

NEW BUSINESS

Claiborne County Board of Education
Resolution 2021-090
School Nutrition

October 14, 2021

WHEREAS, the Claiborne County Board of Education needs to increase the School Nutrition Budget in order to reflect the TNT Summer Food Service Program Check.

WHEREAS, this resolution involves no state or local dollars.

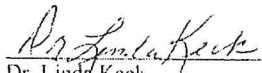
BE IT THEREFORE RESOLVED, by the Claiborne County Commission in session on October 18, 2021 that the Claiborne County Board of Education be authorized to increase the School Nutrition Budget by adjusting the following line items.

REVENUE

43990 – Other Charges for Services/TNT	\$ 11,425.43
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EXPENDITURES

73100-422 Food Supplies	\$ 11,425.43
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Dr. Linda Keck
Claiborne County Schools



Department Head
Melany Bunch



Sue Tuttle
School Finance Director



Commissioner Sponsor

Claiborne County Board of Education

**RESOLUTION
2021-091**

October 14, 2021


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

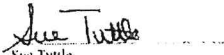
BE IT THEREFORE RESOLVED by the Claiborne County Commission in session October 18, 2021 that the Claiborne County Board of Education be authorized to amend the **General Purpose Budget** by adjusting the following line items:

		INCREASE	DECREASE
73400-105	Supervisor		0.50
73400-116	Teacher		500.00
73400-162	Clerical	360.00	
73400-163	Educational Assist		6,997.80
73400-189	Other Salaries		2,062.84
73400-201	Social Security		570.16
73400-204	Retirement		45.71
73400-207	Medical Insurance	6,012.00	
73400-210	Unemployment	240.00	
73400-212	Medicare		134.29
73400-307	Communication	4,000.00	
73400-355	Travel		1,079.00
73400-429	Instructional Supplies		2,110.68
73400-499	Other Supplies	1,889.32	
46515	Early Childhood Education		999.76
73300-189	Bonus	5,000.00	
73300-201	Other Salaries	310.00	
73300-204	Retirement	163.00	
73300-210	Unemployment	34.00	
73300-212	Medicare	71.00	
73300-410	Custodial Supplies	1,400.00	
46590	Other State Grants	7,000.00	
46515	Early Childhood Education		7,000.00
73400-599	Other Charges		7,000.00
73300-189	Other Salaries		4,750.00
73300-201	Social Security		293.00
73300-204	Retirement		171.50
73300-210	Unemployment	14.00	
73300-212	Medicare		67.00
73300-307	Communication	2,500.00	
73300-355	Travel	250.00	
73300-499	Other Supplies	2,016.65	
73300-599	Other Charges	500.00	
46590	Other State Grants		0.35
73300-105	Supervisor	8,000.00	
73300-116	Teacher	84,375.00	
73300-163	Educational Assist	37,440.00	
73300-189	Other Salaries	60,000.00	
73300-201	Social Security	11,769.00	
73300-204	Retirement	16,117.00	
73300-210	Unemployment	2,970.00	
73300-212	Medicare	2,752.00	
73300-217	Hybrid Retirement	4,000.00	
73300-355	Travel	250.00	
73300-399	Contract Services	1,000.00	
73300-429	Instructional Supplies	2,500.00	
73300-524	Staff Development	582.00	
46590	Other State Grants	231,755.00	
72120-335	Travel	1,000.00	

722120-499	Other Supplies	1,000.00
72210-499	Other Supplies	11,999.00
72210-524	Staff Development	10,000.00
72210-790	Other Equipment	65,400.55
46590	Other State Grants	86,499.55


 Linda Keck
 Clatsop County Schools

Shawn Peters
 Commission Sponsor


 Sue Tuttle
 Finance Director

Claiborne County Board of Education
RESOLUTION
2021-092


October 14, 2021

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 October 18, 2021 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>
46590	Other State Grants	69,000	
71100/189	Other Salaries	69,000	
40210	Local Option Sales Tax	20,500	
44160	Retirees Ins Payments		20,500
72215/105	Supervisor	72,152	
72215/116	Teacher		32,142
72215/189	Other Salaries		40,010
72310/191	Board Member Fees	10,200	
72310/189	Other Salaries		10,200


Dr. Linda Keck
Claiborne County Schools

Shawn Peters

Commission Sponsor


Sue Tuttle
Finance Director

CLAIBORNE COUNTY
BOARD OF EDUCATION

RESOLUTION
2021-093

October 14, 2021

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 Perkins and Preschool Grants

