

COUNTY COMMISSION MEETING – NOVEMBER 16, 2020

The Claiborne County Commission met in regular session on Monday, November 16, 2020 at 6:30 p.m. at the Courthouse in Tazewell, Tennessee. Meeting was opened by Officer Doug Evans. Invocation led by Commissioner James Hatmaker. Pledge led by Officer Doug Evans.

AGENDA ITEM #1 – CALL TO ORDER/ROLL CALL:

Chairman Mike Campbell called the meeting to order. County Clerk Karen Hurst called the roll by district. Commissioners present/absent as follows:

PRESENT:

District 1

Brent Clark
Whitt Shuford
Charlton Vass

District 2

Nathan Epperson
Juanita Honeycutt
Kim Large

District 3

Mike Campbell

Nicholas Epperson

District 4

Zach Mullins
Anthony Rowe

District 5

Mitchell Cosby

District 6

Rosemary Barnett
Carolyn Brooks
Steve Mason

District 7

Steve Brogan
Sherry McCreary
Shawn Peters

District 8

David Mundy
Steve Murphy

District 9

James Hatmaker

ABSENT:

District 3

Stacey Crawford

20 commissioners present
1 commissioner absent

Also present: Cynthia Logan, Recorder

AGENDA ITEM #2 – APPROVAL OF AGENDA

MOTION: Commissioner Vass – to approve

SECOND: Commissioner Mundy

Commissioner Cosby requested to add a resolution concerning Sheriffs Department.
(This added as resolution 2020-106; item #10A under New Business)

Commissioner Mason requested to add notary public applicant, Brenda Galkiewicz, to list of notary public appointments.

Vote on agenda as amended / Motion carried by aye vote

AGENDA ITEM #3 – APPROVAL OF MINUTES

MOTION: Commissioner Hatmaker – to approve

SECOND: Commissioner Large

Motion carried by aye vote

AGENDA ITEM #4 – COUNTY OFFICE REPORTS
AGENDA ITEM #5 – COUNTY MAYOR'S REPORT
AGENDA ITEM #6 – COUNTY SHERIFF'S REPORT
AGENDA ITEM #7 – COMMITTEE REPORTS

MOTION: Commissioner Nathan Epperson – to approve

SECOND: Commissioner Cosby

Motion carried by aye vote

AGENDA ITEM #8 – NOTARY PUBLIC APPOINTMENTS

MOTION: Commissioner Hatmaker – to approve

SECOND: Commissioner Mason

Motion carried by aye vote

APPROVED:

Kelly Eric Jones

David Michael Lewis

Brenda Galkiewicz

AGENDA ITEM #10 – NOTARY BOND APPROVAL

(none)

OLD BUSINESS:

(none)

NEW BUSINESS:

ITEM #1 – REPORT ON DEBT OBLIGATION

Commissioner Cosby informed the commission that the Debt Obligation has been submitted to the state and this report has been filed with this commission for information.
(Report as follows)

DEBT OBLIGATION

The attached (Report On Debt Obligation – CT-0253) form must be filled out and submitted to the state because the Claiborne County Government has entered into a Capital Outlay Note for the purpose of waterline extensions throughout the county (see attached resolution from September 2020 court meeting).

By law, this form must be submitted to the state (sent on November 4, 2020) and be filed with the Governing Body not later than forty-five (45) days after the issuance or execution of a debt obligation by or on behalf of any Public Entity and with a copy to the Director of the Office of State and Local Finance/Comptroller of the Treasury for the State of Tennessee (OSLF). The report is to be delivered to each member of the Governing Body and presented at a public meeting of the body. If there is not a scheduled meeting within forty-five (45) days, deliver the Report to each member and list the date of the next scheduled meeting (Monday, November 16, 2020) at which the Report will be presented.

The amount of this capital outlay note \$500,000 the interest is 2.29 percent.

The total amount we will be repaying is \$535,106.00

This will be repaid in five (5) years beginning October 16, 2021.

The repayment is as follows:

October 16, 2021	\$111,450.00
October 16, 2022	\$109,916.00
October 16, 2023	\$106,870.00
October 16, 2024	\$104,580.00
October 16, 2025	\$102,290.00

Mitchell
Cosby

REPORT ON DEBT OBLIGATION
(Pursuant to Tennessee Code Annotated Section 9-21-151)

1. Public Entity:
 Name: CLAIBORNE COUNTY GOVERNMENT
 Address: PO BOX 318
TAZEWELL, TN 37879
 Debt Issue Name: CLAIBORNE COUNTY GOVERNMENT
 If disclosing initially for a program, attach the form specified for updates, indicating the frequency required.

2. Face Amount: \$ 500,000.00
 Premium/Discount: \$ _____

3. Interest Cost: _____ 2.2900 % Tax-exempt Taxable
 TIC NIC
 Variable: Index _____ plus _____ basis points; or
 Variable: Remarketing Agent _____
 Other: _____

4. Debt Obligation:
 TRAN RAN CON
 BAN CRAN GAN
 Bond Loan Agreement Capital Lease
 If any of the notes listed above are issued pursuant to Title 9, Chapter 21, enclose a copy of the executed note with the filing with the Division of Local Government Finance ("LGF").

