

COUNTY COMMISSION MEETING – MAY 15, 2023

The Claiborne County Commission met in regular session on Monday, May 15, 2023 at 6:30 p.m. at the Courthouse in Tazewell, Tennessee. Meeting was opened by Officer Doug Evans. Invocation led by Commissioner Zach Mullins. 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

Zachary Bunch
Dennis Cook
Whitt Shuford

District 2

Haley Barker
Nathan Epperson
Gary Poore

District 3

Mike Campbell
Stacey Crawford
Tim Shrout

District 4

Zach Mullins
Anthony Rowe

District 5

Mitchell Cosby

District 6

Rosemary Barnett
Carolyn Brooks
Steve Mason

District 7

Steve Brogan
Eric Jones
Sherry McCreary

District 8

David Mundy
Quintin Rogers

District 9

Dustin Wilson

21 commissioners present

Also present: Jennifer Bryant, Recorder

AGENDA ITEM #2 – APPROVAL OF AGENDA

MOTION: Commissioner Mundy – to approve

SECOND: Commissioner Mason

Commissioner Jones requested that item # 13 (Res. 2023-054) be removed from agenda.

Commissioner Wilson requested to add a discussion item.

(This added as Discussion Item #16A under New Business)

Commissioner Cosby requested to add a resolution concerning Budget Amendment for Chancery Court Updates.

(This added as Res. 2023-058, item #16B under New Business)

Commissioner Bunch requested that Commissioner Epperson be substituted as the sponsor on item #15, Res. 2023-056 (Vehicle Transfer to the Sheriff's Dept.)

Vote on agenda as amended; Motion carried by aye vote

NOTE: County Attorney Estep advised the commission that, based upon recent legislative action, an agenda must be made available and accessible to the public at least 48 hours prior to the meeting. He further advised that no item can be added to the agenda unless the commission is acting under rules previously adopted by the county commission involving expenditure or emergency issues.

AGENDA ITEM #3 – APPROVAL OF MINUTES

MOTION: Commissioner Poore – to approve

SECOND: Commissioner Epperson

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 Wilson – to approve

SECOND: Commissioner Mason

Motion carried by aye vote

AGENDA ITEM #8 – NOTARY PUBLIC APPOINTMENTS

MOTION: Commissioner Mason – to approve

SECOND: Commissioner Mullins

Motion carried by aye vote

APPROVED:

Christopher A. Parker

Keri L. Cross

Edward Tyler Overholt

Shondia Michelle Overton

Jennifer Nicole Smith

Jordon N. Sullivan

Rita Fox

AGENDA ITEM #9 – NOTARY BOND APPROVALS

(none)

OLD BUSINESS:

(none)

NEW BUSINESS:

ITEM #1 – RES. 2023-042 – BOARD OF EDUCATION (budget amendment)

ITEM #2 – RES. 2023-043 – BOARD OF EDUCATION (budget amendment)

ITEM #3 – RES. 2023-044 – BOARD OF EDUCATION (budget amendment)

ITEM #4 – RES. 2023-045 – BOARD OF EDUCATION (budget amendment)

ITEM #5 – RES. 2023-046 – BOARD OF EDUCATION (budget amendment)

MOTION: Commissioner Mundy – to combine items #1 thru 5 and approve

SECOND: Commissioner Jones

ROLL CALL VOTE: 21 for; 0 against / Motion carried

(Resolutions as follows)

Claiborne County Board of Education
RESOLUTION
2023-042

May 11, 2023

WHEREAS, the Claiborne County Board of Education will receive a Math Implementation Support Grant in the amount of \$ 71,249.99 and this needs to be added to the **General Purpose Schools Budget** to contract with a state approved vendor to support math adoption and implementation.

WHEREAS, this resolution involves no local tax dollars.

BE IT THEREFORE RESOLVED by the Claiborne County Commission in session May 15, 2023 that the Claiborne County Board of Education be authorized to amend the **General Purpose Budget** by adjusting the following line items.

