

MINUTES

MONROE COUNTY BOARD OF COUNTY COMMISSIONERS

SEPTEMBER 23, 2014

BE IT REMEMBERED, that the Board of Commissioners for Monroe County, Tennessee, was begun and held at the Courthouse in Madisonville, Tennessee, in Regular Session, September 23, 2014 at 7:00 P.M. Present and presiding was Chairperson Alexander, and the following Commissioners were present and answered roll call.

1st DISTRICT

Wanda Alexander
Marty Allen
Bennie Moser

2nd DISTRICT

Mitch Ingram
Richard Kirkland

3rd DISTRICT

Harold Hawkins
Bill Shadden
Roger Thomas

4th DISTRICT

Paulette Summey

ALSO PRESENT, were Mayor Tim Yates, County Clerk, Larry C. Sloan, Finance Director, Elizabeth Hicks & County Attorney, Jerome Melson.

Absent was Commissioner Bivins, 2nd District.

The Board of Commissioners was officially opened by the Sheriff.

The invocation was given by the Mayor.

The Pledge of Allegiance to the Flag was led by the Chairperson.

923-1 BOARD OF COMMISSIONERS MINUTES FOR JULY 22 & AUGUST 26, 2014

There being no exceptions to the Board of Commissioners Minutes for July 22 & August 26, 2014, it was moved by Commissioner Thomas, seconded by Commissioner Allen, that these minutes be approved as presented. Motion carried. Aye 9 Nay 0

924-2 APPOINTMENT: CHAIRMAN PRO TEM OF THE MONROE COUNTY BOARD OF COUNTY COMMISSION.

The floor was opened for nominations for Chairman Pro Tem:

Commissioner Hawkins, nominated Commissioner Thomas, Commissioner Allen, seconded the nomination. There were no other nominations.

Motion carried. Aye 9 Nay 0

924-3 APPOINTMENT: CHAIRMAN OF THE MONROE COUNTY BOARD OF COUNTY COMMISSION.

The floor was opened for nominations for Chairman.

Commissioner Allen, nominated Commissioner Kirkland, Commissioner Hawkins, seconded the nomination. There were no other nominations.

Motion carried. Aye 9 Nay 0

Commissioner Kirkland presided as Chairman from this point on.

924-4 APPOINTMENT: STANDING COMMITTEES

MONROE COUNTY STANDING COMMITTEES

COUNTY MAYOR

TIM YATES

CHAIRMAN OF THE BOARD COMMISSIONERS

RICHARD KIRKLAND

CHAIRMAN PRO TEM

ROGER THOMAS

COUNTY ATTORNEY

JEROME MELSON

ADULT-ORIENTED ESTABLISHMENT BOARD 4-YEAR TERM

SHERIFF RANDY WHITE

BILL BIVINS

WANDA ALEXANDER

BILL SHADDEN

AGRICULTURE COMMITTEE

KENNY HAMILTON

JENNIFER HOUSTON

KIM BLACK

EDDIE SUMMITT

BILL BIVINS

ROGER THOMAS

BILL SHADDEN

AIRPORT COMMITTEE

JULIE MORGAN

STEVE TEAGUE

HAROLD HAWKINS

WANDA ALEXANDER

BOB MUNDLE

AMBULANCE COMMITTEE

DR. RICK POPP

RICHARD KIRKLAND

ROGER THOMAS

DANNY FRYE

MARTY ALLEN

ANIMAL SHELTER COMMITTEE

WANDA ALEXANDER

MITCH INGRAM

ROGER THOMAS

BILL BIVINS

BILL SHADDEN

BEER BOARD

CHARLES RIDENOUR
DANNY ISBILL
DWAYNE MARTIN

BUDGET. FINANCE & AUDIT COMMITTEE

MAYOR TIM YATES
WANDA ALEXANDER
MARTY ALLEN
BILL BIVINS
HAROLD HAWKINS
RICHARD KIRKLAND
MITCH INGRAM
BENNIE MOSER
BILL SHADDEN
ROGER THOMAS
PAULETTE SUMMEY

BUILDING, GROUNDS & REAL ESTATE

RICHARD KIRKLAND
BILL SHADDEN
BILL BIVINS

CHEROHALA SKYWAY VISITOR CENTER

HAROLD HAWKINS
RICHARD KIRKLAND
BENNIE MOSER
BILLSHADDEN

CIVIL SERVICE STUDY COMMITTEE

PAULETTE SUMMEY
BILL BIVINS
RICHARD KIRKLAND
WANDA ALEXANDER

E 911 BOARD - 4 YEAR TERM

MAYOR TIM YATES
STEVE TEAGUE
HAROLD HAWKINS
SHERIFF RANDY WHITE
GARY SMITH
CHARLES HALL
DAVID CHAMBERS

EDDIE BYRUM
GREG BREEDEN

EMA Communication Committee

BRIAN TURPIN (EMA Director)
GARY SMITH (EMS/Rescue Squad)
CLARA HITSON (E911, Hwy. Dept./City Streets)
EDDIE BYRUM (All Law Enforcement)
TODD TORBETT (All Fire Depts)

EMERGENCY MANAGEMENT DIRECTOR

BRIAN TURPIN
TEMA
FEMA

ECONOMIC AND COMMUNITY DEVELOPMENT BOARD

MAYOR TIM YATES
GLEN MOSER
PATRICK HAWKINS
LARRY SUMMEY
DOYLE LOWE
GREG AUSTIN
MARK CLINTON
ROBERT BETTIS
MIKE ATKINS
RON HAMMONTREE