5. Ratings:
 Unrated
 Moody's _____ Standard & Poor's _____ Fitch _____

6. Purpose:

		BRIEF DESCRIPTION
<input checked="" type="checkbox"/> General Government	<u>100.00</u> %	<u>INSTALL WATERLINES THROUGHOUT COUNTY</u>
<input type="checkbox"/> Education	_____ %	_____
<input type="checkbox"/> Utilities	_____ %	_____
<input type="checkbox"/> Other	_____ %	_____
<input type="checkbox"/> Refunding/Renewal	_____ %	_____

7. Security:
 General Obligation General Obligation + Revenue/Tax
 Revenue Tax Increment Financing (TIF)
 Annual Appropriation (Capital Lease Only) Other (Describe): _____

8. Type of Sale:
 Competitive Public Sale Interfund Loan _____
 Negotiated Sale Loan Program _____
 Informal Bid

9. Date:
 Dated Date: 11/04/2020 Issue/Closing Date: 10/15/2020

REPORT ON DEBT OBLIGATION
(Pursuant to Tennessee Code Annotated Section 9-21-151)

10. Maturity Dates, Amounts and Interest Rates *:

Year	Amount	Interest Rate	Year	Amount	Interest Rate
10/16/21	\$100,000.00	2.2900 %		\$	%
10/16/22	\$100,000.00	2.2900 %		\$	%
10/16/23	\$100,000.00	2.2900 %		\$	%
10/16/24	\$100,000.00	2.2900 %		\$	%
10/16/25	\$102,290.00	2.2900 %		\$	%
	\$	%		\$	%
	\$	%		\$	%
	\$	%		\$	%
	\$	%		\$	%
	\$	%		\$	%
	\$	%		\$	%
	\$	%		\$	%

If more space is needed, attach an additional sheet.

If (1) the debt has a final maturity of 31 or more years from the date of issuance, (2) principal repayment is delayed for two or more years, or (3) debt service payments are not level throughout the retirement period, then a cumulative repayment schedule (grouped in 5 year increments out to 30 years) including this and all other entity debt secured by the same source **MUST BE PREPARED AND ATTACHED**. For purposes of this form, debt secured by an ad valorem tax pledge and debt secured by a dual ad valorem tax and revenue pledge are secured by the same source. Also, debt secured by the same revenue stream, no matter what lien level, is considered secured by the same source.

* This section is not applicable to the Initial Report for a Borrowing Program.

11. Cost of Issuance and Professionals:

No costs or professionals

	AMOUNT (Round to nearest \$)	FIRM NAME
Financial Advisor Fees	\$ 0	
Legal Fees	\$ 0	
Bond Counsel	\$ 0	
Issuer's Counsel	\$ 0	
Trustee's Counsel	\$ 0	
Bank Counsel	\$ 0	
Disclosure Counsel	\$ 0	
_____	\$ 0	
Paying Agent Fees	\$ 0	
Registrar Fees	\$ 0	
Trustee Fees	\$ 0	
Remarketing Agent Fees	\$ 0	
Liquidity Fees	\$ 0	
Rating Agency Fees	\$ 0	
Credit Enhancement Fees	\$ 0	
Bank Closing Costs	\$ 0	
Underwriter's Discount _____%		
Take Down	\$ 0	
Management Fee	\$ 0	
Risk Premium	\$ 0	
Underwriter's Counsel	\$ 0	
Other expenses	\$ 0	
Printing and Advertising Fees	\$ 0	
Issuer/Administrator Program Fees	\$ 0	
Real Estate Fees	\$ 0	
Sponsorship/Referral Fee	\$ 0	
Other Costs _____	\$ 0	
TOTAL COSTS	\$ 0	

REPORT ON DEBT OBLIGATION
(Pursuant to Tennessee Code Annotated Section 9-21-151)

12. Recurring Costs:

No Recurring Costs

	AMOUNT (Basis points/\$)	FIRM NAME (If different from #11)
Remarketing Agent	_____	_____
Paying Agent / Registrar	_____	_____
Trustee	_____	_____
Liquidity / Credit Enhancement	_____	_____
Escrow Agent	_____	_____
Sponsorship / Program / Admin	_____	_____
Other _____	_____	_____

13. Disclosure Document / Official Statement:

None Prepared

EMMA link _____ or

Copy attached

14. Continuing Disclosure Obligations:

Is there an existing continuing disclosure obligation related to the security for this debt? Yes No

Is there a continuing disclosure obligation agreement related to this debt? Yes No

If yes to either question, date that disclosure is due _____

Name and title of person responsible for compliance _____

15. Written Debt Management Policy:

Governing Body's approval date of the current version of the written debt management policy 11/20/2001

Is the debt obligation in compliance with and clearly authorized under the policy? Yes No

16. Written Derivative Management Policy:

No derivative

Governing Body's approval date of the current version of the written derivative management policy _____

Date of Letter of Compliance for derivative _____

Is the derivative in compliance with and clearly authorized under the policy? Yes No

17. Submission of Report:

To the Governing Body: on 11/06/2020 and presented at public meeting held on 11/16/2020

Copy to Director, Division of Local Govt Finance: on 11/04/2020 either by:

Mail to: _____ OR Email to: LGF@cot.tn.gov

Cordell Hull Building
425 Fifth Avenue North, 4th Floor
Nashville, TN 37243-3400

18. Signatures:

	AUTHORIZED REPRESENTATIVE	PREPARER
Name	<u>[Signature]</u>	SUE TUTTLE
Title	<u>County Mayor</u>	BOOKKEEPER
Firm	<u>Claiborne County Government</u>	CLAIBORNE CO GOVT
Email	<u>countymayor@claibornecountytn.gov</u>	cchwvfinance@gmail.com
Date	<u>11/4/20</u>	11/04/2020

ITEM #2 – RES. 2020-097 – CONFISCATED PROPERTY PROCEEDS

MOTION: Commissioner Large – to approve with correcting the first line of the first paragraph to read “Claiborne County Commission”.