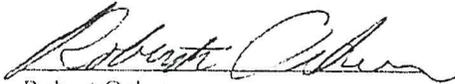
REVENUE

INCREASE

Account Code No.		
46590	Other State Grants	\$71,249.99

EXPENDITURES

Account Code No.		
141-72210-399	Other Contracted Services	\$ 71,249.99


Robert Oakes
Claiborne County Schools

David Mundy *DM*

Commission Sponsor

Kelly Harvey

Kelly Harvey
School Finance

FILED *5-1-23*
KAREN HURST, COUNTY CLERK
BY: *11:00 am* D.C.

Claiborne County Board of Education
RESOLUTION
2023-043

May 11, 2023

WHEREAS, the Claiborne County Board of Education has received \$ 9,516.68 dollars in insurance recovery for Bus 72 and this needs to be added to the **General Purpose Budget**

WHEREAS, this resolution involves no local tax dollars.

BE IT THEREFORE RESOLVED by the Claiborne County Commission in session May 15, 2023 that the Claiborne County Board of Education be authorized to amend the **General Purpose Budget** by adjusting the following line items.

REVENUE

	<u>INCREASE</u>
Account Code No.	
49700 Insurance Recovery	\$ 9,516.68

EXPENDITURES

Account Code No.		
141-72710-399	Other Contracted Services/Repairs	\$ 9,516.68


Robert Oakes
Claiborne County Schools

David Mundy *DM*

Commission Sponsor

Kelly Harvey
Kelly Harvey
School Finance

FILED *5-1-23*
KAREN HURST, COUNTY CLERK
BY: *11:00 am* D.C.

CLAIBORNE COUNTY
BOARD OF EDUCATION

RESOLUTION
2023-044

May 11, 2023

WHEREAS, the Claiborne County Board of Education needs to amend the Federal Projects Budget in order to adhere to the latest state approved grant budgets for Title I, Title V, and ARP Idea

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

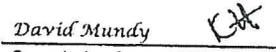
Whereas, the state continues to amend their budgets throughout the year, we are therefore required to bring each of these changes before county commission as they occur, in order to receive these federal funds

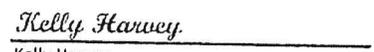
WHEREAS, this resolution involves no state or local tax dollars

BE IT THEREFORE RESOLVED by the Claiborne County Commission in session on May 15, 2023 that the Claiborne County Board of Education be authorized to amend the Federal Projects Budget by adjusting the following line items.

<u>EXPENDITURES</u>	<u>INCREASE</u>	<u>DECREASE</u>
Account No		
71100/163 Educational Assistants	\$ 13,948.00	
71100/201 Social Security	\$ 900.00	
71100/204 Retirement	\$ 550.03	
71100/207 Medical Ins	\$ 24,723.05	
71100/212 Medicare	\$ 220.00	
71100/429 Instructional Supplies		\$ (46,834.08)
71100/722 Reg. Inst Equipment		\$ (2,411.00)
71200/171 Speech Pathologist		\$ (10,678.00)
71200/189 Other Salaries	\$ 0.01	
71200/201 Social Security		\$ (640.01)
71200/204 Retirement		\$ (910.00)
71200/206 Life Ins		\$ (240.00)
71200/207 Medical Ins		\$ (6,121.00)
71200/210 Unemployment	\$ 100.00	
71200/212 Medicare		\$ (102.00)
71200/429 Supplies	\$ 6,277.00	
71200/499 Other Supplies	\$ 5,000.00	
72130/207 Medical Ins	\$ 6,493.00	
72210/207 Medical Ins	\$ 2,411.00	
72220/124 Psychological Personnel		\$ (4,252.00)
72220/196 In-Service Training	\$ 2,500.00	
72220/201 Social Security	\$ 5.00	
72220/204 State Retirement	\$ 983.00	
72220/207 Medical Ins		\$ (440.00)
72220/210 Unemployment	\$ 10.00	
72220/212 Medicare		\$ (100.00)
72220/524 Staff Development		\$ (4,959.00)
72220/599 Other Charges	\$ 1,325.00	


Robert Oakes
Director of Schools


David Mundy
Commission Sponsor


Kelly Harvey
School Finance

FILED *5-1-23*
 KAREN HURST, COUNTY CLERK
 BY: *11:00 am* *amc* D.C.