ECONOMIC AND COMMUNITY DEVELOPMENT COMMITTEE

MAYOR TIM YATES
GLEN MOSER
PATRICK HAWKINS
LARRY SUMMEY
DOYLE LOWE

ETHICS COMMITTEE

MARTY ALLEN
RICHARD KIRKLAND
MITCH INGRAM
STEVE TEAGUE
JANIE HARRILL

EQUALIZATION BOARD - 2 YEAR TERM

TOMMY ANDERSON (4-2014)
JOHNNY BYRUM (4-2014)

DOYLE TALLENT (4-2014)
WILBURN D. JENKINS (BUTCH) (4-2014)
JEFF PATTERSON (4-2015)

FINANCIAL MANAGEMENT COMMITTEE

MAYOR TIM YATES
TIM BLANKENSHIP
MARTY ALLEN
ROGER THOMAS
STEVE TEAGUE
PAULETTE SUMMEY
MITCH INGRAM

GIS COMMITTEE

MARTY ALLEN
HAROLD HAWKINS
PAULETTE SUMMEY
RICHARD KIRKLAND
BILL SHADDEN
WANDA ALEXANDER

HANDICAPPED PROCEDURE COMMITTEES YEAR (2014) *TO MEET ONLY IF GRIEVANCE IS FILE

TIM BLANKENSHIP
CHRIS BOWMAN
PAULETTE SUMMEY
HAROLD HAWKINS
RICHARD KIRKLAND

HEALTH BOARD - 2 YEAR TERM

MAYOR TIM YATES
TIM BLANKENSHIP
DR. CHRIS SHAMBLIN
DR. BARBARA LEVIN
MELANIE MILLER
SHANNON ANTHONY
DR. JIM DASH
JOE SAFFLES
DR. PHYLLIS HARRELL
TERESA HARRILL

HIGHWAY COMMITTEE

RICHARD KIRKLAND
BILL SHADDEN
MITCH INGRAM

WANDA ALEXANDER
PAULETTE SUMMEY

INDUSTRIAL DEVELOPMENT BOND BOARD

BRENT HEISKELL
LARRY HICKS
PHYLLIS PEELS
DOUG RICHESIN
DOUG WARREN
JOHN H (Bob) DALTON
JERRY SLOAN

LAW ENFORCEMENT - JAIL WORKHOUSE COMMITTEE

BILL BIVINS
RICHARD KIRKLAND
WANDA ALEXANDER
BENNIE MOSER
HAROLD HAWKINS

LIBRARY BOARD - MONROE COUNTY

CHARLOTTE MAYBERRY (2014)
PEGGY WHITE (2014)
J. T. SCRUGGS (2015)
CARRIE BRIGHT (2015)
PEG MICHAEL (2016)
SUE SEITZ (2014)
KASI DAVIS (2015)

LIBRARY BOARD—OCOEE RIVER REGIONAL LIBRARY BOARD

J. T. SCRUGGS (7-2014)
KAY TALLENT (7-2015)

LITTLE TENNESSEE VALLEY EDUCATION COOPERATIVE (LTVEC)

MITCH INGRAM

MATERNITY CENTER- 3 YEAR TERM

PATTY WILLIFORD (8-2016)
CAROLYN GREENWOOD (11-2016)
WANDA ALEXANDER (11-2016)
HAROLD HAWKINS (11-2016)
PAULETTE SUMMEY (11-2016)
SHEILA GAIA (11-2016)
FAYE GREEN (5-2015)

DR. JAN HAHN (11-2016) DR.
SIGRID JOHNSON (11-2016)

MEDICAL EXAMINER AND DIRECTOR

DR. KEN KAZAWA

NILES FERRY INDUSTRIAL DESIGN & REVIEW COMMITTEE

DARRELL CUTHERBERTSON
BENNIE MOSER
JERRY SLOAN
BILL SHADDEN
LARRY L SUMMEY
STEVE TEAGUE
MARTY ALLEN

PLANNING COMMITTEE

GARY HAMILTON (7-2015)
DOYLE CARDIN (7-2015)
KYLE HOLDER (7-2016)
ALLEN CANSLER (7-2016)
SAM STAMEY (7-2016)
BILL HOWE (7-2016)
BRENT COFER (7-2016)
BILLSHADDEN(7-2014)
KENNY HAMILTON(7-2017)

PERSONNEL-TITLE 6 COMMITTEE

MAYOR TIM YATES
LIBBY HICKS
STEVE TEAGUE
SHERIFF RANDY WHITE
MARTHA COOK
LARRY SLOAN
MILDRED (MILLIE) ESTES
MARNA HULL
WANDA ALEXANDER (2013)

OPEN RECORDS COMMITTEE

LIBBY HICKS
MITCH INGRAM
BENNIE MOSER
MILDRED ESTES
TERESA CHOATE
MARTHA COOK
HAROLD HAWKINS
JUDGE DWAIN THOMAS
JO STAKLEY

SOLID WASTE REGIONAL PLANNING BOARD Term of Expiration

RICHARD KIRKLAND
HAROLD HAWKINS
MICHAEL GARREN
PATRICK HAWKINS
BILL SHADDEN
BENNIE MOSER
GLENN MOSER
BILLY WAYNE STOCKTON
LIBBY HICKS