SECOND: Commissioner Peters

ROLL CALL VOTE: 20 for; 0 against / Motion carried
(Resolution as follows)

RESOLUTION NO. 2020-097**Confiscated Property Proceeds**

WHEREAS, the Claiborne County Commission needs to amend the Drug Fund Budget in order to reflect the proceeds from confiscated property, the following items need to be amended so that the budget reflects the revenue received.

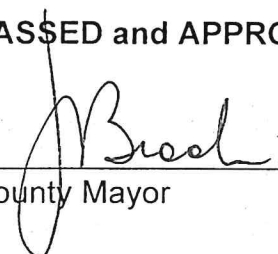
THEREFORE, the following budget amendment must be approved.

<u>Revenue</u>	<u>INCREASE</u>
122-42910 Proceeds from Confiscated Property	\$ 12,178
<u>Expenditures</u>	
122-54150-319 Confidential Drug Enforcements Payments	\$ 10,000
122-54150-499 Other Supplies and Materials	\$ 2,178

BE IT FURTHER RESOLVED by the Board of County Commissioners of Claiborne County, assembled in regular session on the 16th day of November, 2020, that such resolution be passed.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that this resolution take effect from and after its passage, the public welfare requiring it.

PASSED and APPROVED this 16th day of November, 2020.

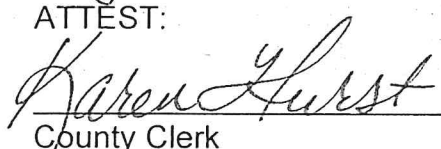


County Mayor

Kim Large

Commissioner Sponsor

ATTEST:



County Clerk

ITEM #3 – RES. 2020-098 – MENTAL HEALTH TRANSPORT GRANT

MOTION: Commissioner Hatmaker – to approve
SECOND: Commissioner Mason

ROLL CALL VOTE: 20 for; 0 against / Motion carried
(Resolution as follows)

RESOLUTION NO. 2020-098
Mental Health Transport Grant

WHEREAS, the Claiborne County needs to amend the Sheriff's Department Budget in order to reflect the agreement with the State of Tennessee for the 2020-2021 fiscal year to transport non-custody mental health transports.

WHEREAS, this grant is new money, and there is no match necessary.

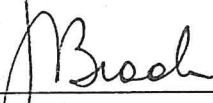
THEREFORE, in order to expend this money, the following budget amendment must be approved.

<u>Revenue</u>	<u>INCREASE</u>
46980- Other State Revenue	\$28,721.00
 <u>Expenditures</u>	
101-54220-718 – Motor Vehicles	\$28,721.00

BE IT FURTHER RESOLVED, by the Board of County Commissioners of Claiborne County, Tennessee, assembled in regular session on the 16th day of November 2020, that such resolution be passed.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that this resolution takes effect from and after its passage, the public welfare requiring it.

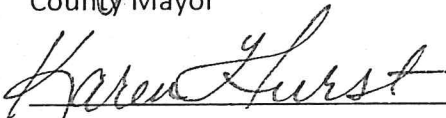
PASSED AND APPROVED THIS 16th day of November 2020.




County Mayor

James Hatmaker

Commission Sponsor



County Court Clerk

FILED 10-27-2020
KAREN HURST, COUNTY CLERK
BY:  D.C.

ITEM #4 – RES. 2020-099 – AUTHORIZING EXPENDITURE OF \$425,000 CAPITAL OUTLAY NOTE FOR SANITATION DEPARTMENT

MOTION: Commissioner Large – to approve

SECOND: Commissioner Mason

ROLL CALL VOTE: 20 for; 0 against / Motion carried
(Resolution as follows)

Resolution 2020 - 099

**AUTHORIZING EXPENDITURE OF \$425,000 CAPITAL OUTLAY NOTE
FOR SANITATION DEPARTMENT**

WHEREAS, the Governing Body of Claiborne County, Tennessee has determined that it is necessary and desirable to provide funds for the sanitation department to purchase two pieces of equipment with the Capital Outlay Note that was approved August 17, 2020; and

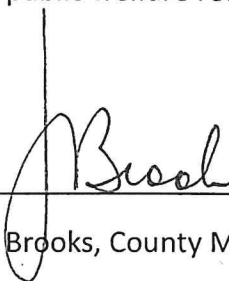
WHEREAS, the monies from this Capital Outlay Note need to be added to the existing budget of the Solid Waste Department (Fund 116) in order for this money to be expensed; and

THEREFORE, the following transaction must be approved by the Claiborne County Commission:

116-55731-714	Equipment	\$425,000 (Credit)
116-47900	Note Proceeds	\$425,000 (Debit)

NOW THEREFORE, BE IT RESOLVED, by the Governing Body of Claiborne County, Tennessee, as follows:

PASSED AND APPROVED by Claiborne County Commission this 16th day of November, 2020, the public welfare requiring it.



Joe Brooks, County Mayor

Kim Large, County Commissioner

ATTEST:



Karen Hurst, County Clerk

FILED 10-30-2020
KAREN HURST, COUNTY CLERK
BY:  D.C.