Claiborne County Board of Education
Resolution
School Nutrition
2023-045

May 11th 2023

WHEREAS, the Claiborne County Board of Education needs to increase the School Nutrition Budget in order to reflect funds provided by the State of Tennessee Department of Education P-EBT Program. This grant money is for the administrative cost associated with the P-EBT program during the pandemic.

WHEREAS, this resolution involves no state of local dollars.

BE IT THEREFORE RESOLVED, by the Claiborne County Commission in session on May 15th, 2023 that the Claiborne County Board of Education be authorized to increase the School Nutrition Budget by adjusting the following line items.

REVENUE	INCREASE
47114 - USDA	\$ 3,135
EXPENDITURES	
73100-162 Clerical	\$ 3,135



Bob Oakes
Claiborne County Schools

David Mundy 

Commission Sponsor

Kelly Harvey

Kelly Harvey
School Finance

FILED *5-1-23*
KAREN HURST, COUNTY CLERK
BY: *AK 11:00 am* D.C.

Claiborne County Board of Education
RESOLUTION
2023-046

May 11, 2023

WHEREAS, the Claiborne County Board of Education will receive state grants to address learning loss and a transportation grant for summer programs which total \$ 494,949.04 and this needs to be added to the General Purpose School Budget

WHEREAS, this resolution involves no local tax dollars.

BE IT THEREFORE RESOLVED by the Claiborne County Commission in session May 15, 2023 that the Claiborne County Board of Education be authorized to amend the **General Purpose Budget** by adjusting the following line items.

REVENUE

INCREASE

Account Code No.		
46590	Other State Grants	\$494,949.04

EXPENDITURES

Account Code No.		
141-71100-116	Teachers	\$ 220,000.00
141-71100-201	Social Security	\$ 13,764.00
141-71100-204	Retirement	\$ 23,386.00
141-71100-210	Unemployment	\$ 1,000.00
141-71100-212	Medicare	\$ 3,219.00
141-71100-429	Instructional Supplies	\$ 111,115.71
141-71100-499	Other Supplies	\$ 8,750.00
141-72110-162	Clerical Personnel	\$ 14,000.00
141-72110-201	Social Security	\$ 868.00
141-72110-212	Medicare	\$ 203.00
141-72110-217	Hybrid Retirement	\$ 1,488.20
141-72120-131	Medical Personnel	\$ 3,360.00
141-72120-201	Social Security	\$ 104.16
141-72120-212	Medicare	\$ 24.36
141-72120-217	Hybrid Retirement	\$ 178.58
141-72610-410	Custodial Supplies	\$ 10,000.00
141-73100-422	Food	\$ 7,500.00
141-72710-105	Supervisor	\$ 10,500.00
141-72710-146	Bus Drivers	\$ 36,000.00
141-72710-201	Social Security	\$ 2,232.00

141-72710-204	Retirement	\$	3,826.80
141-72710-212	Medicare	\$	522.00
141-72710-425	Gasoline	\$	17,907.23
141-72710-450	Tires & Tubes	\$	5,000.00


 Robert Oakes
 Claiborne County Schools

David Mundy

 Commission Sponsor

Kelly Harvey

 Kelly Harvey
 School Finance

FILED 5-1-23
 KAREN HURST, COUNTY CLERK
 BY: 11:00 am D.C.

05/15/2023

ITEM #6 – RES. 2023-047 – DONATION OF VAN TO CLEARFORK INSTITUTE FOR SENIOR CITIZENS

MOTION: Commissioner Wilson – to approve
SECOND: Commissioner Rogers

ROLL CALL VOTE: 21 for; 0 against / Motion carried
(Resolution as follows)

RESOLUTION AUTHORIZING DONATION OF VAN TO CLEARFORK
INSTITUTE FOR SENIOR CITIZENS
RESOLUTION NO. 2023-047

WHEREAS, a Van has been donated to Claiborne County, Tennessee by TriState Manor Nursing Home and Rehabilitation Center, and;

WHEREAS, the Van could be used for senior citizen purposes, and;

WHEREAS, the Clearfork Institute provides senior citizen activities in the Clairfield Community of Claiborne County, Tennessee, and;

WHEREAS, the Claiborne County Commission desires to declare the Van as surplus and donate to the Clearfork Institute for senior citizen use.