SWEETWATER CREEK WATERSHED BOARD

MARK HOUSTON
JOHN HARRISON
RICHARD LAYMAN

TASS 3-YEAR TERM

BOB WOOLDRIGE (6-2015)
TOM TALLENT (6-2016)
JOHN P HAMMONTREE (6-2017)

TOURISM COMMITTEE- 3 YEAR TERM

PAULETTE SUMMEY
WANDA ALEXANDER
RICHARD KIRKLAND
BILL BIVINS
HAROLD HAWKINS

TRDA-6 YEAR TERM

CHARLES HALL (9-2018)
ROBERT BETTIS (9-2014)

VETERANS SERVICE OFFICER

CHARLES (CHUCK) MULLINS

WILDLIFE COMMITTEE

HAROLD HAWKINS
ROGER THOMAS
MAYOR TIM YATES
MARK CLINTON-TURKEY
VANCE BIVENS-BEAR/BOAR
GARY DUCKETT & BRENT BUTLER-FISH

Temporary Committees

AD HOC-JUSTICE CENTER COMMITTEE

SESSION JUDGE - DWAIN THOMAS
CIRCUIT COURT CLERK - MARTY COOK - CHAIR PERSON
CLERK AND MASTER - TERESA CHOATE - SECRETARY
COUNTY MAYOR - TIM YATES
COUNTY SHERIFF - RANDY WHITE
ECONOMIC DEVELOPMENT DIRECTOR - BRYAN HALL

THE HONORABLE WANDA ALEXANDER
THE HONORABLE MARTY ALLEN
THE HONORABLE BENNIE R MOSER
THE HONORABLE BILL BIVINS
THE HONORABLE MITCH INGRAM
THE HONORABLE RICHARD KIRKLAND
THE HONORABLE HAROLD HAWKINS
THE HONORABLE BILL SHADDEN
THE HONORABLE ROGER THOMAS
THE HONORABLE PAULETTE SUMMEY

NON-VOTING MEMBERS:

FINANCE DIRECTOR - ELIZABETH (LIBBY) HICKS
COUNTY ATTORNEY - JEROME MELSON
JAIL ADMINISTRATOR - JEB BROWN

It was moved by Commissioner Alexander, seconded by Commissioner Thomas, that the standing committees be approved as presented. Motion carried on roll call. Aye 9 Nay 0

RESOLUTION 923-5

**RESOLUTION SETTING THE TAX LEVY IN
MONROE COUNTY, TENNESSEE
FOR THE FISCAL YEAR BEGINNING JULY 1, 2014, AND ENDING JUNE 30, 2015**

SECTION 1. BE IT RESOLVED by the Board of County Commissioners of Monroe County, Tennessee, assembled in called session on the 23rd day of September 2014 that the uniform tax rate for Monroe County, Tennessee, for the fiscal year beginning July 1, 2014 shall be \$2.0942 on each \$100.00 of taxable property county-wide. This is to provide revenue for each of the following funds and otherwise conform to the following levies:

FUND	Tax Rate	Revenue (90% Collection)
General County	\$0.8592	\$7,088,626.47
General Purpose School	0.6336	5,227,367.01*
Solid Waste/Sanitation	0.1396	1,151,736.80
Highway/Public Works	0.0859	708,697.64
General Debt Service	0.3759	3,101,274.08
Total Tax Rate	\$2.0942	\$17,277,702.00

◆Includes A.D.A

◆◆Estimated Assessment for the 2014-2015 Fiscal Year - \$1,018,551,060.00

SECTION 2. BE IT RESOLVED, that there is hereby levied a Gross Receipts Tax as provided by law. The proceeds of the Gross Receipts Tax herein shall accrue to the General Fund.

SECTION 3. BE IT FURTHER RESOLVED, that all resolutions of the Board of County Commissioners of Monroe County, Tennessee, which are in conflict, are hereby repealed.

SECTION 4. BE IT FURTHER RESOLVED that this resolution effect from and after its passage, the public welfare requiring it. This resolution shall be spread upon the minutes of the Board of County Commissioners.

Passed this 23rd day of September, 2014 on motion made by **Commissioner Ingram**, and duly seconded by **Commissioner Alexander** to approve this Resolution.

RESOLUTION 923-6

**A RESOLUTION MAKING APPROPRIATIONS FOR THE VARIOUS FUNDS,
DEPARTMENTS, INSTITUTIONS, OFFICES AND AGENCIES OF MONROE
COUNTY, TENNESSEE FOR THE FISCAL YEAR BEGINNING JULY 1, 2014, AND
ENDING JUNE 30, 2015.**

SECTION 1. BE IT RESOLVED by the Board of County Commissioners of Monroe County, Tennessee, assembled in called session on the 23rd day of September, 2014, that the amounts hereafter set out are hereby appropriated for the purpose of meeting the expenses of the various I funds, departments, institutions, offices and agencies of Monroe County, Tennessee, for the capital outlay, and for meeting the payment of principal and interest on the county's debt

maturing during the year beginning July 1, 2014, and ending June 30, 2015, according to the following schedule:

