

*****AUGUST 13, 2001*****

The Town Council of the Town of Signal Mountain held its regular monthly meeting on Monday August 13, 2001, at 7:00 p.m. in the Town Hall. Those present were:

Mayor James H Althaus
 Councilmember Rachel Bryant
 Councilmember Steve Ruffin
 Councilmember Billy Steele

Also present:

Town Manager Hershel Dick
 Town Recorder Diana Campbell
 Town Attorney Joe Wagner
 Advisory Attorney Phil Noblett
 See list at bottom for additional people

The Mayor called the meeting to order and offered the prayer. The Recorder called the roll.

Councilmember Ruffin made a motion to approve the minutes of the July 9, 2001 regular monthly meeting and the minutes of the July 26, 2001 special called work session. The motion was seconded by Councilmember Steele and passed unanimously.

The Mayor introduced Bob Anderson and presented to him a resolution passed July 9, 2001, acknowledging appreciation to him for his service to the Town while he was with the Signal Mountain Post. He explained that Mr. Anderson is now with the Signal Mountain Mirror, a new monthly paper for the mountain. Mr. Anderson introduced Billy Parker and his daughter Lucia Rose, the editors for the new paper.

Next the Mayor introduced and read an ordinance titled, "AN ORDINANCE TO EXCEED THE CERTIFIED TAX RATE AND TO LEVY A TAX RATE FOR THE YEAR 2001 IN EXCESS OF THE CERTIFIED RATE APPROVED BY THE STATE BOARD OF EQUALIZATION IN ORDER TO PROVIDE REVENUE FOR THE TOWN OF SIGNAL MOUNTAIN FOR THE YEAR 2001 AND TO FIX THE TAX RATE FOR THE TOWN OF SIGNAL MOUNTAIN FOR THE TAXABLE YEAR 2001." The Mayor explained the reappraisal process and the procedures for passing a tax increase in the year of a reappraisal.

A citizen asked the question as to why the Town was raising taxes. That started a lengthy discussion in which the citizens asked questions and offered comments and suggestions. The Council and Town Manager offered explanations and answered the citizen's questions. In addition State Representative Chris Clem was at the meeting and spoke briefly regarding the impact the State has on the Town's finances.

Councilmember Steele made a motion that the Council should approve the ordinance. The Mayor seconded the motion. The Council voted 3 to 1 to approve the ordinance with Mayor Althaus, Councilmember Bryant and Councilmember Steele voting for the motion. Councilmember Ruffin opposed the motion.

The next item before the Council was the "RESOLUTION SETTING WATER AND SEWER RATES." A discussion of the need to increase the rate followed. The Mayor made a motion to delay the vote on the resolution until the August 27, Special Called Meeting that had previously been scheduled. The Council voted 3 to 1 to delay the Resolution. Mayor Althaus, Councilmember Bryant and Councilmember Ruffin voted to delay the vote on the Resolution. Councilmember Steele opposed the delay.

August 13, 2001 (continued)

The discussion resumed regarding the need for a rate increase and the need to inform the public. The Council discussed ways to inform the public. The Council agreed to have an additional meeting in which to inform the citizens on the water and sewer rate increases as well as the property tax increase. The Council set Monday, August 20, 2001 at 7:00 p.m. was an informational work session.

The next item before the Council was "A RESOLUTION ADOPTING A POLICY FOR THE USE AND MONITORING OF E-MAIL." Attorney Phil Noblett explained that since July 2000, the State had required the cities to adopt a policy covering the Town personnel's use of e-mail and this resolution would make the Town in compliance. Councilmember Steele made a motion to adopt the resolution and Councilmember Ruffin seconded the motion. The resolution passed unanimously.

The next item before the Council was "A RESOLUTION ADOPTING A POLICY FOR THE USE OF COMPUTERS AND NETWORK." Attorney Phil Noblett explained this policy was needed to cover computer use and works in conjunction with the e-mail policy. Councilmember Steele made a motion to adopt this policy. Councilmember Ruffin seconded the motion and it passed unanimously.