NOW THEREFORE, BE IT RESOLVED, the Claiborne County Commission, meeting in regular session on the 15th day of May, 2023, hereby declares the Van, donated by TriState Manor Nursing Home and Rehabilitation Center, to be surplus and donate the Van to the Clearfork Institute for use in transporting senior citizens to the Clearfork Institute for activities.

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

Duly passed and approved this 15th day of May, 2023.

Joe Brooks
Joe Brooks, Claiborne County Mayor

ATTEST:
Karen Hurst
Karen Hurst, County Clerk

FILED 5-3-23
KAREN HURST, COUNTY CLERK
BY: 3:45 pm B.G.

SPONSOR:
Dustin Wilson
Dustin Wilson, County Commissioner
w/ permission

ITEM #7 – RES. 2023-048 – CHANGING COMMISSION MEETING DATES

MOTION: Commissioner Mundy – to approve
SECOND: Commissioner McCreary

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

RESOLUTION
RESOLUTION NO. 2023-048

WHEREAS, the Claiborne County legislative body recognizes the holidays for Martin Luther King, Jr. Day, Presidents Day and Juneteenth each year, and;

WHEREAS, the Claiborne County Commission meets on the fourth (4th) Monday of the month after those holidays, and;

WHEREAS, the holidays on the fourth (4th) Monday of the month create inconvenience between the meeting times, and;

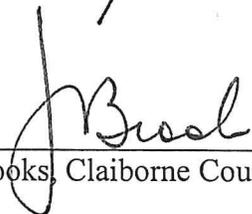
WHEREAS, the meetings would be less inconvenient if held on the day after the holiday, and;

WHEREAS, each meeting could be held on the Tuesday following each holiday.

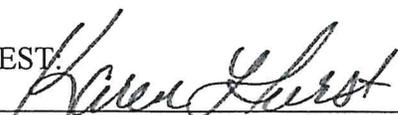
NOW THEREFORE, BE IT RESOLVED, the Claiborne County Commission, meeting in regular session on the 15th day of May, 2023, hereby directs and declares there meeting dates following Martin Luther King, Jr. Day, Presidents Day and Juneteenth shall be on the following day or Tuesday, after each holiday is celebrated at 6:30 p.m., rather than the fourth (4th) Monday of each month.

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

Duly passed and approved this 15th day of May, 2023.



Joe Brooks, Claiborne County Mayor

ATTEST 

Karen Hurst, County Clerk

FILED 5-3-23
KAREN HURST, COUNTY CLERK
BY: 3:45 pm D.C.

SPONSOR:



County Commissioner

ITEM #8 – RES. 2023-049 – SHERIFF’S DEPARTMENT – ARP FUNDING ALLOCATION

MOTION: Commissioner Mundy – to approve

SECOND: Commissioner Mason

ROLL CALL VOTE: 21 for; 0 against / Motion carried
(Resolutions as follows)

RESOLUTION NO. 2023-049

SHERIFF’S DEPARTMENT – ARP FUNDING ALLOCATION

WHEREAS, the 2023 County budget for the American Rescue Plan Act Fund (Fund 127) included \$190,000 for an HVAC System at the Sheriff’s Department; and

WHEREAS, the Sheriff has identified other projects that are a higher priority for use of these funds within the allowable timeline for ARP expenditures, and these projects were provided to and discussed by the Claiborne County Budget Committee at its meeting on April 20; and

WHEREAS, the Budget Committee recommends that the \$190,000 be reallocated for the projects identified by the Sheriff, including funding for security fencing around the Justice Center, upgrades to the fire alarm panel at the Justice Center, and replacement dryers, washers and a dishwasher;