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

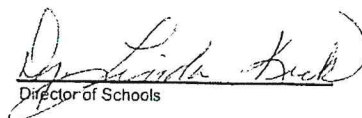
WHEREAS, this resolution involves no state or local tax dollars

BE IT THEREFORE RESOLVED by the Claiborne County Commission in session on October 18, 2021 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>
47131 Vocational Education		\$ (15,509.26)

EXPENDITURES

Account No.		
71200/116 Teacher		\$ (4,606.00)
71200/201 Social Security		\$ (286.00)
71200/204 Retirement	\$ 4,960.00	
71200/212 Medicare		\$ (68.00)
71300/429 Instructional Supplies		\$ (7,856.92)
71300/730 Vocational Equipment		\$ (6,252.34)
72130/355 Travel		\$ (1,900.00)
72130/524 Staff Development	\$ 500.00	
72220/524 Staff Development		\$ (150.00)
72220/599 Other Charges	\$ 150.00	


Director of Schools

Shawn Peters
Commission Sponsor

Sue Tuttle
Sue Tuttle
Finance Director

CLAIBORNE COUNTY
BOARD OF EDUCATION

RESOLUTION

2021-094

October 14, 2021

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 ESSER 1.0 & ESSER 2.0

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

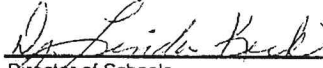
BE IT THEREFORE RESOLVED by the Claiborne County Commission in session on October 18, 2021 that the Claiborne County Board of Education be authorized to amend the **Federal Projects Budget** by adjusting the following line items.

Account No.	<u>INCREASE</u>	<u>DECREASE</u>
47301 CARES Act / Esser 1.0		\$ (4,167.75)
47307 CARES Act / Esser 2.0		\$ (823,557.24)

EXPENDITURES

Account No.		
71100/105 Supervisor		\$ (200,000.00)
71100/201 Social Security		\$ (12,400.00)
71100/204 Retirement		\$ (21,260.00)
71100/206 Life Ins		\$ (12,134.30)
71100/207 Medical Ins		\$ (82,440.00)
71100/210 Unemployment		\$ (9,000.00)
71100/212 Medicare		\$ (2,900.00)
71100/399 Other Contracted Serv		\$ (3,350.00)
71100/429 Instructional Supplies	\$ 14,182.25	
71100/471 Software	\$ 11,950.00	
71100/722 Reg. Inst Equipment		\$ (73,988.53)
72210/105 Supervisor	\$ 77,487.01	
72210/189 Other Salaries	\$ 121,072.80	
72210/201 Social Security	\$ 12,310.71	
72210/204 State Retirement	\$ 15,298.77	
72210/206 Life Ins	\$ 720.00	
72210/207 Medical Ins	\$ 19,212.00	

72210/210 Unemployment	\$	259.20	
72210/212 Employer Medicare	\$	2,879.12	
72210-307 Communications	\$	10,000.00	
72210/790 Other Equipment	\$	18,040.50	
72250/470 Cabling			\$ (8,640.00)
72620/399 Other Contracted Serv	\$	50,000.00	
72620/717 Maintenance Equipment			\$ (61.47)
72710/729 Transportation Equipment	\$	200,000.00	
76100/707 Building Improvements			\$ (1,073,801.92)
76100/799 Other Capital Outlay	\$	118,838.87	


 Director of Schools

Shawn Peters

Commission Sponsor

Sue Tuttle

Sue Tuttle

Finance Director

CLAIBORNE COUNTY
BOARD OF EDUCATION

RESOLUTION

2021-095

October 14, 2021

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 ARP IDEA and Preschool Grants

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

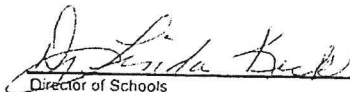
WHEREAS, this resolution involves no state or local tax dollars

BE IT THEREFORE RESOLVED by the Claiborne County Commission in session on October 18, 2021 that the Claiborne County Board of Education be authorized to amend the Federal Projects Budget by adjusting the following line items.