ITEM #5 – RES. 2020-100 – AUTHORIZING THE SUBMISSION OF A 2021 CDBG PROGRAM APPLICATION TO FUND A WATERLINE EXTENSION PROJECT

MOTION: Commissioner Mundy – to approve

SECOND: Commissioner Murphy

ROLL CALL VOTE: 19 for; 1 against / Motion carried

FOR: Commissioners Clark, Shuford, Vass, Nathan Epperson, Honeycutt, Large, Campbell, Nicholas Epperson, Mullins, Rowe, Cosby, Barnett, Brooks, Mason, McCreary, Peters, Mundy, Murphy, Hatmaker

AGAINST: Commissioner Brogan

(Resolution as follows)

Resolution # 2020-100

A RESOLUTION AUTHORIZING THE SUBMISSION OF A 2021 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO FUND A RURAL WATERLINE EXTENSION PROJECT

- WHEREAS,** the Community Development Block Grant (CDBG) Program as administered by the State of Tennessee offers grants to local jurisdiction to fund public infrastructure facilities, and
- WHEREAS,** Counties and municipalities within the State of Tennessee may apply annually for such CDBG funding; and
- WHEREAS,** the Community Development Block Grant (CDBG) Program also offers a deduction in the percentage match for three star communities, and
- WHEREAS,** the Three Star incentive makes the 2021 CDBG match for Claiborne County 8% or \$54,782.00 based on a \$630,000.00 grant limit, and;
- WHEREAS,** Claiborne County will apply for the CDBG grant to fund a waterline extension project to serve the Pine Hill Road/Johnson Road, Loy Road, and Iron Works Road areas (Project); and
- WHEREAS,** Claiborne County has a satisfactory existing working relationship with Vaughn & Melton Consulting Engineers, Inc. and will contract with them for all needed professional engineering services associated with the Project; and

NOW, THEREFORE, BE IT RESOLVED that the Claiborne County Commission hereby requests the Mayor or his representatives to prepare and submit a 2021 Community Development Block Grant application for funding up to the maximum amount of \$630,000.00 (CDBG) funds with a local match of \$54,782.00 for a total project cost of \$684,782.00.

Resolved this 16th day of November, 2020

Certified: _____

[Signature]
County Mayor

Commissioner Co-Sponsors

<u>Carolyn Brooks</u>	<u>Mitchell Cosby</u>
<u>Steve Mason</u>	<u>David Mundy</u>
<u>Rosemary Barnett</u>	<u>Steve Murphy</u>

ATTEST:
[Signature]
County Clerk

FILED 11-2-2020
KAREN HURST, COUNTY CLERK
BY: [Signature] D-G

11/16/2020

ITEM #6 – RES. 2020-101 – BOARD OF EDUCATION (budget amendment)
ITEM #7 – RES. 2020-102 – BOARD OF EDUCATION (budget amendment)

MOTION: Commissioner Peters – to combine items #6 and 7 and approve

SECOND: Commissioner Vass

ROLL CALL VOTE: 20 for; 0 against / Motion carried
(Resolutions as follows)

Claiborne County Board of Education
RESOLUTION 2020-101

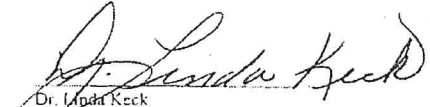
November 12, 2020

WHEREAS, the Claiborne County Board of Education needs the current budget to reflect the lines as approved by the state and as a result this needs to be amended in the General Purpose Budget in order to adhere to the state, and

WHEREAS, this resolution involves no local tax dollars

BE IT THEREFORE RESOLVED by the Claiborne County Commission in session November 16, 2020 that the Claiborne County Board of Education be authorized to amend the General Purpose Budget by adjusting the following line items

		<u>INCREASE</u>	<u>DECREASE</u>
73400-105	Supervisor	3,596.30	
73400-162	Clerical	5,347.00	
73400-163	Educational Assist	863.40	
73400-189	Other Salaries		2,110.44
73400-201	Social Security		554.51
73400-204	Retirement		1,707.18
73400-206	Life Insurance		120.00
73400-207	Medical Insurance		1,866.00
73400-210	Unemployment		140.40
73400-212	Medicare		130.05
73400-217	Retirement - Hybrid	953.30	
73400-307	Communication		4,500.00
73400-355	Travel	1,000.00	
73400-429	Instructional Supplies		2,822.00
73400-499	Other Supplies	172.00	
73400-524	Staff Development	2,007.99	
46515	Early Childhood Education		0.59
73300-189	Other Salaries	3,049.50	
73300-201	Social Security	188.58	
73300-204	Retirement		416.32
73300-210	Unemployment	0.40	
73300-212	Medicare	45.12	
73300-355	Travel		750.00
73300-499	Other Supplies		1,369.63
73300-524	Staff Development		500.00
73300-599	Other Charges		248.00
46590	Other State Grants		0.35
73300-105	Supervisor		1,875.00
73300-116	Teacher		113,250.00
73300-163	Educational Assist		69,464.00
73300-189	Other Salaries		37,500.00
73300-201	Social Security		13,646.05
73300-204	Retirement		23,395.78
73300-210	Unemployment		90.00
73300-212	Medicare		3,191.24
73300-355	Travel		900.00
73300-399	Contract Services		19.00
73300-429	Instructional Supplies		6,019.93
73300-524	Staff Development		3,780.00
73300-599	Other Charges		1,739.00
46590	Other State Grants		272,870.00


 Dr. Linda Keck
 Claiborne County Schools

Shawn Peters

 Commission Sponsor


 Angelia Tucker
 Finance Director

FILED 11-2-2020
 KAREN HURST, COUNTY CLERK
 BY: *KH*
 DFC.

**CLAIBORNE COUNTY
BOARD OF EDUCATION**

RESOLUTION *2020-107*

November 12, 2020

WHEREAS, the Claiborne County Board of Education needs to amend the Federal Projects Budget in order to adhere to the latest state approved grant budget for ESSA Grants Carryover

Whereas, under the new state reporting requirements for Federal Projects, the county budget is required to match the state budget to the penny and

Whereas, the state continues to amend their budgets throughout the year, we are therefore required to bring each of these changes before county commission as they occur, in order to receive these federal funds

WHEREAS, this resolution involves no state or local tax dollars

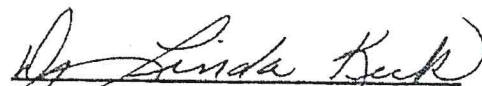
BE IT THEREFORE RESOLVED by the Claiborne County Commission in session on November 16, 2020 that the Claiborne County Board of Education be authorized to amend the Federal Projects Budget by adjusting the following line items.