The last resolution before the Council was "A RESOLUTION AUTHORIZING THE TOWN MANAGER OF THE TOWN OF SIGNAL MOUNTAIN TO CLOSE PROVIDENT ASSURANCE PENSION RESERVE ACCOUNT FOR CONTRACT Z0603042 AND TRANSFER THE MONEY TO THE GENERAL FUND." The Mayor briefly explained that the account had been set up at the time the Town changed retirement plans to the Tennessee Consolidated Retirement System but now the reserve was no longer necessary. Councilmember Ruffin made a motion to approve the resolution. Councilmember Steele seconded the motion and it passed unanimously.

During the opportunity for citizens to address the Council, the question was asked if the Town had a web site. The Mayor explained that one is currently being developed. Sam Powell, Chairman of the Town's Park Board offered to give the Town a report on the vine Kudzu in response to another question. Another individual requested that something be done to the shrubbery at Timberlinks and James Boulevard that is causing a blind spot.

Lou Oliphant gave a report on the Planning Commission. She noted that the Commission plans to review the entire zoning ordinance and has scheduled Saturday, September 8, at 9:00 a.m. as a work session.

Under motions, reports and discussion items was an ordinance for discussion titled "AN ORDINANCE TO AMEND SIGNAL MOUNTAIN ORDINANCE 8-107, TO DELETE ANY PROHIBITION FOR ON-PREMISE CONSUMPTION OF ALCOHOLIC BEVERAGES AND TO RENUMBER THE CURRENT SECTION 8-108 AS SECTION 8-107, AND TO CREATE NEW SECTIONS 8-108 THROUGH 8-135, WHICH SHALL PROVIDE FOR BROWN BAGGING PERMITS FOR ON-PREMISE CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN THE TOWN OF SIGNAL MOUNTAIN; AND TO INSERT A NEW SECTION 8-209, ET. SEQ. REGARDING ON-PREMISE CONSUMPTION OF BEER WITHIN THE TOWN, AND TO DELETE SECTION 8-203 WHICH PROHIBITS THE SALE OF BEER FOR ON PREMISE CONSUMPTION IN THE TOWN OF SIGNAL MOUNTAIN." Attorney Phil Noblett explained that he had prepared the draft of the ordinance at the Council's request. He explained some of the provisions and points of the ordinance. A discussion of the ordinance followed. The Council pointed out several items they would like to have changed or revised.

Nino Piccolo and Bill Woodcock requested that the Council go ahead and pass the ordinance on first reading and then make any necessary changes or amendments. Councilmember Ruffin made a motion to approve the ordinance. The Mayor seconded the motion. A vote was taken and the ordinance did not pass. Mayor Althaus and Councilmember Ruffin voted to approve the ordinance. Councilmember Bryant and Councilmember Steele voted against approving the ordinance. The discussion of the ordinance continued. The Council requested that Phil Noblett revise the ordinance and have it placed on the agenda for the August 27. Special Called Meeting.

August 13, 2001 (continued)

During the Councilmember's opportunity to introduce new business, Councilmember Bryant noted that the Town is having a recreational study done by PARTAS (Park and Recreational Technical Advisory Service).

The Mayor informed the Council and Citizens about the School Resource Officer at Red Bank High School. He explained that two years ago the Council voted to pay the Town's proportionate share of the cost of the officer along with the Town of Red Bank, the Town of Walden, the City of Chattanooga and Hamilton County. As he further explained, the Town has not been asked to pay. The Hamilton County Sheriff's office has paid the expense for the last two years. The Sheriff has now requesting the municipalities help pay the cost of the officer's salary. The Mayor stated that he felt the Council should approve paying the Town's share for the 150-155 estimated student from the Town. He estimated the cost would be no more than \$8000 - \$10,000.

Attorney Joe Wagner informed the Council that the Town, the Mayor and four police officers of the Town had been named in a lawsuit along with the Hamilton County Sheriff's office and officers for the violation of an individual's civil rights.