Account No.		INCREASE	DECREASE
	47402 ARP IDEA Part B	\$ 242,998.80	
	47403 ARP Preschool	\$ 16,200.99	

EXPENDITURES

Account No.			
71200/171	Speech Pathologist	\$	90,609.80
71200/201	Social Security	\$	5,437.00
71200/204	Retirement	\$	9,032.00
71200/206	Life Ins	\$	480.00
71200/207	Medical Ins	\$	15,480.00
71200/210	Unemployment	\$	180.00
71200/212	Medicare	\$	1,272.00
71200/429	Supplies	\$	5,240.00
71200/499	Other Supplies	\$	5,240.00
72220/124	Psychological Personnel	\$	94,172.99
72220/201	Social Security	\$	5,498.00
72220/204	State Retirement	\$	9,132.00
72220/206	Life Ins	\$	480.00
72220/207	Medical Ins	\$	15,480.00
72220/210	Unemployment	\$	180.00
72220/212	Medicare	\$	1,286.00


Director of Schools

Shawn Peters
Commission Sponsor

Sue Tuttle
Sue Tuttle
Finance Director

RESOLUTION
2021 - 096

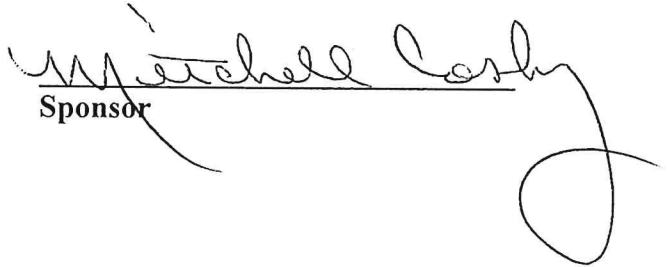
WHEREAS, the Clerk and Master's Office of Claiborne County, Tennessee would respectfully submit to the Claiborne County Commission that there exists a fund, same being Date Entry Fee-Chancery Court (42530-000-00/101-0000-000), that was established in 2003 and contains a \$4.00 fee for each case filed in the Chancery Court. This fund is to be used exclusively to maintain a current computer system for the Clerk and Master's Office at no costs to the taxpayers of this county. The present two printers were originally bought in 2009, and they are in dire need of updating and replacement. There are more than adequate monies in said fund to do same. An estimate has been obtained from the AOC for two (2) laser printers with duplexer units at a total purchase cost of \$3,007.58. in compliance with the State of Tennessee.

NOW THEREFORE, the Clerk and Master respectfully submits this Resolution and asks for the approval of same for the purchase of this equipment, and upon approval of same these funds be placed in the Office Equipment (53400-719) budget item for the Clerk and Master's Office.

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

Duly passed and approved this _____ day of _____, 2021.

Joe Brooks, County Mayor



Sponsor

ATTEST:

Karen Hurst, County Clerk

RESOLUTION NO. 2021- 097

WHEREAS, it has become apparent that Claiborne County Government needs a travel policy for reasons of reimbursement when an employee must be out of town to attend conferences, training, or county business.

WHEREAS, the following reimbursement rates are recommended:

\$37.50 per day – Per Diem (Breakfast, Lunch, Dinner)

\$00.47 per mile – Mileage (State Rate)

WHEREAS, any other expenses associated with travel such as hotel, parking, taxi fare, or other incidentals directly related to travel will require a receipt for reimbursement.

WHEREAS, there will be NO reimbursement for alcoholic beverages.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Claiborne County, Tennessee, assembled in regular session on the 18th day of October that such resolution be passed.

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

PASSED AND APPROVED this 18th day of October, 2021.

COUNTY MAYOR

BRENT CLARK
SPONSOR

ATTEST:

KAREN HURST

RESOLUTION
RESOLUTION NO. 2021-098

BE IT RESOLVED, Joseph Brooks who is currently Mayor of Claiborne County, Tennessee, a political subdivision of the State of Tennessee, be authorized and directed to execute and deliver a Grant of Transmission Line Easement and all related documents to grant, sell, and convey to the United States of America a permanent easement and right-of-way as described in said grant and to receive payment therefor.

BE IT FURTHERED RESOLVED, this resolution will take effect upon its passage, the public welfare requiring it.

Duly passed and approved this _____ day of _____, 2021.