GENERAL FUND

51100 County Commission	\$ 383,658
51210 Board of Equalization	3,200
51300 County Mayor	219,751
51310 Personnel Office	207,826
51400 County Attorney	55,000
51500 Election Commission (Including Voter Registration)	321,752
51600 Register of Deeds	373,845
51720 Planning	93,745
51740 Information Technology	79,948
51750 Codes Compliance	50,781
51760 Geographic Information Systems (GIS)	90,557
51800 County Buildings	642,018
51900 Other General Administration	293,800
51910 Preservation of Records	16,826
52100 Accounting & Budgeting	600,928
52300 Property Assessor's Office	336,513
52310 Reappraisal Program	128,838
52400 County Trustee's Office	341,344
52500 County Clerk's Office	496,679
53100 Circuit Court	1,056,695
53310 General Sessions Court	266,247
53400 Chancery Court	313,624
53800 Probate Court	49,808
53900 Other Administration of Justice	21,000
54110 Sheriffs Department	3,176,706
54160 Administration of the Sexual Offender	3,200
54210 Jail	2,602,536
54240 Juvenile Services	113,265
54260 Commissary	190,000
54310 Fire Prevention and Control	229,000
54420 Rescue Squad	55,000
54490 Other Emergency Management	58,927
54610 County Coroner /Medical Examine	76,600
54900 Other Public Safety - E911	162,000
55110 Local Health Center	66,100
55120 Rabies and Animal Control	178,711
55130 Ambulance/Emergency Medical Services	3,093,307
55160 Dental Health Program	647,366
55170 Alcohol & Drug Programs	0
55180 Crippled Children Services	1,995
55190 Other Local Health Services	320,584
55510 General Welfare Assistance	47,159
55520 Aid to Dependent Children	1,000
56300 Senior Citizen Assistance	38,000
56500 Libraries	122,191

56900 Other Social Cultural Parks and Recreational	170,650
57100 Agriculture Extension Service	77,526
57500 Soil Conservation	54,207
57700 Flood Control	2,000
58110 Tourism	242,649
58120 Industrial Development	293,822
58190 Other Economic & Community Development	842,797
58220 Airport	1,144,072
58300 Veterans" Services	27,311
58500 Contributions to Other Agencies	19,500
58600 Employee Benefits	44,459
91130 Public Safety Projects	10,000
99100 Transfers to Other Funds	0

Total General Fund \$ 20,556,023

SOLID WASTE/SANITATION FUND

57720 Sanitation Education/Information	\$ 1,291,461
55732 Convenience Centers	973,577
55770 Post Closure Care Costs	25,000
58600 Employee Benefits	0
64000 Litter and Trash Collection	<u>62,557</u>

Total Solid Waste/Sanitation Fund \$ 2,352,595

DRUG CONTROL FUND

54150 Drug Enforcement	<u>\$256,315</u>
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Total Drug Control Fund \$256,315

HIGHWAY/PUBLIC WORKS FUND

61000 Administration	\$ 249,596
62000 Highway and Bridge Maintenance	2,592,847
63100 Operation and Maintenance of Equipment	763,731
65000 Other Charges	274,037
66000 Employee Benefits	5,000
68000 Capital Outlay	<u>384,782</u>

Total Highway/Public Works Fund \$ 4,269,993

EMPLOYEE INSURANCE

51900 Other General Administration	<u>\$2,637,411</u>
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Total Employee Insurance \$2,637,411

GENERAL PURPOSE SCHOOL FUND

71100 Regular Instruction Program	\$ 18,059,401
71150 Alternative Instruction Program	63,275

71200 Special Education Program	3,597,366
71300 Vocational Education Program	1,694,755
71600 Adult Education Program	0
72110 Attendance	64,747
72120 Health Services	1,169,767
72130 Other Student Support	1,136,618
72210 Regular Instruction Program	1,049,353
72220 Special Education Program	574,581
72230 Vocational Education Program	1,718
72260 Adult Programs	0
72290 Other Programs	680,779
72310 Board of Education	714,332
72320 Director of Schools	322,600
72410 Office of the Principal	2,218,358
72510 Fiscal Services	0
72610 Operation of Plant	3,545,493
72620 Maintenance of Plant	1,143,190
72710 Transportation	2,441,737
73100 Food Service	247,940
73300 Community Services	55,593
73400 Early Childhood Education	352,474
76100 Regular Capital Outlay	0
82330 Other Debt Service - Education	0
99110 Transfers Out	350,000
Total General Purpose School Fund	<u>\$ 39,484,077</u>

CENTRAL CAFETERIA FUND

73100 Food Service	<u>\$3,001,338</u>
Total Central Cafeteria Fund	<u>\$3,001,338</u>

GENERAL DEBT SERVICE FUND

82110 Principal - General Government	\$2,265,699	\
82210 Interest - General Government	2,051,036	I
82310 Other Debt Service - General Government	<u>89,000</u>	
Total General Debt Service Fund	<u>\$4,405,735</u>	

BE IT FURTHER RESOLVED that the budget for the School Federal Projects Fund shall be the budget approved for separate projects within No Child Left Behind (NCLB), Individuals with Disabilities Education Act (IDEA - Part B and Preschool), Carl Perkins Vocational fund and other federal grants by the Monroe County Board of Education.