NOW, THEREFORE, the Claiborne County Commission must approve the following budget amendment in order for these monies to be expended:

		<u>Decrease</u>	<u>Increase</u>
127-91401-335-HVAC	HVAC System-Sheriff’s Dept	\$190,000	
127-91401-724-SHRF	Site Development-Fencing		\$ 80,000
127-91401-790-SHRF	Other Equipment-Sheriff’s Dept		\$110,000

NOW, THEREFORE, BE IT RESOLVED by the Claiborne County Commission, meeting in regular session on the 15th day of May 2023, that this resolution is approved.

BE IT FURTHER RESOLVED that this resolution will take effect upon its passage, the public welfare requiring it. Duly passed and approved this 15th day of May 2023.



JOE BROOKS, COUNTY MAYOR

David Mundy

SPONSOR

ATTEST:


KAREN HURST, COUNTY CLERK

FILED 5-4-23
KAREN HURST, COUNTY CLERK
BY:  P.G.

05/15/2023

ITEM #9 – RES. 2023-050 – COURTHOUSE REPAIRS (budget amendment)

MOTION: Commissioner Mundy – to approve
SECOND: Commissioner Wilson

ROLL CALL VOTE: 21 for; 0 against / Motion carried
(Resolution as follows)

RESOLUTION NO. 2023-050

BUDGET AMENDMENT FOR COURTHOUSE REPAIRS

WHEREAS, there is a need for unanticipated repairs of the boiler system at the Claiborne County Courthouse; and

WHEREAS, the estimated cost is approximately \$12,000;

NOW, THEREFORE, the Claiborne County Commission must approve the following budget amendment in order to fund this expense:

		<u>Revenue</u>	<u>Expense</u>
101-39000	Undesignated Fund Balance	\$12,000	
101-51800-335	Maintenance & Repair Services-Buildings		\$12,000

NOW, THEREFORE, BE IT RESOLVED by the Claiborne County Commission, meeting in regular session on the 15th day of May 2023, that this resolution is approved.

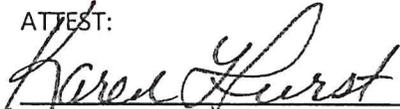
BE IT FURTHER RESOLVED that this resolution will take effect upon its passage, the public welfare requiring it. Duly passed and approved this 15th day of May 2023.



JOE BROOKS, COUNTY MAYOR

David Mundy

SPONSOR

ATTEST:


KAREN HURST, COUNTY CLERK

FILED 5-15-23
KAREN HURST, COUNTY CLERK
BY: P. D. Am D.C.

05/15/2023

ITEM #10 – RES. 2023-051 – SALE OF COUNTY PROPERTY TO HELEN ROSS McNABB

MOTION: Commissioner McCreary – to approve
SECOND: Commissioner Jones

(Discussion)

MOTION: Commissioner McCreary – table to next meeting for further information
SECOND: Commissioner Brooks

Motion carried by aye vote / Item tabled to next meeting

ITEM #11 – RES. 2023-052 – INCREASE BUILDING PERMIT FEES

MOTION: Commissioner Cook – to approve
SECOND: Commissioner Bunch

(discussion)

MOTION TO AMEND: Commissioner Mundy – to add an additional tier to the rate schedule with the first rate set at 0.15% of up to \$250,000.00 with maximum fee of \$375.00.
SECOND: Commissioner Rogers

ROLL CALL VOTE (on Motion to Amend): 21 for; 0 against / Motion carried

*ROLL CALL VOTE (on Original Motion as amended): 21 for; 0 against / Motion carried
(Resolution as follows)*

RESOLUTION NO. 2023 – 052
INCREASE BUILDING PERMIT FEES

WHEREAS, Claiborne County has seen an increase in building permits; and,

WEHREAS, Claiborne County would like to change the fee it collects for issuing building permits; and,

WHEREAS, Claiborne County would like to set the fee schedule for building permits based on the value of the finished construction project.