The meeting was adjourned.



JIM ALTHAUS, Mayor



Recorder

List of additional people in attendance:

Michael Loftin	Chris Clem
John Holstrup	Sis & James Morgan
Pris & Mark Shartle	Steve & Tish McGann
Nikki Wiram	Cay Ozburn
Sam & Emilie Powell	David Gardner
Irby Park	Greg Goodgame
Blake Elsea	Ron Nudo
Rob Elsea	Jo Kellum
George B. Smith	H. S. Overman
Lou Oliphant	Mary Seay
Jean Dolan	Doug Daugherty
Patrick & Megan Metzger	
Elizabeth MacDuffee	
Amy S. Mildram	
Marian Riggan	
Vivian Cook	
Cheree & Joe Dumas	
Perry Cook	
Shirley Phillips	
Laure Martin	
Jill Plummer	
Nino Piccolo	
Ada & Bill Woodcock	

RESOLUTION R-2001-5

**A RESOLUTION ADOPTING A POLICY FOR THE USE OF COMPUTERS
AND NETWORK**

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF
SIGNAL MOUNTAIN THAT:**

**The Town Manager is authorized to implement the attached policy for the use of the
Town's computers and the internet and e-mail network.**

ADOPTED August 13th, 2001.

TOWN OF SIGNAL MOUNTAIN, TENNESSEE

By: 
JIM ALTHAUS, Mayor

By: 
Recorder

**TOWN OF SIGNAL MOUNTAIN
COMPUTERS AND NETWORK USE POLICY**

1. Purpose and Scope

This computer and network use policy governs the use of all Town computers and access to networks maintained by the Town of Signal Mountain. This policy applies to any user of computer resources owned by the Town. As a user of these resources, you are responsible for reading and understanding this document. This document protects the users of computing resources, computing hardware and networks, system administrators, and the Town of Signal Mountain. The policy covers the rights and responsibilities of the user, existing legal context, computer acceptable use issues, and finally computer misuse issues.

2. Rights and Responsibilities

Through various networks, the Town of Signal Mountain users are able to access information around the country and throughout the world via e-mail and the Internet. Such open access is a privilege and requires individual users to act ethically and responsibly. Users must respect the rights of other users, respect the integrity of the systems and the related physical resources, and observe all relevant laws, regulations and contractual obligations. The Town cannot protect individuals against the existence or receipt of material that may be offensive to them. As such, those who make use of electronic communications are warned that they may come across or be recipients of material they may find offensive.

Computers and network systems offer powerful tools for communication among members of the community and of communities outside of the Town of Signal Mountain. When used appropriately, these tools can enhance dialog and communication. When used unlawfully or inappropriately, however, these tools can infringe upon the beliefs or rights of others. Also, the Town has invested in telephone lines, fax machines, computers, photocopiers, and other business equipment necessary to keep our operations flowing smoothly and effectively. We ask that you use good judgment and sound discretion when using Town equipment and limit the use for personal needs.

3. Existing Legal Context

All existing laws (Federal and State) and Town policies apply, including not only those laws and regulations that are specific to computers and networks, but also those that may apply generally to personal conduct. Users must understand that e-mail messages and documents are subject to the same laws, regulations, policies, and other requirements as information communicated in other written forms and formats.

Under the Electronic Communication Privacy Act of 1986 (Title 18 U.S.C. section 2510 et. seq.), users are entitled to privacy regarding information contained on Town accounts. This act, however, allows system administrators to access user files in the normal course of their employment when necessary to protect the integrity of computer systems or the rights or property of the Town. All information transmitted via the Town's internet/e-mail system is the property

of the Town and can be reviewed at any time. E-mail correspondence may best be regarded as a postcard rather than a sealed letter.

4. Conduct Which is Considered Acceptable Internet/E-mail Use According to This Policy

- Communications, including information exchange, for professional development or to maintain job knowledge, skills and abilities.
- Use involving research and information gathering in support of advisory, standards, analysis, and professional development activities related to the user's governmental duties.
- Communication and information exchanges directly relating to the mission, charter, and work tasks of the employee and/or his/her department.