SECTION 2. BE IT FURTHER RESOLVED that there are also hereby appropriated certain portions of the commissions and fees for collecting taxes and licenses and for administering other funds which the trustee, county clerk, circuit court clerk, clerk and master, register, and the sheriff and their officially authorized deputies and assistants may be entitled to receive under state laws heretofore or hereafter enacted. Expenditures out of commissions and/or fees collected by the trustee, county clerk, circuit court clerk, clerk and master, register and sheriff may be made for such purposes and in such amounts as may be authorized by existing law or by valid order of any court having power to make such appropriations. Any excess commissions and/or fees collected over and above the expenditures duly and conclusively authorized shall be paid over to the trustee and converted into the General Fund as provided by law.

BE IT FURTHER RESOLVED that if any fee officials, as enumerated in Section 8-22-101, Tennessee Code Annotated, operate under provisions of Section 8-22-104, Tennessee Code Annotated, provisions of the preceding paragraph shall not apply to those particular officials.

SECTION 3. BE IT FURTHER RESOLVED that any amendment to the budget, except for amendments to the budget for funds under supervision of the director of schools, shall be approved as provided in Section 5-9-407, Tennessee Code Annotated. The director of schools must receive approval of the Board of Education for transfers within each major category of the budget, and approval of both the Board of Education and Board of County Commissioners for transfers between major categories as required by law. One copy of each amendment shall be filed with the county clerk, one copy with the chairman of the Budget Committee, and one copy with each divisional or departmental head concerned. The reason(s) for each transfer shall be clearly stated; however, this section shall in no case whatsoever be construed as authorizing transfer from one fund to another, but shall apply solely to transfers within a certain fund.

SECTION 4. BE IT FURTHER RESOLVED that any appropriations made by this resolution which cover the same purpose for which a specific appropriation is made by statute is made in lieu of but not in addition to said statutory appropriation. The salary, wages, or remuneration of each officer, employee, or agent of the county shall not be in excess of the amounts authorized by existing law or as set forth in the estimate of expenditures which accompanies this resolution. Provided, however, that appropriations for such salaries, wages, or other remuneration hereby authorized shall in no case be construed as permitting expenditures for an office, agency, institution, division or department of the county in excess of the appropriation made herein for such office, agency, institution, division or department of the county. Such appropriation shall constitute the limit to the expenditures of any office, agency, institution, division or department for the year ending June 30, 2015. The aggregate expenditures for any item of appropriation shall in no instance be more than the amount herein appropriated for such item.

SECTION 5. BE IT FURTHER RESOLVED that any resolution which may hereafter be presented to the Board of County Commissioners providing for appropriations in addition to those made by this Budget Appropriation Resolution shall specifically provide sufficient revenue or other funds actually to be provided during the year in which the expenditure is to be made to meet such additional appropriation. Said appropriating resolution shall be submitted to and approved by the state director of Local Finance after its adoption as provided by Section 9-21-403, Tennessee Code Annotated.

SECTION 6. BE IT FURTHER RESOLVED that the county mayor and county clerk are hereby authorized to borrow money on revenue anticipation notes, provided such notes are first approved by the state director of Local Finance, to pay for the expenses herein authorized until the taxes and other revenue for the year 2014-2015 have been collected. The proceeds of loans for each individual fund shall not exceed 60% of the appropriations of each fund and shall be used only to pay the expenses and other requirements of the fund for which the loan is made. The loan shall be paid out of revenue from the

fund for which money is borrowed. The notes evidencing the loans authorized under this section shall be issued under the applicable sections of Title 9, Chapter 21, Tennessee Code Annotated. Said notes shall be signed by the county mayor and countersigned by the county clerk and shall mature and be paid in full without renewal not later than June 30, 2015.

SECTION 7. BE IT FURTHER RESOLVED that the delinquent county property taxes for the year 2013 and prior years and the interest and penalty thereon collected during the year ending June 30, 2015, shall be apportioned to the various county funds according to the subdivision of the tax levy for the year 2014. The clerk and master and the trustee are hereby authorized and directed to make such apportionment accordingly.

SECTION 8. BE IT FURTHER RESOLVED that the TVA Revenue Sharing Funds is accrued with the Sweetwater City Schools up to \$100,000, \$150,000 to the County General Fund, \$21,000 to the Highway Department and the rest of the funds are to be allocated to the Monroe County General Purpose School Fund.

SECTION 9. BE IT FURTHER RESOLVED that the PILT funds (in Lieu of Taxes for Federally owned Land) shall be distributed with \$100,000 going to County General Fund and the balance going to the Highway Department.

SECTION 10. BE IT FURTHER RESOLVED that all unencumbered balances of appropriations remaining at the end of the year shall lapse and be of no further effect at the end of the year at June 30, 2015.

SECTION 11. BE IT FURTHER RESOLVED that any resolution or part of a resolution which heretofore has been passed by the Board of County Commissioners which is in conflict with any provision in this resolution be and the same is hereby repealed.

SECTION 12. BE IT FURTHER RESOLVED that this resolution shall take effect from and after its passage and its provisions shall be in force from and after July 1, 2014. This resolution shall be spread upon the minutes of the Board of County Commissioners.

SECTION 13. BE IT FURTHER RESOLVED that the Federal Projects grants operate on a reimbursement basis and funds are requested from the State of Tennessee by Monroe County for expenditures on a monthly basis. The Federal Projects Fund operates with a cash deficit at various times throughout the fiscal year due to a slow turn-around time for reimbursements from the State of Tennessee. Generally Accepted Accounting Principles (GAAP) consider a cash deficit in any fund be a significant deficiency in internal control and Monroe County does not desire to operate any fund with a cash deficit. The General Purpose School Fund shall transfer \$100,000 (not to exceed) to the Federal Projects Fund on or before June 30, 2015. The \$100,000 transfer shall remain in the Federal Projects Fund as designated fund balance from the General Purpose School Fund and may be repaid at any time thereafter.