Joe Brooks, Claiborne County Mayor

ATTEST:

Karen Hurst, County Clerk

SPONSOR:

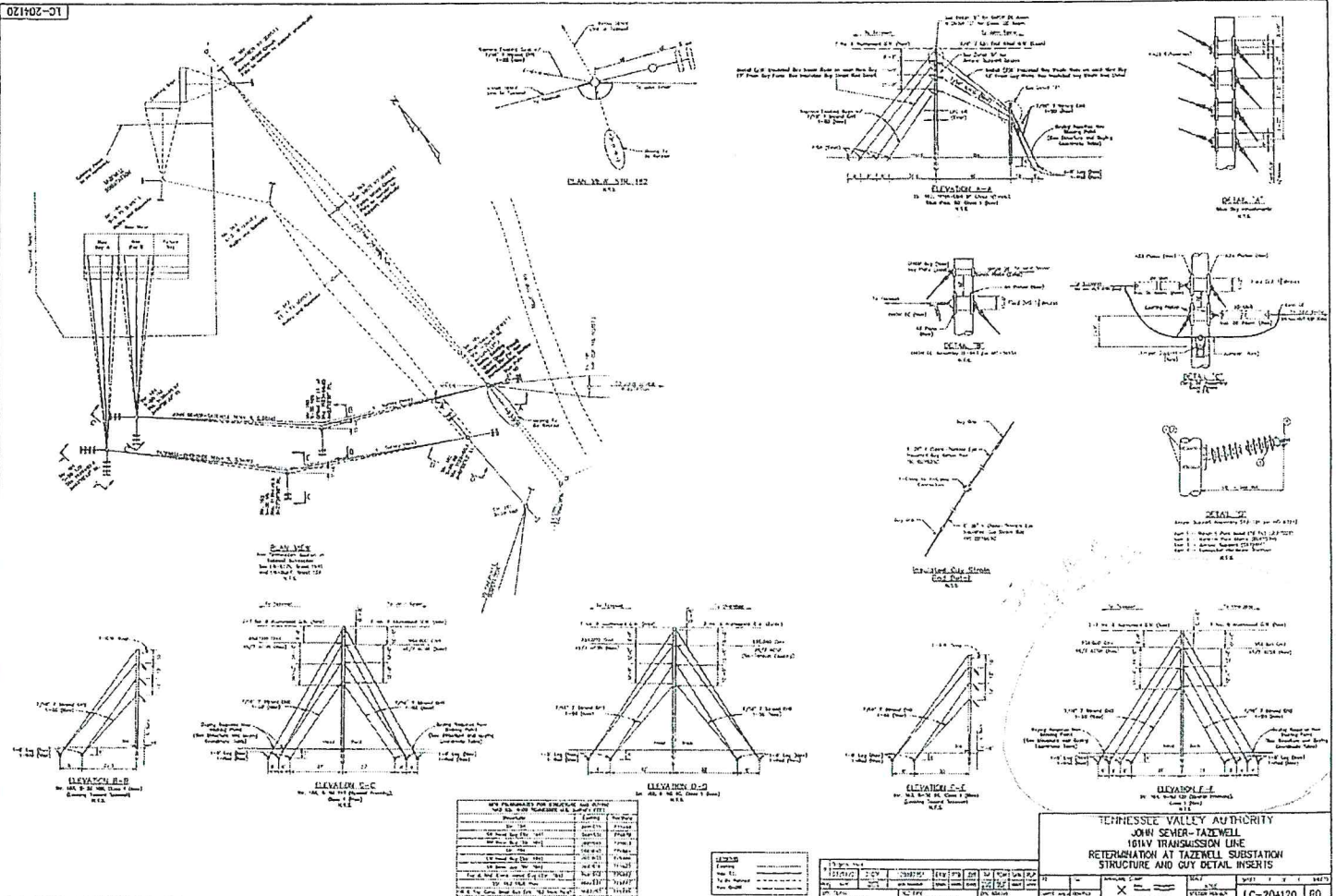
Charlton Vass
County Commissioner

ATTESTATION

The foregoing resolution was, upon motion properly made and seconded, adopted by the County Commissioners of Claiborne County, Tennessee, at a meeting held on the ____ day of October, 2021, of record in Minute Book _____, Page _____.

Date: _____

By: _____
Karen Hurst, Claiborne County Clerk





Tennessee Valley Authority, 1101 Market Street, BR 4B, Chattanooga, Tennessee 37402

09-03-2021

Claiborne County, Tennessee
c/o Mayor Joseph Brooks
P. O. Box 318
Tazewell, TN 37879

Dear Mayor Brooks:

TVA TRACT NO. CTZ-92B

The Tennessee Valley Authority (TVA), for its power operations, is acquiring land rights affecting property that you own or own an interest in.

The type of land rights, location of affected property, compensation, and other information is enclosed in the following documents:

- ☒ Map
- ☒ Summary Statement of Basis for Offer
- ☒ Resolution
- ☒ Closing Statement
- ☒ Grant of Easement or Deed
- ☒ IRS Form W-9
- ☐ Consent(s)
- ☐ Affidavit as to Possession and Encumbrances
- ☐ Other: _____
- ☐ Other: _____

Please contact me upon receipt of these documents to discuss the project further. I can be reached at (423) 480-6483 or via email at dktomshack@tva.gov.