5. Conduct Which is NOT Acceptable Use According to This Policy, The Following List, Although Not All Inclusive, Provides Some Examples of Unacceptable Internet/E-Mail Us

- Forging the identity of a user or machine in an electronic communication.
- Attempting to monitor or tamper with another user's electronic communications, or reading, copying, changing, or deleting another user's file or software without the explicit agreement of the owner.
- Display of obscene, lewd, sexually explicit or harassing images.
- Game playing or other trivial applications that interfere with work.
- Inappropriate mass mailing. This includes multiple mailings to newsgroups, mailing lists, or individuals.
- Use of electronic mail to harass or threaten others. This includes sending repeated, unwanted e-mail to another user.
- Use of Town resources for commercial activity, such as creating products or services for sale.
- Violation of Federal Copyright laws and their fair use provisions through inappropriate reproduction or dissemination of copyrighted text, images, etc.
- Deliberate waste/overload of Town computing resources.
- Copying software for personal use.
- Knowingly or carelessly running or installing on any computer system or network, or giving to another user a program intended to damage or to place excessive load on a computer system or network.
- Knowingly or carelessly performing an act that will interfere with the normal operation of Town computers, terminals, or networks.
- Using the Internet excessively to the extent that a reasonable and prudent person (supervisor) would consider the "surfing" to be interfering with that individual's work.
- Unauthorized use of a computer/e-mail account.
- Any Town computer/network use that is deemed inappropriate by a supervisor is also prohibited under this policy.

Misuse, that is deemed inappropriate by a supervisor, may result in the suspension or complete loss of Town computing and/or network access. Additionally, any computer misuse (listed above) may result in disciplinary action to Town employees. These limitations on usage of Town computer and network resources are adopted so that the Town can operate its computer equipment and networks in an as effective manner as possible. Disciplinary action for violations of this computer and network use policy may result in oral reprimand, written reprimand, suspension, demotion, and/or dismissal.

NOW, THEREFORE, it is ordered that this Policy for Computer and Network Use of the Town of Signal Mountain be adopted as the official policy for computer and network use of the Town of Signal Mountain.



Mayor



Recorder

RESOLUTION R-2001-6

A RESOLUTION ADOPTING A POLICY FOR THE USE AND MONITORING OF E-MAIL

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF SIGNAL MOUNTAIN THAT:

The Town Manager is authorized to implement the attached policy for the use and monitoring of e-mail for the Town of Signal Mountain.

ADOPTED August 13th, 2001.

TOWN OF SIGNAL MOUNTAIN, TENNESSEE

By: 
JIM ALTHAUS, Mayor

By: 
Recorder

TOWN OF SIGNAL MOUNTAIN POLICY FOR THE USE AND MONITORING OF E-MAIL

Town of Signal Mountain Policy for the Use and Monitoring of E-mail

1. Purpose and Scope

The Town of Signal Mountain provides electronic mail (e-mail) to its employees for their use in performing duties for the Town. This document explains the Town's rules and expectations for the proper use of electronic mail. This document also sets forth the Town's policy with respect to when e-mail messages may be monitored by other people within the Town, as well as the circumstances under which e-mail messages may be disclosed to persons outside the Town administration. For example, access to e-mail may be granted to external users, such as other cities' employees, special task-force members, authorized public records requests, or pursuant to a lawful subpoena.

All electronic mail is a local government record and may be considered a "public record" for the purposes of the Tennessee Public Records Act. Under the Public Records Act, certain e-mail communications may be open to public access and inspection. In addition, such communications may be subject to discovery in pending lawsuits under the Tennessee or Federal Rules of Civil Procedure.

2. Background

Benefits of E-mail. The Town finds that e-mail provides many benefits to the Town and its employees. E-mail often improves communication between different departments, eliminates unnecessary paperwork, allows communication with many other governmental offices almost instantaneously, and generally facilitates the smooth operation of Town services.