Passed this 23rd day of September, 2014.

It was moved by Commissioner Ingram, seconded by Commissioner Hawkins, that this Resolution be approved as presented. Motion carried on roll call. Aye 8 Nay 1-Commissioner Thomas

RESOLUTION 923-7

A RESOLUTION MAKING APPROPRIATIONS TO NONPROFIT CHARITABLE ORGANIZATIONS OF MONROE COUNTY, TENNESSEE FOR THE FISCAL YEAR BEGINNING JULY 1, 2014 AND ENDING JUNE 30, 2015

WHEREAS, Section 5-9-109, Tennessee Code Annotated, authorizes the Monroe County Legislative Body to make appropriations to various nonprofit charitable organizations and,

WHEREAS, the Monroe County Legislative Body recognizes the various nonprofit charitable organizations providing services in Monroe County have great need of funds to carry on their charitable work,

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Monroe County meeting in regular session on this the 23rd day of September, 2014.

SECTION 1. That six hundred fifty eight thousand six hundred forty five dollars (\$658,645) be appropriated to nonprofit organizations in Monroe County as reflected below:

Account No.	Agency	Amount
101-54420-316	Monroe County Rescue Squad	\$ 55,000
101-54310	Fire Prevention- Monroe Co Fire	229 000
101-54900-316-	Emergency Communications - E911	162.000
101-55180-316	Children's Special Services -	1 995
101-56900-316-	Hearing & Speech Foundation -	5.000
101-56300-316-	Monroe County Senior Citizens	30.000
101-56300-399-	Senior Citizens Home Assistance	8 000
101-56900-316-	Habitat for Humanity	5.000
101-56900-316-	East TN Human Resources -	1 000
101-56900-316-	East TN Human Resources - Dial a	6 000
101-56900-316-	Boys and Girls Club	25.000
101-56900-316-	Disabled Veterans	1 750
101-56900-316-	Birth to Three	3 000
101-56900-316-	Casa Monroe	3.200
101-56900-316-	Chamber of Commerce	10 000
101-56900-316-	Douglas Cherokee	10.000
101-56900-316-	Good Shepherd	6.000
101-56900-316-	American Red Cross	17 500
101-56900-316-	Rarity Bay First Responders	1.500
101-56900-316-	Imagination Library	7.500
101-56900-316-	Monroe Area Council for the	8 000
101-56900-316-	Marcella Center - Sweetwater	1.000
101-56900-316-	Monroe County Beautiful	10.000
101-56900-316-	Meals on Wheels	16 200
101-57700-316	Sweetwater Watershed - Flood	2 000
101-56900-316-	Sweetwater Valley Citizens for the	2.500
101-56900-316-	Sweetwater Area Ministries	6 000
101-56900-316-	Tennessee Overhill Heritage	5.000
101-56900-316-	Tri County Center	4 500
101-56900-316-	Young Life Monroe County	5.000
101-56900-316-	Branches of Monroe County	2.500
101-56900-316-COMMH	Monroe County Health	7.500
	Total	\$658,645

AND BE IT FURTHER RESOLVED, that all appropriations enumerated in Section 1 above are subject to the following conditions:

1. That the nonprofit organizations to which the funds are appropriated shall file with the county clerk and the disbursing officials a copy of any annual report of its business affairs and transactions and the proposed use of the county's funds in accordance with rules and regulations promulgated by the Comptroller of the Treasury, Chapter 0380-2-7. Such annual report shall be prepared and certified by the chief financial officer of such nonprofit organization in accordance with Section 5-9-109 c. Tennessee Code Annotated.
2. That said funds must only be spent by the named nonprofit charitable organizations in furtherance of their nonprofit charitable purposes benefiting the general welfare of the residents of Monroe County.
3. That it is the expressed interest of the County Commission of Monroe County in providing these funds to the above named nonprofit charitable organizations to be fully in compliance with Chapter 0380-2-7 of the Rules of the Comptroller of the Treasury, and Section 5-9-109, Tennessee Code Annotated and any and all other laws which may apply to county organizations to nonprofit organizations and so this appropriation is made subject to compliance with any and all of these laws and regulations.

BE IT FURTHER RESOLVED, that this resolution shall take effect from and after its passage and its provisions shall be in full force from and after July 1,2014. This resolution shall be spread upon the minutes of the Board of County Commissions this the 23rd day of September, 2014.

It was moved by Commissioner Summey, seconded by Commissioner Alexander, that this Resolution be approved as presented. Motion carried on roll call. Aye 8 Nay 1-Commissioner Thomas

RESOLUTION 923-8

RESOLUTION TO ALLOW THE MONROE COUNTY AMBULANCE DEPARTMENT TO DONATE SURPLUS PROPERTY TO THE TRI-COMMUNITY VOLUNTEER FIRE DEPARTMENT

WHEREAS, The Monroe County Highway Department has the following equipment to be declared as surplus personal property: 1995 Ford E35 Ambulance VIN # 1FDJS34F9SH68165, AND

WHEREAS, the Monroe County Ambulance Department wishes to donate said surplus equipment to the Tri-Community Volunteer Fire Department to be used as an asset for fire protection, and

WHEREAS, T.C.A. §"12-371010, as interpreted by the Tennessee Attorney General in Opinion Number 07-87, allows the Monroe County Legislative Body to authorize the donation of equipment to a volunteer fire department that is chartered as a nonprofit organization with the Tennessee Secretary of State, to be used for fire protection,

NOW THEREFORE BE IT RESOLVED, that the Monroe County Legislative Body hereby authorizes the donation of the 1995 Ford E35 Ambulance from the Monroe County Ambulance Department to the Tri-Community Volunteer Fire Department for use in fire protection.