Sincerely,

DeAnn K. Tomshack

DeAnn K. Tomshack
Realty Representative
Realty Services

Enclosures
cc (Enclosures):
Realty Files, BR 4B-C

TVA RESTRICTED INFORMATION

Tract No. CTZ-92B

SUMMARY STATEMENT OF BASIS FOR OFFER

OWNER: CLAIBORNE COUNTY, TENNESSEE

ACQUISITION: Acres: 0.52±
Interest Acquired: Transmission Line Easement including guy rights

LOCATION: An irregular parcel of land located between survey stations 1127+44.0 and 1130+12.9 on the centerline of the Tazewell Tenn. Switching Station right-of-way shown on Sheet 2 of TVA Drawing LW-6310, including the perpetual right to install, maintain, and replace guy wires and necessary appurtenances outside the right-of-way for the transmission line structures inside said tract.

ESTABLISHED JUST AND LIBERAL COMPENSATION: \$16,300.00

BASIS: This compensation is based on the full amount of an appraisal prepared by a state-certified appraiser who is trained in the techniques of appraising and who by reason of his/her investigation is thoroughly familiar with real property values in the project area. His/Her investigation includes a comprehensive, continuing physical inspection of sales throughout the area as well as thorough studies of other factors affecting the value of real property. The appraiser made a detailed inspection of the tract to be acquired, considered the effect of its acquisition on any remaining property, and compared this property with similar properties in the area which have been sold in the open market.

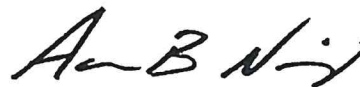
If applicable, the Just and Liberal Compensation includes:

1. Value for existing timber;
2. Value for danger trees.

REMARKS:

TENNESSEE VALLEY AUTHORITY

By



Aaron B. Nix, Senior Manager
Realty Services

OFFER MADE AND STATEMENT DELIVERED TO _____
ON _____ BY _____
TITLE _____

Tract No. CTZ-92B
Short Code 1161474
Cost Class 32A

TVA RESTRICTED INFORMATION

CLOSING STATEMENT

Disposition of Purchase Price:

Total Purchase Price	<u>\$16,300.00</u>
Less	<u>\$</u>
Net Amount To Be Disbursed on This Transaction	<u>\$16,300.00</u>

List of Checks To Be Issued:

<u>Payee and Mailing Address</u>	<u>Amount</u>	<u>Interest</u>	<u>Check No.</u>	<u>Date Delivered</u>
<u>CLAIBORNE COUNTY, TENNESSEE</u>	<u>\$16,300.00</u>	<u>100%</u>	<u></u>	<u></u>
<u>P.O. Box 318</u>				
<u>Tazewell, Tennessee 37879</u>				

Total Disbursement on This Transaction	<u>\$16,300.00</u>
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Prepared by: <u>Julie D. Lyons</u>	<u>06/04/2021</u>	Interest verified by: <u>Martha K. Gant</u>	<u>07/09/2021</u>
	<u>Date</u>	<u>Reviewing Attorney</u>	<u>Date</u>

You are required by law to provide the Tennessee Valley Authority with your correct taxpayer identification number. If you do not provide the Tennessee Valley Authority with your correct taxpayer identification number, you may be subject to civil or criminal penalties imposed by law. IRS Regulation § 1.6045-4(l)(1)(ii).

Certificate of Seller:

The undersigned, the seller under the instrument of even date herewith, certifies that the amount of \$16,300.00 is correct and that payment thereof has not heretofore been received; and the undersigned hereby acknowledges receipt of full settlement under said instrument in the manner above stated and authorizes the disbursement above shown. Also, under penalties of perjury, the undersigned certifies that the number shown below on this statement is the undersigned's correct taxpayer identification number. IRS Regulation § 1.6045-4(l)(1)(ii).

Signed this the _____ day of _____, _____.