3. Ownership

All electronic systems, computers, and other hardware, software, temporary or permanent files, and any related systems or devices used in the transmission, receipt, or storage of e-mail are the property of the Town of Signal Mountain. E-mail messages are considered to be Town property. Also, they may possibly be retrieved from storage for public records requests even after they have been deleted by the sender and the recipient.

4. Responsibilities

Records Manager. The Town will designate a records manager or other individual who will be designated as a coordinator for public records generated by e-mail. It is the responsibility of this individual to accommodate members of the public who request access to e-mail. The records manager will also keep a log on the use of public access to the system and develop an uniform procedure to be used for public access to e-mail communications. The records manager may also provide and/or coordinate user training.

Individuals Requesting Access to E-mail. Depending on the circumstances and available resources, searches requested pursuant to the Public Records Act will be made either by the requestor or a Town representative after a legal determination by the Town Attorney that the Public Records Act requires such information to be disclosed. Any requestor claiming a qualified disability will be accommodated by the Town in accordance with the Americans With Disabilities Act.

Town of Signal Mountain Policy for the Use and Monitoring of E-mail (continued)**5. Statement of Policy and Overview of Usage**

Policy. It is Town policy that the e-mail system, like other Town assets, shall be used only for the benefit of the Town. Use of e-mail that violates Town policies or state and/or federal law is prohibited and may lead to disciplinary action up to and including termination. All employees who use e-mail will certify that they have read and fully understand the contents of this policy by signing the attached acknowledgment. Any and all statements and opinions made by individuals using e-mail, whether implied or expressed, are those of the individual and not necessarily the opinions of the Town or its management.

Privacy. Employees should be aware that e-mail messages may be read by others for a variety of valid reasons. Although this statement applies to many other types of Town correspondence, the informal nature of e-mail could lead one to forget or ignore the fact that e-mail is considered to be the property of the Town and possibly subject to the Public Records Act.

Monitoring. The Town reserves the right to monitor messages under certain circumstances, as enumerated in this document. Supervisors have the authority to inspect the contents of any equipment, files, calendars, or electronic mail of their subordinates in the normal course of their supervisory responsibilities and without the express permission from the user(s). An individual qualified in data management shall extract stored e-mail messages when requested to do so by authorized supervisory personnel.

Reasons for monitoring or retrieving e-mail messages include the following:

- during the course of an investigation that has been triggered by indications of impropriety;
- when it is necessary to locate substantive information relevant to a breach of security of the e-mail system;
- at any time there may be system hardware or software problems;
- for regular system maintenance;
- any messages relevant to a lawsuit or other legal action involving the Town;
- a suspicion of a crime or a violation of this policy; and
- supplying e-mails requested by citizens which are determined to be Public Records after a legal determination has been made by the Town Attorney to the extent such records exist.

The Town will disclose any e-mail message to law enforcement officials to the extent it is legally required to do so. In addition, e-mail messages may be retrieved if there is a need to perform work or provide a service when the user-employee is unavailable.

Personal Use. When employees make incidental use of e-mail to transmit personal messages, those messages will be treated no differently than other Town messages and may be accessed, reviewed, copied, deleted, or disclosed. You should not expect that a message sent through the Town e-mail system will never be disclosed to or read by others beyond its original intended recipient(s).

Authorized Uses. Supervisors or department heads may authorize the use of e-mail to send and receive messages and to subscribe to list-servers from recognized professional organizations and entities relating to the official duties of the Town. All employees are authorized to use e-mail as they would any other official Town communication tool.

Town of Signal Mountain Policy for the Use an Monitoring of E-mail (continued)

Communication by e-mail is encouraged when it results in the most efficient or effective means of communication.

