 be proclaimed

ANDERSON COUNTY FAIR WEEK

in the City of Oak Ridge, Tennessee, and that all Oak Ridgers be encouraged to support the Anderson County Fair Association as it endeavors to produce the best fair in Tennessee, and to honor the Anderson County Fair slogan – *The Best Six Days of Summer* – by attending and enjoying the 2010 fair during the week of July 12–16.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Oak Ridge to be affixed this the 12th day of July in the year 2010.

Mayor

Personnel Memorandum
10-060

July 2, 2010

TO: Gary M. Cinder, Interim City Manager

FROM: Cindi G. Gordon, Personnel/Risk Manager

THROUGH: Steven W. Jenkins, Deputy City Manager, Penelope H. Sissom, Personnel Director

SUBJECT: TML RISK MANAGEMENT POOL MATCHING GRANT PROGRAM

The TML Risk Management Pool is offering the Safety Partners Matching Grant for the fiscal year of 2010-11 to all Pool members for purchases or training related to workers' compensation. The grant will reimburse up to 50% of the cost of the approved item(s) with a maximum reimbursement of \$2000.00 for a city in our Priority Classification.

TML grant monies will be used to provide monthly, one-hour safety meetings, open to all City, temporary and contract employees. The accompanying resolution provides for authority to apply for and obtain this grant.

The City of Oak Ridge's opportunity for receipt of the \$2000.00 Matching Grant will be increased by early submittal as applications are reviewed on a first come-first served basis.

Staff recommends adoption of the attached resolution.



Cindi G. Gordon

Attachment

City Manager's Comments:

I have reviewed the above issue and recommend Council action as outlined in this document.



Gary M. Cinder

7/7/10

Date

RESOLUTION

WHEREAS, grant monies are available through the Tennessee Municipal League Risk Management Pool to be used for safety equipment or training related to workers' compensation; and

WHEREAS, the City meets all of the grant requirements; and

WHEREAS, said grant requires a local match of \$2000.00; and

WHEREAS, the Interim City Manager recommends that the City submit a grant application to the Tennessee Municipal League Risk Management Pool for a grant in the amount of \$2000.00 to be used for monthly safety training sessions in an effort to reduce the incidence of Workers Compensation claims.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

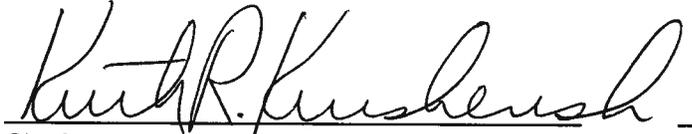
That the recommendation of the Interim City Manager is approved and the City is hereby authorized to submit a grant application to the Tennessee Municipal League Risk Management Pool for a grant in the amount of \$2000.00.

BE IT FURTHER RESOLVED that the Interim City Manager is hereby authorized to execute the appropriate legal instruments to accomplish the same.

BE IT FURTHER RESOLVED that the Interim City Manager is hereby authorized to accept said grant on behalf of the City if the application is approved.

This the 12th day of July 2010.

APPROVED AS TO FORM AND LEGALITY:



City Attorney

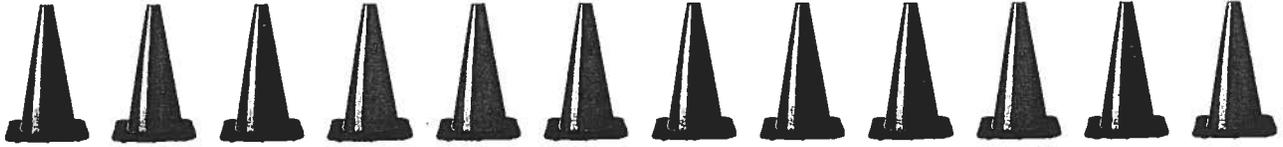
Mayor

City Clerk



RISK • MANAGEMENT • POOL

5100 Maryland Way
Brentwood, Tennessee 37027-7534



Apply NOW Before Funds Are Gone!

2010 – 2011

**SAFETY PARTNERS
MATCHING GRANT PROGRAM**

July 2010

TML Risk Management Pool is offering the SAFETY PARTNERS MATCHING GRANT for the fiscal year of 2010-2011 to all Pool members for **employee safety equipment purchases or training related to workers' compensation**. The TML Pool will reimburse up to 50% of the cost of the approved items(s) with a maximum reimbursement based on the Priority Classification matrix rating (*below*). Safety grants applications will be logged in by date of arrival into this office, on a **1st come, 1st awarded basis**. There is only one SAFETY PARTNERS MATCHING GRANT PROGRAM for the entire year, per member. ELIGIBLE EXPENDITURES ARE FROM 1/1/10 TO 5/1/11.

The available grant funding is based on each member's premium contribution from the *previous year*.
(see chart below)

Earned Premium for 2009-10	Class Ranking	Grant Maximum
\$100,000 or More	Class I	\$2,000
\$50,000 – \$99,999	Class II	\$1,500
\$15,000 – \$49,999	Class III	\$1,000
\$4,500 – \$14,999	Class IV	\$500
\$4,499 or Less	Class V	\$250

Your date-sensitive application, resolution/motion and estimates need to be faxed to: **615-371-9212**

OR e-mailed to: **lsabee@tmlrmp.org** ASAP

Submittal deadline: noon, August 6, 2010 **BUT...**

Approved grants are given on a first come, first awarded basis. Historically, funds are depleted within a few weeks after the mailing.