CLAIBORNE COUNTY, TENNESSEE

By: _____

Joseph Brooks, County Mayor

Taxpayer Identification Number

TVA RESTRICTED INFORMATION

Prepared by and return to:

Martha K. Gant, Attorney
Tennessee Valley Authority
1101 Market Street, BR 4B
Chattanooga, Tennessee 37402-2801
1-888-817-5201

TVA Tract No. CTZ-92B

GRANT OF TRANSMISSION LINE EASEMENT

FOR AND IN CONSIDERATION of the sum of TEN AND NO/100 DOLLARS (\$10.00), cash in hand paid, and other good and valuable consideration, receipt whereof is hereby acknowledged, the undersigned,

CLAIBORNE COUNTY, TENNESSEE,
a political subdivision of the State of Tennessee,

(hereinafter sometimes referred to as "GRANTOR") has this day bargained and sold, and by these presents does hereby grant, bargain, sell, transfer, and convey unto the UNITED STATES OF AMERICA a permanent easement and right-of-way for the following purposes, namely: the perpetual right to enter at any time and from time to time and to erect, maintain, repair, rebuild, operate, and patrol lines of transmission line structures with wires and cables for electric power circuits and communication circuits, and all necessary appurtenances, including guy wires, in, on, over, and across said right-of-way, together with the perpetual right to clear said right-of-way and keep the same clear of structures (including but not limited to flagpoles, solar panels, buildings, signboards, billboards), trees, brush, stored personal property, and fire hazards; to destroy or otherwise dispose of such trees and brush; to prevent the drilling or sinking of wells within the right-of-way; and to remove, destroy, or otherwise dispose of any trees located beyond the limits of said right-of-way which in falling could come within five (5) feet of any transmission line structure or conductor; all over, upon, across, and under the land described in Exhibit A hereto attached and by this reference hereby incorporated in and made a part of this instrument as fully as if here written.

The previous and last conveyances of this property are deeds of record in Book 1158, page 360, and in Book 1316, page 209, in the office of the Register of Claiborne County, Tennessee.

TO HAVE AND TO HOLD the said easement and right-of-way to the UNITED STATES OF AMERICA and its assigns forever.

GRANTOR covenants with the said UNITED STATES OF AMERICA that it is lawfully seized and possessed of said real estate, has a good and lawful right to convey the easement rights hereinabove described, that said property is free of all encumbrances, and that it will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

GRANTOR agrees that the payment of the purchase price above stated is accepted by it as full compensation for all damage caused by the exercise of any of the rights above described; except that the UNITED STATES OF AMERICA shall remain liable for any direct physical damage to the land and annual growing crops resulting from the operations of the construction and maintenance forces of its agents and employees in the erection and maintenance of or in exercising a right of ingress and egress to said transmission line structures.

GRANTOR, for itself, and its successors and assigns, covenants with the UNITED STATES OF AMERICA that no structures (including but not limited to flagpoles, solar panels, buildings, signboards, billboards) or fire hazards will be erected or maintained within the limits of the right-of-way, that the right-of-way will not be used for the storage of personal property, and that no well will be drilled or sunk within the right-of-way, and agree that this shall be a real covenant which shall attach to and run with the land affected by the easement rights and shall be binding upon everyone who may hereafter come into ownership of said land, whether by purchase, devise, descent, or succession.

IN WITNESS WHEREOF, CLAIBORNE COUNTY, TENNESSEE has caused this instrument to be executed by its duly authorized official on this _____ day of _____, _____.

CLAIBORNE COUNTY, TENNESSEE

By: _____
Joseph Brooks, County Mayor

STATE OF TENNESSEE)
) SS
COUNTY OF _____)

Before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared JOSEPH BROOKS, with whom I am personally acquainted and who, upon oath, acknowledged himself to be the County Mayor of CLAIBORNE COUNTY, TENNESSEE, a political subdivision of the State of Tennessee, the within named bargainor, and that he as County Mayor, being fully authorized so to do, executed the foregoing instrument on behalf of CLAIBORNE COUNTY, TENNESSEE, by signing its name by himself as County Mayor.

WITNESS my hand and seal of office this _____ day of _____, _____.

NOTARY PUBLIC
My Commission Expires: _____

The name and address of the owner of the aforescribed easement are:

EASEMENT OWNER:	United States of America Tennessee Valley Authority 1101 Market Street, BR 4B Chattanooga, Tennessee 37402-2801	[Tax Exempt TCA §67-5-203(a)(1)]
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The name(s) and address of the legal owner(s) are:

OWNER(S):	Claiborne County, Tennessee P.O. Box 318 Tazewell, Tennessee 37879	(See Bk. 1158, page 360 and Bk. 1316, page 209)
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Tax Map: 95
Parcels: 96.00 and 102.03

EXHIBIT A

Claiborne County, Tennessee

A parcel of land located in the First Civil District of Claiborne County, Tennessee, as shown on Sheet 2 of US-TVA drawing LW-6310, Revision 1, the said parcel being more particularly described as follows:

Commence at the 1/2" Rebar found at the southeast corner of the Pump Springs Baptist Church Inc. property as recorded in Deed Book 1371, Page 96, in the Register of Deeds Office of Claiborne County Tennessee; thence S10°27'47"W along the Powell Valley Electric Cooperative Inc. line, 181.68 feet to a point on the right-of-way of the location, and being the point of beginning.