Uses Subject to Approval. The following uses require the written approval of the employee's supervisor or department head:

- Using hardware, related computer equipment, and software not owned or purchased by the city for e-mail related to Town business.
- Reading electronic mail of another employee without prior written approval. However, an employee's supervisor may inspect the contents of e-mail pursuant to the section entitled "Ownership" in this policy.
- Encrypting any e-mail message unless specifically authorized to do so and without depositing the encryption key with the computer administrator or your immediate supervisor prior to encrypting any messages. If an employee is allowed to encrypt e-mail, this does not mean that e-mail is intended for personal communication nor does it suggest that encrypted e-mail messages are the private property of the employee.

Prohibited Uses. The following actions are prohibited:

- intercepting, eavesdropping, recording, or altering another person's e-mail message;
- forwarding chain letters;
- adopting the identity of another person on any e-mail message, attempting to send electronic mail anonymously, or using another person's password;
- misrepresenting yourself or your affiliation with the Town in any e-mail message;
- composing e-mail that contains racial, religious, or sexual slurs or jokes, or harassing, intimidating, abusive, or offensive material to or about others;
- sending any e-mail with obscene or pornographic images attached in violation of the Town of Signal Mountain Computer Use Policy;
- using e-mail to conduct employee organization, employee association, or union business outside an employee's job duties on Town business; and
- sending or receiving any electronic media, mp3 software, images, etc., in violation of copyright law.

6. Confidential Information

Employees must exercise a greater degree of caution in transmitting confidential information via e-mail than with other forms of communications because it paves the way for another person to redistribute such information almost effortlessly. Confidential information should never be transmitted or forwarded to other employees inside or outside the Town who do not have a "need to know." To reduce the chance that confidential information inadvertently may be sent to the wrong person, avoid misuse of distribution lists and make sure that any lists used are current.

If you are unsure whether certain information is confidential, consult your supervisor, and he or she will get the issue answered. Examples of information that either are or may be considered confidential include but are not limited to:

- certain information from a person's personnel file, including medical records about employees and personal, identifying information of undercover detectives, such as home addresses, telephone numbers, identities of family members and Social Security numbers;
- information relating to an administrative hearing and litigation of a civil or criminal nature;

Town of Signal Mountain Policy for the Use and Monitoring of E-mail (continued)

- information that, if released, would give a competitive advantage to one prospective bidder over another for city contracts;
- private correspondence of elected officials;
- trade secrets or commercial or financial information of outside businesses;
- information related to the regulation of financial institutions or securities;
- information regarding an ongoing criminal investigation; and
- taxpayer information.

E-mail messages that contain confidential information should have a confidentiality declaration printed at the top of the message in a form similar to the following:

"THIS MESSAGE CONTAINS CONFIDENTIAL INFORMATION OF THE TOWN OF SIGNAL MOUNTAIN. UNAUTHORIZED USE OR DISCLOSURE IS PROHIBITED."

Since copies of e-mail may be backed up or sent to other systems, they can easily be retrieved later by information system personnel who should not know the content of the message. Therefore, employees should keep in mind that e-mail may not be the best form of communication with respect to certain types of confidential information.

Messages to Legal Counsel. All messages to and from legal counsel seeking or giving legal advice should be marked with the following legend in all capital letters at the top of the page:

"CONFIDENTIAL ATTORNEY/CLIENT PRIVILEGED INFORMATION."

In addition, to preserve the attorney/client privilege, messages to and from legal counsel should never be sent to distribution lists or forwarded to anyone else. It is best if such messages are not retained on a network e-mail system. If a copy of an attorney/client privileged communication needs to be retained, it should be printed and filed in an appropriate place.

7. Copyright Infringement

The ability to attach a document to an e-mail message for distribution may increase the risk of copyright infringement as prohibited by federal law. A user can be liable for the unauthorized copying and distribution of copyrighted material through e-mail systems. Accordingly, you should not copy and distribute by e-mail any copyrighted material of a third party, such as software, database files, documentation, articles, graphics files, and downloaded information, unless you confirm in advance from appropriate sources that the city has the right to copy or distribute such material. Any questions concerning these rights should be directed to your supervisor and he or she will obtain an answer.