Account No.	<u>INCREASE</u>	<u>DECREASE</u>
47141 Title I Grants	\$ 87,078.92	
47189 T-II Eisenhower PD Grant	\$ 72,932.28	
47143 Special Ed Grants	\$ 49,718.50	
47145 Special Ed Pre School	\$ 10,616.63	
47148 Title V	\$ 3,279.62	

EXPENDITURES

Account No.		
71100/116 Salaries		\$ (2,159.04)
71100/195 Substitutes		\$ (20.00)
71100/163 Educational Assistants		\$ (4,371.75)
71100/201 Social Security		\$ (404.67)
71100/204 Retirement		\$ (7,928.99)
71100/212 Medicare		\$ (94.71)
71100/429 Instructional Supplies	\$ 68,908.35	
71100/722 Reg. Inst Equipment	\$ 5,139.12	
71200/116 Teacher	\$ 1,305.00	
71200/163 Educational Assistants	\$ 39,094.62	
71200/171 Speech Pathologist		\$ (2,500.00)
71200/189 Other Salaries	\$ 10,220.00	

71200/195 Substitutes			\$	(4,375.00)
71200/201 Social Security	\$	3,010.18		
71200/204 Retirement			\$	(11,357.86)
71200/206 Life Ins	\$	48.00		
71200/207 Medical Ins	\$	1,380.00		
71200/210 Unemployment	\$	418.00		
71200/212 Medicare	\$	700.03		
71200/429 Supplies			\$	(3,376.95)
71200/499 Other Supplies			\$	(1,812.27)
71200/599 Other Charges	\$	24,395.38		
71200/725 Equipment	\$	4,000.00		
72130/130 Social Workers	\$	1,090.00		
72130/201 Social Security	\$	67.14		
72130/204 State Retirement	\$	114.46		
72130/212 Employer Medicare	\$	14.32		
72130/355 Travel	\$	374.08		
72130/499 Other Supplies			\$	(200.00)
72130/524 Staff Development			\$	(4,779.19)
72130/599 Other Charges	\$	26,696.92		
72210/105 Supervisor	\$	1,000.00		
72210/161 Secretary	\$	1,000.00		
72210/189 Other Salaries	\$	2,354.50		
72210/201 Social Security	\$	44.00		
72210/204 State Retirement	\$	100.00		
72210/207 Medical Ins			\$	(8.00)
72210/355 Travel	\$	500.00		
72210/499 Other Supplies	\$	77,259.28		
72210/524 Staff Development			\$	(2,605.00)
72210/790 Other Equipment	\$	1,200.00		
72220/124 Psychological Personnel	\$	814.00		
72220/201 Social Security	\$	49.00		
72220/204 State Retirement	\$	86.00		
72220/212 Medicare	\$	8.00		
72220/399 Other Contracted Serv			\$	(1,771.00)


 Director of Schools

Shawn Peters
 Commission Sponsor

Angelia Tucker

Angelia Tucker
 Finance Director

FILED 11-2-2020
 KAREN HURST, COUNTY CLERK
 BY:  B-G

ITEM #8 – RES. 2020-103 – ADOPTION OF REVISED CODE OF ETHICS FOR OFFICIALS AND EMPLOYEES OF CLAIBORNE COUNTY TENNESSEE GOVERNMENT

MOTION: Commissioner Honeycutt – to approve and to add the County Mayor to serve as an ex-officio non-voting member.

SECOND: Commissioner Large

ROLL CALL VOTE: 20 for; 0 against / Motion carried
(Resolution as follows)

RESOLUTION 2020-103

ADOPTION OF REVISED CODE OF ETHICS FOR OFFICIALS AND EMPLOYEES OF CLAIBORNE COUNTY TENNESSEE GOVERNMENT

WHEREAS, Section 49 of the Comprehensive Governmental Ethics Reform Act of 2006, 2006 Public Chapter 1 (1st Ex. Sess.), (the “Ethics Reform Act”) required county Legislative bodies to adopt certain ethical standards by resolution on or before June 30, 2007; and

WHEREAS, Claiborne county was in compliance by filing an ethical standards and policies resolution timely, and

WHEREAS, the County adopted the sample policies and documents prepared by the County Technical Assistance Service (CTAS) and filed the resolution with the Code of Ethics to the State Ethics Commission, and

WHEREAS, It is the desire of the Legislative body to make revisions to the County Code of Ethics and the composition of the Ethics Committee;

NOW THEREFORE, BE IT RESOLVED by the Claiborne County Legislative body meeting in regular Session on this 16th day of November 2020, that ;

This Revised Code of Ethics Policies and Composition of the Ethics Committee be adopted and,


- County Court Clerk mail a copy of this resolution to the State Ethics Commission
- Mail a copy of the Resolution and Attached Claiborne County Code of Ethics to each county office governed thereby, including all boards, committees, commissions, authorities, or other instrumentalities appointed or created by the county or an official of the county, and specifically including the county School board, the county election commission, the county health department, and utility districts in the county; and
- Post a copy of the Code of Ethics on each public bulletin board in the County Courthouse and on the County Website.

This resolution shall take effect upon its passage and approval, the public welfare requiring it.