Thence leaving the point of beginning and continuing with the Powell Valley Electric Cooperative Inc. line, S10°27'47"W, 39.86 feet to a 1/2 inch IP found; thence S10°45'44"W, 58.08 feet to a 1/2 inch IP found, being a property corner of the Claiborne County, Tennessee property; thence, along a dividing line between the Claiborne County, Tennessee property and the Powell Valley Electric Cooperative Inc. property, S50°16'35"E, 249.80 feet to a 5/8 inch IP found at a property corner; thence S31°04'03"W, 47.03 feet to a 1/2 inch IP found; thence S48°43'40"W, 13.70 feet to a point on the right-of-way of the location; thence along the right-of-way of the location, N53°42'41"W, 302.16 feet; thence continuing along the right-of-way of the location, N39°28'01"E, 163.72 feet to the point of beginning, and containing 0.52 acre more or less.

Furthermore, the permanent easement rights include the perpetual right to install, maintain, and replace guy wires and necessary appurtenances outside the right-of-way for the transmission line structures inside said tract.

This description prepared from a survey by:
Barry A. Savage, RLS
Tennessee Valley Authority
1101 Market Street, MR-4B
Chattanooga, Tennessee 37402-2801

RESOLUTION NO. 2021 – 099
RESOLUTION TO URGE TENNESSEE'S ELECETED LEADERS
TO OPPOSE THE FEDERALLY PROPOSED VACCINE MANDATE

WHEREAS, the federal government has announced a plan under which the Occupational Safety and Health Administration would mandate all private employers with at least 100 employees to require employees to either be vaccinated for COVID-19 or produce weekly negative test results; and

WHEREAS, Tennessee Attorney General Herbert H. Slatery III has expressed grave concerns about the legality of this nationwide vaccination and testing requirement for CVODI-19; and

WHEREAS, this federal proposal is overly broad and likely violates federal law, including both the Occupational Safety and Health Act and the Constitution; and

WHEREAS, this proposal fails to take into account the numerous steps already taken by Tennessee employers to reduce the risk of COVID-19 exposure and the impact these additional burdens will place on the workplace and workforce.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Claiborne County, meeting in regular session on this 18th day of October, 2021, that Tennessee's elected leaders are strongly urged to oppose the federally proposed vaccine mandate.

BE IT FURTHER RESOLVED, that the County Clerk shall mail certified copies of this resolution to the Governor, the Speaker of the House and the Lieutenant Governor, and the members of the Tennessee General Assembly representing the people of Claiborne County.

IT IS FURTHER RESOLVED, this resolution shall take effect upon its passage, the public welfare requiring it.

PASS AND APPROVED, this 18th day of October, 2021.

Joe Brooks, Claiborne County Mayor

Whitt Shuford, County Commissioner

ATTEST:

Karen Hurst, County Clerk

September 29, 2021

Governor Bill Lee
1st Floor, State Capitol
600 Dr. Martin L. King Jr. Blvd.
Nashville, TN 37243

Lt. Governor Randy McNally
425 Rep. John Lewis Way N.
Suite 700, Cordell Hull Building
Nashville, TN 37243

Speaker Cameron Sexton
425 Rep. John Lewis Way N.
Suite 600, Cordell Hull Building
Nashville, TN 37243

Attorney General Herbert H. Slatery III
Office of the Attorney General & Reporter
PO Box 20207
Nashville, TN 37202-0207

Dear Governor Lee, Lt. Governor McNally, Speaker Sexton, and General Slatery:

Following a large conversation of East Tennessee Mayors, we, the signatory mayors, write to express our serious concerns regarding the recently announced proposal to implement a vaccine or testing mandate through an Occupational Safety and Health Administration emergency temporary standard (ETS).

As county mayors, we have worked diligently throughout the pandemic to reduce the risks of COVID-19 exposure, as have many employers throughout Tennessee.

While we have taken many proactive steps, including coordinating with various agencies for both COVID-19 testing and wide distribution of vaccines, we believe a vaccine mandate is at least counterproductive, and at most, statutorily and constitutionally improper.