8. Retention of E-mail

Deletion of Messages. The Town strongly discourages the local storage of large numbers of e-mail messages. Retention of messages takes up large amounts of storage space on the network server. In addition, because e-mail messages can contain confidential information, it is desirable to limit the number, distribution, and availability of such messages. "Temporary Records" and "Working Papers" as defined at T.C.A. § 10-7-301 (13) and (14) may be scheduled for disposal pursuant to T.C.A. § 10-7-701. "Temporary Records" or "Working Papers" deletion is at user discretion. All public documents not constituting "Temporary Records" and/or "Working Papers" shall be retained by all employees as public documents. Of course, if the message contains information that must be preserved as a permanent record, it must be saved and archived.

Town of Signal Mountain Policy for the Use and Monitoring of E-mail (continued)

9. Policy Violations

Violations of this policy will be reviewed on a case-by-case basis and can result in disciplinary action up to and including termination. All e-mail messages are subject to all state and federal laws that may apply to the use of e-mail. In addition, violations of this policy or misuse of the e-mail system could result in civil or criminal prosecution.

NOW, THEREFORE, it is Ordered that this Policy for the Use and Monitoring of E-Mail Plan of the Town of Signal Mountain be adopted as the Official Policy for the Use and Monitoring of E-Mail Plan of the Town of Signal Mountain.


JIM ALTHAUS MAYOR

ACKNOWLEDGMENT

I hereby acknowledge that I have received and read a copy of the Town of Signal Mountain's Policy for the Use and Monitoring of E-mail. I understand that all e-mail communications systems are the property of the city, as is the information received from, transmitted by, or stored in these systems. I understand that, except with respect to certain content deemed confidential by state and federal law, I have no expectation of privacy in connection with any e-mail messages, the use of Town equipment, or the transmission, receipt, or storage of information in this equipment.

I acknowledge and consent to the Town's monitoring my use of both Intranet and Internet e-mail at any time the city deems it necessary in accordance with its policy. Monitoring may include reading and printing out all electronic mail entering, stored in, or disseminated by the Town of Signal Mountain's system and equipment. I agree not to use a code, access a file, or retrieve any stored information unless authorized to do so. I understand that this consent is a condition of my employment and/or continued association with the city. I understand all the provisions specified in this policy. Further, I recognize that a violation of this policy may result in disciplinary action, including possible termination.

Employee _____

Supervisor _____

Date _____

RESOLUTION R-2001-7**A RESOLUTION AUTHORIZING THE TOWN MANAGER OF THE TOWN OF SIGNAL MOUNTAIN TO CLOSE PROVIDENT NATIONAL ASSURANCE PENSION RESERVE ACCOUNT FOR CONTRACT Z0603042 AND TRANSFER THE MONEY TO THE GENERAL FUND**

WHEREAS, in April 1992 the Town of Signal Mountain joined the Tennessee Consolidated Retirement System and on the advice of J. Shelby Kaplan from Hunt, DuPree & Associates, Inc., the prior plan administrators, the Town retained a reserve of pension funds in the prior pension plan.

WHEREAS, Mr. Kaplan has explained that the reserve was to cover several younger employees if they had terminated in a few years after the change over to the new pension plan and would have allowed them to receive a benefit at least equal to their contributions plus interest.

WHEREAS, Mr. Kaplan has now indicated that he can see no reason why the reserve should be necessary if the employees will be paid on the basis of total service by the Tennessee Consolidated Retirement System.

WHEREAS, the Tennessee Consolidated Retirement System has indicated that the employees are paid on the basis of total service.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF SIGNAL MOUNTAIN THAT:

The Town Manager is authorized to close the account at Provident National Assurance of approximately \$5,000 and transfer the money to the General Fund of the Town of Signal Mountain.

ADOPTED August 13th, 2001.

TOWN OF SIGNAL MOUNTAIN, TENNESSEE

By: 
JIM ALTHAUS, Mayor

By: 
Recorder