Adopted this 16th day of November, 2020

Approved:

County Mayor 

County Clerk 

Sponsor: 

CODE OF ETHICS
CLAIBORNE COUNTY, TENNESSEE
Revised November 2020

Section 1. Definitions

- (1) "County" means Claiborne County, which includes all boards, committees, commissions, authorities, corporations or other instrumentalities appointed or created by the county or an official of the county, and specifically including the county school board, the county election commission, the county health department, and utility districts in the county.
- (2) "Officials and employees" means and includes any official, whether elected or appointed, officer, employee or servant, or any member of any board, agency, commission, authority, or corporation (whether compensated or not), or any officer employee or servant thereof, of the county.
- (3) "Personal interest" means, for the purpose of disclosure of personal interests in accordance with this Code of Ethics, a financial interest of the official or employee, or a financial interest of the official's or employee's spouse or child living in the same household, in the matter to be voted upon, regulated, supervised, or otherwise acted upon in an official capacity.

Section 2. Disclosure of Personal interest in voting matters. An Official or employee with the responsibility to vote on a measure shall disclose during the meeting at which the vote takes place, before the vote and to be included in the minutes, any personal interest that affects or that would lead to a reasonable person to infer that it affects the official's or employee's vote on a measure. In addition, the official or employee may, to the extent allowed by law, to recuse himself or herself from voting on the measure.

Section 3. Disclosure of personal interest in non-voting matters. An official or employee who must exercise discretion relative to a matter other than casting a vote and who has a personal interest in the matter that affects or that would lead a reasonable person to infer that it affects the exercise of the discretion shall disclose, before the exercise of the discretion when possible, in the interest on the attached disclosure form and file the disclosure form with the county clerk. In addition, the official or employee may, to the extent allowed by law, recuse himself or herself from the exercise of discretion in the matter.

Section 4. Acceptance of gifts and other things of value. An Official or employee, or an official's or employee's spouse or child living in the same household, may Not accept, directly or indirectly, any gift, money, gratuity, or other consideration or favor of any kind from anyone other the county.

- (1) For the performance of an act, or refraining from performance of an act, that would be expected to perform, or refrain from performing, in the regular course of his or her duties; or

- (2) That a reasonable person would understand was intended to influence the vote, official action, or judgment of the official or employee in executing county business.

It shall not be considered a violation of this policy for an official or employee to receive entertainment, food, refreshments, meals, health screenings, amenities, foodstuffs, or beverages that are provided in connection with a conference sponsored by an established or recognized state wide association of county government officials.

Section 5. Ethics Committee members. The County Ethics Committee (Ethics Committee) shall consist of 4 members of the County Legislative body, one of which will serve as the Chair of the committee, 2 members shall be constitutional county officers and 1 member from a county board or commission for a total of 7 Ethics Committee members. Members are to be appointed by the County Mayor and confirmed by the Legislative body for the term of 2 years, members will be eligible for re-appointment at the discretion of the County Mayor. The Ethics Committee will not be compensated for serving. The County Mayor will serve as Ex-officio non-voting member.

The Ethics Committee will meet at a minimum of 2 times annually with scheduled meetings being subject to the open meeting requirements of the State of Tennessee. The meeting schedule will be decided by the committee and posted on the county website and/or posted in the county courthouse in a public area.

Special called meetings by the Chair to review complaints or allegations of violations of the Ethics Policies will be considered Executive sessions and will not be subjected to the requirements of the Open meeting requirements.

Section 6. Ethics Complaints or Allegations of Violations of Ethics Policies. All complaints of allegations of ethics violations shall be in writing and signed by the individual making the complaint with contact information provided for follow-up with the complainant. The written complaint or allegation should set forth in reasonable detail the facts upon which the complaint is based.

Complaints or Allegations of violation of Ethics policies shall be forwarded to the Chair of the Ethics Committee at:

Claiborne County Ethics Committee
Attention: Chair
P.O. Box 2038
New Tazewell, TN 37824

The County Ethics Committee will review every complaint or allegation of violation of Ethics policies in Executive session. If a member of the Ethics Committee is the subject of a complaint, such member shall recuse himself or herself from all proceedings of committee action.

The Committee may:

- (1) Refer the matter to the County attorney for a legal opinion and/or recommendation for action.
- (2) In the case of an official, refer the matter to the county Legislative body for possible public censure if the body finds such action is warranted;
- (3) In the case of an employee, refer the matter to the official responsible for supervision of the employee for possible disciplinary action if the official finds discipline warranted;
- (4) In a case involving possible violation of State statutes, refer the matter to the District attorney for possible Ouster or criminal prosecution;

The interpretation that a reasonable person in the circumstances would apply shall be used in interpreting and enforcing this Code of Ethics. When a violation of this code of Ethics also constitutes a violation of a personnel policy the violation shall be dealt with as a violation of the personnel provisions rather than as a violation of this Code of Ethics.

Section 7. Applicable State Laws. In addition to the Ethical principles set out in this Code of Ethics, state laws also provide a framework for the ethical behavior of county officials and employees in the performance of their duties. Officials and employees should familiarize themselves with the state laws applicable to their office or position and the performance of their duties. To the extent that an issue is addressed by state law (law of general application, public law or local application, local option law, or private act), the provisions of that state law, to the extent they are more restrictive, shall control. Following is a brief summary of selected state laws concerning ethics in county government. For a full text of these statutes, see Tennessee Code Annotated (T.C.A.) sections indicated.

Campaign finance—T.C.A. Title 2, chapter 10. Part One (Campaign finance disclosure) requires candidates for public office to disclose contributions and contributors to their campaigns. Part three (campaign contribution limits) limits the total amount of campaign contributions a candidate may receive from an individual and sets limits on the amount a candidate can receive in cash.