Adopted this the 23rd day of September, 2014.

It was moved by Commissioner Thomas, seconded by Commissioner Moser, that this Resolution be approved as presented. Motion carried on roll call. Aye 9 Nay 0

RESOLUTION NO. 923-9

BE IT RESOLVED, by the Monroe County Board of County Commissioners, meeting in regular session, September 23, 2014, that the following amendment for the sheriffs department equipment from their reserve funds for software updates, computer and vehicle equipment, server updates and miscellaneous tools and items, be made in the County General Fund Budget for the Fiscal Year 2014-2015.

Decrease Reserve

101-35210	Designated for Sheriffs Dept Equipment	\$ 10,451.00
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Increase Expenditures

101-54110-716-COMPU	Law Enforcement Equipment	\$ 10,451.00
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PASSED, this 23rd day of September, 2014

It was moved by Commissioner Thomas, seconded by Commissioner Allen, that this Resolution be approved as presented. Motion carried on roll call. Aye 9 Nay 0

RESOLUTION NO. 923-9A

BE IT RESOLVED, by the Monroe County Board of County Commissioners, meeting in regular session, September 23, 2014, that the following amendment for money reserved for the County Clerk's Automation for equipment needs, be made in the County General Fund Budget for the Fiscal Year 2014-2015.

Decrease Reserve

34515-RCLER	Restricted for Finance - County Clerk	\$ 7,859.00
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Increase Expenditures

52500-719	Office Equipment	\$ 7,859.00
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PASSED, this 23rd day of September, 2014.

It was moved by Commissioner Allen, seconded by Commissioner Alexander, that this Resolution be approved as presented. Motion carried on roll call. Aye 9 Nay 0

RESOLUTION NO. 923-10

**RESOLUTION TO OPT OUT OF STATEWIDE BUILDING CODE STANDARDS
FOR ONE-FAMILY AND TWO-FAMILY DWELLINGS IN MONROE COUNTY, TENNESSEE**

WHEREAS, Public charter 529 of the Public Acts of 2009, known as the "Tennessee Clean Energy Future Act of 2009" amends T.C.A. 68-120-101 to apply statewide building code standards to one-family and two-family dwellings; and

WHEREAS, Public Charter 529 authorizes counties to opt out of these standards for one-family and two-family dwellings within the county's jurisdiction outside any municipality located within the county; and

WHEREAS, the Board of County Commissioners of Monroe County has determined that it is in the best interest of the citizens of the county for these standards not to

apply to one-family and two-family dwellings within the county's jurisdiction outside any municipality located with the county.

NOW THEREFORE, BE IT RESOLVED by a two-thirds (2/3) vote of the Board of County Commissioners of Monroe County, meeting in regular session on this 23rd day of September, 2014, that statewide building code standards, adopted pursuant to Title 68, chapter 120, shall not apply to one-family and two-family dwellings located within the jurisdictional boundaries of Monroe County outside any municipality located within the county.

BE IT FURTHER RESOLVED, that this resolution shall take effect on the first day of October, 2014,

BE IT FURTHER RESOLVED, that the county clerk shall mail a certified copy of this resolution to the state fire marshal.

It was moved by Commissioner Thomas, seconded by Commissioner Hawkins, that this Resolution be approved. Motion failed on roll call.

Aye 4-Commissioners Hawkins, Kirkland, Shadden & Thomas Nay 4-Commissioners Alexander, Allen, Ingram Moser Passed 1-Commissioner Summey

A second motion was made by Commissioner Alexander, seconded by Commissioner Moser, to table this resolution until a later date. Motion failed on roll call

Aye 4-Commissioners Alexander, Allen, Ingram & Moser Nay 5-Commissioners Hawkins, Kirkland, Shadden, Summey & Thomas

RESOLUTION NO. 923-11

A RESOLUTION APPROVING MONROE COUNTY'S LEASING OF LAND LOCATED AT THE COUNTY'S HIWASSEE FIRE TOWER TO THE CITY OF MADISONVILLE, TENNESSEE FOR THE PURPOSE OF INSTALLING AND OPERATING A RADIO COMMUNICATIONS TOWER

WHEREAS, the City of Madisonville, Tennessee, requested that Monroe County, Tennessee, lease a small tract of land of less than one-half (1/2) acre located in close proximity to the existing fire tower on Hiwassee Road for the purpose of erecting a radio communications tower; and

WHEREAS, Monroe County proposes to lease the tract of land to the City of Madisonville for a period of ninety-nine (99) years for the lease amount of One Dollar (\$1.00) per year; and

WHEREAS, Monroe County proposes that the City of Madisonville obtain a survey of the site and that the City also consult a telecommunications specialist to advise on the best location for the proposed radio communications tower and to assess any possible disturbances involving the locating of the two towers in close proximity to each other and to advise Monroe County of the substance of the opinions of the qualified telecommunications specialist; and

WHEREAS, the City of Madisonville will be responsible for the costs of such survey and the associated hiring of a telecommunications specialist;

IT IS ACCORDINGLY HEREBY RESOLVED that Monroe County, Tennessee shall lease a tract of land of less than one-half (1/2) acre located in close proximity to the Hiwassee Fire Tower to the City of Madisonville, Tennessee, for the purpose of erecting a radio communications tower upon obtaining the aforementioned survey and satisfactory report from a telecommunications specialist, for a lease term of ninety-nine (99) years at the cost of One Dollar (\$1.00) per year.