While we will continue to focus on our COVID-19 response, we ask that you take whatever steps are necessary—whether legislation or legal action—to preserve the rights of the citizens in our counties.

We understand that Public Chapter 513 was enacted into law in our state that enacts new sections at Title 68 and amends sections of Title 49 and also Title 68. These changes prohibit the state or any local government from requiring persons to receive a COVID-19 vaccination.

Even so, as local government, we are left with phone calls of concern from businesses, as well as internal government concerns regarding fines—or even reimbursement challenges—should we fail to enforce federal workplace regulations, or be deemed “non-compliant” by federal agencies.

We agree with the issues identified in a letter by Tennessee Attorney General Herbert Slatery III, and among those are:

- The proposed OSHA "emergency temporary standard" (ETS) likely violates statutory text of OSHA. (ETS has not been issued since 1983 and was stayed by the 5th Circuit)
- Proposed ETS covers all employees of all private employers and it is difficult to see how OSHA can satisfy stringent requirements of the Act.
- With regard to OSHA, the virus is not currently a "grave danger" at every job site in the nation and many Tennessee employers—including our local governments—have already taken steps to reduce risk.
- Nationwide, across the board policy fails to consider steps already taken to reduce risk.
- If COVID-19 were a "grave danger" at every job site, mandatory vaccination or testing is not "necessary" for every employee. OSHA has stated time and time again that numerous measures were sufficient to protect employees.
- Tens of millions of Americans—including citizens of our local counties—have natural immunity through prior exposure.
- The ETS vaccinate-or-test requirement fails to acknowledge different risk levels for differently situated employees.
- It is difficult to see how COVID-19 is a substance or agent determined to be toxic or a new hazard under the statute.
- Historically, whenever the federal OSHA promulgates a standard, the TN OSHA must either promulgate its own version of the standard, or show its standards are at least as effective. ETS does not afford same procedures. States, our counties, and our citizens have been precluded from commenting or engaging.
- Concerns that the said unilateral promulgation violates constitutional restraints of non-delegation.
- Proposed ETS risks undermining federalist structure of our joint government.
- Constitutionality concerns implicating individual religious liberty, free speech, and bodily autonomy concerns.

Additionally, as managers, we express concern for staffing shortages that may only be amplified in critical sectors of society—from health care, to law enforcement and EMS, to supply chain delivery due to many employees in these sectors who have openly expressed their willingness to vacate these essential jobs due to this mandate.

We appreciate and thank you for the efforts you have made to date to address these important issues, and your hard work in addressing COVID-19 on behalf of protecting the health of Tennesseans. We hope this letter serves as a critical notice of concern for structural governmental overreach. We encourage you to continue your efforts to safeguard the rights

and decisions of each citizen to make individual health decisions based on his/her own research and doctor/patient relationship, and we offer our assistance in these efforts.

Sincerely,

CC: U.S. Senator Marsha Blackburn
U.S. Senator Bill Hagerty
U.S. Representative Charles "Chuck" Fleischmann
U.S. Representative Diana Harshbarger
U.S. Representative Tim Burchett
U.S. Representative Scott DesJarlais
U.S. Representative Jim Cooper
U.S. Representative John Rose
U.S. Representative Mark Green
U.S. Representative David Kustoff
U.S. Representative Steve Cohen

RESOLUTION NO. 2021- 100

WHEREAS, this resolution is needed contingent on the passing of Resolution No. 2021-089 concerning Fund 119 and the Industrial Board.

WHEREAS, the following accounting transaction needs to be approved in order for this transaction to be correct and follow accounting procedures.

		<u>Decrease</u>	<u>Increase</u>
119-58120-305	Audit	\$5,500	
119-58120-316	Contributions		\$492,729
119-58120-355	Travel	\$5,000	
119-58120-599	Other Charges	\$16,000	
119-58120-799	Other Capital Outlay	\$54,000	
119-39000	Undesignated Fund Balance	\$412,229	
	TOTAL	\$492,729	\$492,729

WHEREAS, the first disbursement of funds to the Industrial Board will be \$442,719.02. This is the cash balance as of September 30, 2021. Each month (thru June 30, 2022) a payment will be made to the Industrial Board as the funds are placed in the county Fund 119. As of July 1, 2022, the monies for Fund 119 will be placed in the General Fund (101).

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

PASSED AND APPROVED this 18th day of October 2021.

COUNTY MAYOR

DAVID MUNDY

SPONSOR

ATTEST:

COUNTY CLERK