Conflict of Interest— T.C.A. 12-4-101 is the general conflict of interest statute that applies in all counties. It prohibits anyone who votes for, lets out, or in any manner supervises any work or contract from having a direct financial interest in that contract, purchase or work, and it requires disclosure of indirect financial interests by public acknowledgement.

Conflict of Interest— T.C.A. 49-6-2003 applies to the department of education in all counties and prohibits direct or indirect conflicts of interest in the sale of supplies for use in public schools.

Conflict of Interest--- T.C.A 5-1-125 applies to all counties and prohibits county officials and employees from purchasing surplus county property except where it is sold by public bid.

Conflict of Interest---T.C.A 54-7-203 applies in all counties that are governed by the County Uniform Highway Law. It prohibits officials and employees in the highway department and members of the Legislative body from having personal interest in purchase of supplies, materials, machinery, and equipment for the highway department.

Conflict of Interest--- T.C.A 5-21-121 applies to counties that have adopted the County Financial Management System of 1981. It prohibits all county officials and employees from having any financial or other personal beneficial interest in the purchase of supplies materials or equipment for the county.

Conflict of Interest---T.C.A. 5-5-102 and 12-4-101 govern disclosures and abstentions from voting due to conflicts of interest of members of county legislative bodies.

Conflict of Interest disclosure statements---T.C.A. 8-50-501 and the following sections require candidates and appointees to local public offices to file a disclosure statement with the state ethics commission listing major sources of income, investments, lobbying activities, professional services provided, bankruptcies, certain loans, and other information, and to keep these statements up to date.

Gifts---T.C.A 5-21-121 applies in counties that have adopted the County Financial Management System of 1981. It prohibits the finance director, purchasing agent, and employees in those departments from accepting anything of value, directly or indirectly, from anyone who furnishes supplies, materials, or equipment to the county.

Honoraria---T.C.A 2-10-116 prohibits elected officials from accepting an honorarium (including money or anything of value, but not including reimbursement for actual expenses) for an appearance, speech, or article in their official capacity.

Private Use of Public Property---T.C.A 54-7-202 applies in counties governed by the County Uniform Highway Law. It prohibits the private use of equipment, rock, and other Highway materials.

Court sales---T.C.A. 39-16-405 prohibits judges, clerks of court, court officers, and employees of court, from bidding on or purchasing any property sold through the court for which such person discharges official duties.

Rules of Supreme Court---Rule 10, Cannon 5 (Code of Judicial Conduct) establishes ethical rules for judges and other court personnel when exercising judicial functions.

Fee Statutes---T.C.A 8-21-101, 8-21-102, and 8-21-103 set out circumstances where fees are authorized, prohibit officials from requiring payment of fees in advance of

performance of service except where specifically authorized, and set penalties for charging excessive or unauthorized fees.

Consulting fee prohibition for elected county officials---T.C.A. 2-10-122 and 2-10-124 prohibit officials from receiving compensation for advising or assisting a person or entity in influencing county legislative or administrative actions.

Crimes involving public officials---T.C.A. 39-16-101 and the following sections prohibit bribery, soliciting unlawful compensation, and buying and selling in regard to offices.

Official Misconduct---T.C.A 39-16-402 applies to public servants and candidates for office and prohibits unauthorized exercise of official power, acting in an official capacity exceeding the servant's power, refusal to perform a duty imposed by law, violating a law relating to the servant's office or employment, and receiving a benefit not provided by law.

Official Oppression---T.C.A. 39-16-403 prohibits abuse of power by a public servant.

Bribery for votes---T.C.A. 2-19-121, 2-19-126, and 2-19-127 prohibits bribery for voters in elections.

Misuse of Official Information---T.C.A. 39-16-404 prohibits a public servant from attaining a benefit or aiding another person in attaining a benefit from information which was obtained in an official capacity and is not available to the public.

Ouster law---T.C.A 8-47-101 sets out conduct that is punishable by ouster from Office, including misconduct in office and neglect of duty.

- Revised 11-2020 JH
- Original Code of Ethics was provided by CTAS

ITEM #9 – RES. 2020-104 – COUNTY ROAD EXTENSION (Robby Lane)

MOTION: Commissioner Cosby – to approve

SECOND: Commissioner Large

ROLL CALL VOTE: 20 for; 0 against / Motion carried
(Resolution as follows)

RESOLUTION NO. 2020- 104

WHEREAS, the property owners on Robby Lane, a county road that is 1/10 mile in length, with a gravel surface, located in the Fifth District of Claiborne County, wishes to extend the length of this road 2/10 of a mile (this section is gravel), which will result in the road being 3/10 of a mile in length, and

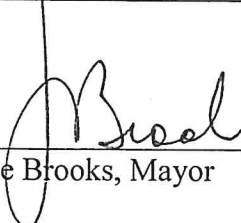
WHEREAS, the Road Superintendent and the 911 Director has approved this extension, and this resolution requires only one reading due to the fact that is an extension only, and

THEREFORE, be it resolved, by the Board of County Commissioners of Claiborne County, Tennessee, assembled in session on the 16th day of November that such resolution is approved.

BE IT FURTHER BE IT RESOLVED that this resolution shall take place from and after its passage, the public welfare requiring it.

PASSED AND APPROVED this 16th day of November 2020.