This Resolution shall be effective upon its passage and approval, the public welfare requiring it.

Passed upon Motion duly made and seconded this 23rd day of September, 2014.

It was moved by Commissioner Alexander, seconded by Commissioner Hawkins, that this Resolution be approved as presented. Aye 9 Nay 0

RESOLUTION NO. 923-12

A RESOLUTION OF MONROE COUNTY IN SUPPORT OF AMENDMENT 1 ON THE NOVEMBER 4TH, 2014 GENERAL ELECTION BALLOT AND ENCOURAGING SUPPORT OF THE SAME.

WHEREAS: The Monroe County Legislative Body supports the sovereignty of the People through their elected representatives to direct public policy in matters of public interest at all levels of government; and

WHEREAS: In 2000 the Supreme Court of Tennessee in its decision in *Planned Parenthood v. Sundquist* removed from the people of Tennessee the power to enforce common-sense regulations and laws concerning the practice of abortion in this State; and

WHEREAS: Other states, including states surrounding Tennessee, have passed laws concerning abortions and abortion facilities such as laws requiring informed consent, licensing of facilities, health inspections of facilities, and short waiting periods. These laws have not been overturned by the Federal courts, and

WHEREAS: Tennessee has been rendered unable to enforce such laws and regulations because of the case cited above and subsequent cases, Tennessee has become an abortion destination ranking third in the nation in the percentage of abortions performed for women who have traveled here from other states for that purpose; and

WHEREAS: Tennessee Constitutional Law is currently such that overturning *Roe v. Wade* at the Federal level would not change anything about the practice of abortion in Tennessee and is such that pro-abortion rights organizations refer to Tennessee's Constitutional Law as more favorable to their point of view than Federal Constitutional Law; and

WHEREAS: There will appear on to the November 4, 2014 General Election Ballot an amendment to the Constitution of the State of Tennessee which, if approved by the voters of Tennessee, will nullify the effect of the ruling in *Planned Parenthood v. Sundquist* and return the power to the people of this state, acting through their elected representatives, to regulate the abortion industry in this state within the limits set forth by Federal

Constitutional Law. Amendment 1 as it will appear on the November 4th General Election Ballot reads as follows:

Nothing in this Constitution secures or protects a right to abortion or requires the funding of an abortion. The people retain the right through their elected state representatives and state senators to enact, amend, or repeal statutes regarding abortion, including, but not limited to, circumstances or pregnancy resulting from rape or incest or when necessary to save the life of the mother.

NOW THEREFORE BE IT RESOLVED by the Monroe County Board of County Commissioners assembled in regular session this 23rd day of September, 2014:

Section 1 This Body hereby expresses its support for the proposed Constitutional" Amendment 1, as appearing on the November 4, 2014 General Election Ballot and as recited herein, and encourages its passage.

SPONSOR:

PASSED, this 23rd day of September 2014.

It was moved by Commissioner Alexander, seconded by Commissioner Summey, that this Resolution be approved as presented, Motion carried on roll call. Aye 9 Nay 0

923-13 NOTARY PUBLIC APPLICATIONS

It was moved by Commissioner Hawkins, seconded by Commissioner Thomas, that the following notary public applications be approved as presented. Motion carried. Aye 9 Nay 0

KELLIE ANN COLLINS
SAMUEL PRESTON STAMEY
BECKY MECHELLE WOODS

924-14 TRUSTEE REPORTS

There being no exceptions to the Trustee Reports for July & August, it was moved by Commissioner Alexander, seconded by Commissioner Ingram, that these reports be approved as presented. Motion carried. Aye 9 Nay 0

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923-15 APPROVAL OF BONDS

Bonds for the following elected officials were presented to the Commissioner for approval:

Martha M. Cook, Circuit Court

Mildred Estes, Register of Deeds
Marna Maynard Hull, Trustee
Larry C. Sloan, County Clerk
Douglas Steve Teague, Road Superintendent
Randy White, Sheriff
C. Tim Yates, Mayor
Marty Jenkins, Constable
Tommy J. Jones Sr., Constable
Charles O. Kennedy, Constable
Ted Waters, Constable

It was moved by Commissioner Summey, seconded by Commissioner Hawkins, that these Bonds be approved as presented. Motion carried on roll call. Aye 9 Nay 0

923-16 JUSTICE COMMITTEE REPORT

Mayor Yates reported that the committee had given approval to check on water lines for the judicial project.

923-17 PUBLIC COMMENT: Atlas McKelvey, gave his opinion on Monroe County building codes.

ADJOURNMENT

The meeting was adjourned.

TIM YATES, MAYOR

ATTEST:

LARRY C. SLOAN, CLERK