YOU WILL BE ADVISED OF YOUR APPLICATION STATUS THE WEEK OF AUGUST 23, 2010

FOR MORE INFORMATION, CONTACT YOUR REGIONAL LOSS CONTROL CONSULTANT

East Tennessee
Middle Tennessee
West Tennessee

Judy Housley
Chester Darden
Paul Chambliss

865-693-6745
800-624-9698
731-660-8592

Partnering to help purchase needed safety equipment/training to assist your employees in working safely.

Fax to: 615-371-9212 OR E-mail to: lsabee@tmlrmp.org



\$150,000 MATCHING GRANT PROGRAM

CITY CLERK MEMORANDUM
10-48

DATE: July 8, 2010

TO: Honorable Mayor and Members of City Council

FROM: Jacquelyn J. Bernard, City Clerk

SUBJECT: ADDITIONAL CANDIDATE FOR THE BOARD OF BUILDING AND HOUSING CODE APPEALS

Attached is the resume of Mr. Hugh B. Ward, who is a candidate for the Board of Building and Housing Code Appeals. As you will note, Mr. Ward's resume was received on June 2, 2010 so he has certainly met the deadline for filing. Mr. Ward had submitted an identical resume in application for the Board of Zoning Appeals (BZA) prior to the last meeting (June 7, 2010) and neither Sandy nor I noticed that this second resume was intended to be in application for the Board of Building and Housing Code Appeals.

As you will recall, Mr. Ward was not elected to the BZA. He has met all the requirements for election to the Board of Building and Housing Code Appeals and deserves to have his name added to the ballot. The mistake was ours, not his.

Please amend the agenda by adding his name to the ballot for the Board of Building and Housing Code Appeals for election to the seat whose term of office will end on July 31, 2012. This is the seat that was vacated by Michael Brown. The other two seats on this Board that are up for election are designated – one for an engineer and one for a physician.

I will have revised ballots available for your use Monday evening.


City Clerk

Attachment

Hugh B. Ward, Jr.
27 Montclair Road
Oak Ridge, TN 37830

RECEIVED
2010 JUN -2 AM 8:06
OFFICE OF THE CITY CLERK

Home Telephone 865/482-7303
Office Telephone 865/546-8030
e-mail: hward@bsmlaw.com

Current Position

Bernstein, Stair & McAdams LLP
Knoxville, Tennessee

January, 2010 to present

Advise clients in the practice of commercial and business related litigation, general civil litigation, corporate bankruptcies and bankruptcy litigation.

Prior Legal Experience

United States Department of Justice, Assistant United States Attorney, Knoxville, Tennessee (1992-2009). – Federal Prosecutor. Involved in all phases of investigations and prosecutions of violations of federal laws, including national security issues, white collar crimes, criminal organizations and firearms. Held a Top Secret security clearance. **Kramer, Rayson, Leake, Rodgers & Morgan**, Knoxville, Tennessee (1991-1992) – Represented clients in the state and federal courts and government agencies on a variety of matters involving commercial law, bankruptcy, contracts, real estate, other civil actions, environmental statutes and regulations and government relations. **U.S. Department of Justice Executive Office for United States Trustees**, Washington, D.C. (1990-1992) – Representative for the United States in administration of federal Bankruptcy Law in U.S. Bankruptcy Courts and Courts of Appeals. **Myerson & Kuhn**, New York (1989) – Commercial litigation practice, marketing relations. **Hotel Association of New York City** (1988-1989) – Coordinated in-house legal affairs and outside counsel for the hotel industry in New York City; represented the association in commercial and governmental forums; administered a political action committee.

Other Professional Experience

Bush-Cheney Transition (2000-2001) – Member U.S. Department of Justice Transition Advisory committee. **Roane State Community College** (1998) – Adjunct professor Police Science. **United States Consumer Product Safety Commission** (1985-1988) – Special Assistant to the Chairman; Congressional relations; legal assistance on regulatory matters; program development and liaison with the business community. **Reagan-Bush Campaign** (1984) – Assistant Director for Voter Groups: Devised and implemented a national voter outreach strategy for certain voter groups for the reelection campaign of President Reagan. **United States House of Representatives House Administration Committee** (1975-1978) – Legislative Specialist; Researched and drafted legislative analysis for members of Congress and their staffs and federal agencies.

Education

George Mason University School of Law, Arlington, Virginia, Juris Doctor, 1987. **The American University**, Washington, D.C. and **L'Universite de Franche-Comte**, Besancon,

France, Master of Arts, International Affairs, Economics. 1980. **Shippensburg University**, Shippensburg, Pennsylvania, Bachelor of Arts, 1975.

Professional Membership

Admitted to practice in the state courts of Tennessee, and the District of Columbia.

Admitted to practice in United States District Courts in Tennessee and Pennsylvania.

Admitted to practice in the United States Court of Appeals for the Fourth and Sixth Circuits.

Member: Federalist Society

Member: Oak Ridge, Tennessee Chamber of Commerce

Member: Oak Ridge, Tennessee Breakfast Rotary Club

Awards

Special Achievement Award, United States Department of Justice for Sustained Superior Performance

Organized Crime Drug Enforcement Task Force (OCDETF) – Outstanding Case of 2000 and 2009.