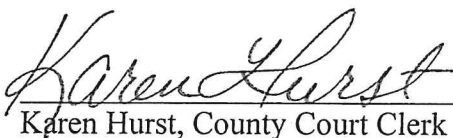
Ronnie Pittman, Road Superintendent



Joe Brooks, Mayor

Mitchell Cosby
Sponsor

ATTEST:



Karen Hurst, County Court Clerk

FILED
11-14-2020
KAREN HURST, COUNTY CLERK
BY:  P-C

11/16/2020

**ITEM #10 – RES. 2020-105 – REQUESTING TN LEGISLATURE TO DRAFT LEGISLATION
TO ENCOURAGE CIVIC RESPONSIBILITY AND MILITARY SERVICE**

MOTION: Commissioner Hatmaker – to approve

SECOND: Commissioner Mason

*Motion carried by aye vote
(Resolution as follows)*

RESOLUTION 2020 - 105
RESOLUTION REQUESTING THE TENNESSEE LEGISLATURE TO DRAFT LEGISLATION
TO ENCOURAGE CIVIC RESPONSIBILITY AND MILITARY SERVICE

WHEREAS, Military Service Retirees demonstrated long term civic responsibility and allegiance to the United States Constitution; and

WHEREAS, Military Service Retirees have frequently moved over their twenty or more years of service and desire to retire and settle in areas with pleasant climates, little urban congestion, recreational opportunities, and a community that values and appreciates a servicemember's patriotism and service; and

WHEREAS, Military Service Retirees have been required to obtain and pursue continuing educational opportunities and their spouses have commonly demonstrated flexible and easily transportable work skills, particularly in the medical and teaching professions; and

WHEREAS, Military Service Retirees have a significant source of income that is not dependent upon county work availability and opportunity.

IT IS RESOLVED that Claiborne County, Tennessee desires to open its community to United States Military Retirees of all services and backgrounds for retirement, service, and community life.

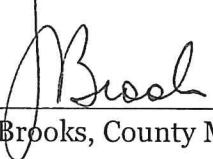
IT IS FURTHER RESOLVED that in recognition of the challenges that veteran retirees and their families have met during twenty or more years of service to our nation, valuable skills and experience that military retirees bring to the community, Claiborne County would like to offer a military retiree a five (5) percent reduction on their property taxes for a single family residence valued up to \$500,000.

IT IS FURTHER RESOLVED that to receive the military retiree reduction, property taxes must be paid within forty-five (45) days of the property tax bill being sent out.

NOW, THEREFORE, BE IT RESOLVED, the Claiborne County Mayor and the Claiborne County Commission are formally requesting Tennessee Legislators to formally draft and pass legislation in 2021 legislative cycle to support and solidify this request.

IT IS FURTHER RESOLVED that this resolution take effect from and after its passage, the public welfare requiring it.


PASSED AND APPROVED, 16th day of November 2020.



Joe Brooks, County Mayor

James Hatmaker, County Commissioner

ATTEST:



Karen Hurst, County Clerk

FILED 11-5-2020 11:30 am
KAREN HURST, COUNTY CLERK
BY: Kh D.G.

*See attachment for eligibility requirements.

*Eligibility requirements

This property tax relief requires the military retiree/family to reside on the property, be registered voters and US Citizens, and have physical street mailing address in Claiborne County. This property tax relief shall not be available to non-resident property owners or property owners of vacation homes or rental properties where the property owner is not present at least nine (9) months of the year. Actual residency is determined by voter registration and vehicle registration. (Snowbirds may show property occupation by providing utility usage records for an entire year showing appropriate utility usage for a continuous nine (9) month period.) Tax relief shall not be granted on more than one personal residence. Determination of retiree status shall be dependent upon submission of a DD214 (Military Discharge) that shows regular retirement status with over twenty (20) years of service or regular retirement under the TERA (Temporary Early Retirement Act). This relief is not intended to include medical retirement with less than 20 years of service.

ITEM #10A – RES. 2020-106 – EQUIPMENT PURCHASE FOR SHERIFFS DEPARTMENT

MOTION: Commissioner Cosby – to approve
SECOND: Commissioner Murphy

ROLL CALL VOTE: 20 for; 0 against / Motion carried
(Resolution as follows)

RESOLUTION NO. 2020- 106

WHEREAS, the Sheriff's Department of Claiborne County, Tennessee, would respectfully submit to the Claiborne County Commission that there exists a reserve fund, Data Entry Fee-Sheriff (43394-Revenue/34525-GASB).

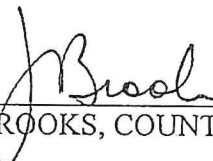
WHEREAS, this fund is to be used to maintain the current computer system, for the Sheriff's Department at no costs to the taxpayers of this county. The current system no longer supports the operating system for new programming. There are more than adequate monies in this reserve fund to pay for this service. A quote has been obtained from Dell EMC (see attached), for a total price of \$43,484.31 and said quote is attached to this resolution.

WHEREAS, this price includes devices, server, backup server/maintenance, software, and backup storage.

THEREFORE, the Sheriff's Department is submitting this resolution and asks for the approval for the purchase of this equipment (operating system and programming). Upon passage of this resolution these funds will be moved from reserve account 34525 and be placed in line item 54110-719 (Sheriff's Department – Office Equipment) for these monies to be expensed.

BE IT FURTHER RESOLVED, that this resolution take effect from and after its passage, the public welfare requiring it.

PASSED AND APPROVED this 16th day of November, 2020.



JOE BROOKS, COUNTY MAYOR

MITCHELL COSBY

SPONSOR

ATTEST:



KAREN HURST, COUNTY COURT CLERK

11/16/2020

ITEM #11 – ADJOURNMENT

MOTION: Commissioner Peters – to adjourn

SECOND: Commissioner Mason

Motion carried by aye vote / Meeting adjourned

Prepared by:


County Clerk