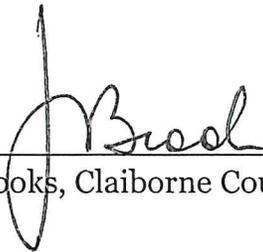
NOW THEREFORE, the Claiborne County Commission moves to adopt the following rates for building permits:

0.15%	up to \$250,000	maximum fee \$ 375.00
0.25%	less than \$500,000	maximum fee \$1,250.00
0.5%	\$500,000 - \$1,000,000	maximum fee \$5,000.00
1%	greater than \$1,000,000	determined by value

BE IT IS RESOLVED, the increased fee schedule shall begin after July 1, 2023 in conjunction with the start of FY24.

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

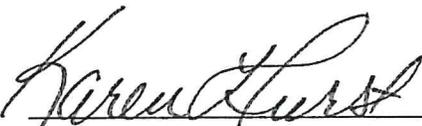
PASS AND APPROVED this 15th day of May, 2023.



Joe Brooks, Claiborne County Mayor

Dennis Cook, County Commissioner

ATTEST:



Karen Hurst, County Clerk

05/15/2023

ITEM #12 – RES. 2023-053 – REQUEST OF REGIONAL PLANNING COMMISSION TO PREPARE RECOMMENDATIONS TO AMEND SUBDIVISION REGULATIONS TO INCLUDE RV CAMPGROUNDS

MOTION: Commissioner Wilson – to approve
SECOND: Commissioner Bunch

ROLL CALL VOTE: 21 for; 0 against / Motion carried
(Resolution as follows)

RESOLUTION NO. 2023-053

RESOLUTION REQUESTING THE CLAIBORNE COUNTY REGIONAL PLANNING COMMISSION TO PREPARE RECOMMENDATIONS TO AMEND THE SUBDIVISION REGULATIONS TO INCLUDE RV CAMPGROUNDS

WHEREAS, Claiborne County has seen an influx of campgrounds for Recreational Vehicles (RV's) springing up; and,

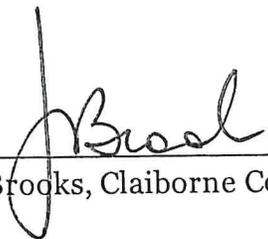
WEHREAS, Claiborne County wishes for all developments to happen under the guidance of the Subdivision Regulations for the Claiborne County Tennessee Planning Region as established by the Claiborne County Regional Planning Commission; and,

NOW THEREFORE, the Claiborne County Commission requests that the Claiborne County Regional Planning Commission look at and development guidelines that would bring RV Campgrounds under the Subdivision Regulations for the Claiborne County Tennessee Planning Region.

IT IS FURTHER RESOLVED, the recommendations prepared by the Claiborne County Regional Planning Commission shall be brought before the Claiborne County Commission for approval to amend the Subdivision Regulations for the Claiborne County Tennessee Planning Region.

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

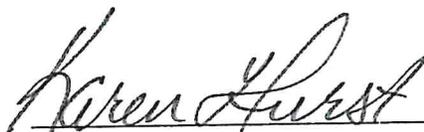
PASS AND APPROVED this 15th day of May, 2023.



Joe Brooks, Claiborne County Mayor

Zachary Bunch, County Commissioner
Dustin Wilson, County Commissioner

ATTEST:



FILED 5-4-23
KAREN HURST, COUNTY CLERK
BY: 9:00 am DFC

ITEM #13 – (removed from agenda)

ITEM #14 – RES. 2023-055 – CLERK AND MASTER EQUIPMENT (budget amendment)

MOTION: Commissioner Cosby – to approve

SECOND: Commissioner Brogan

ROLL CALL VOTE: 21 for; 0 against / Motion carried
(Resolution as follows)

RESOLUTION NO. 2023-055

BUDGET AMENDMENT FOR CLERK & MASTER EQUIPMENT

WHEREAS, the Clerk and Master’s Office has a Data Entry Fee revenue account funded from a \$4.00 fee per case and this revenue is reserved to maintain computer technology for the Office; and

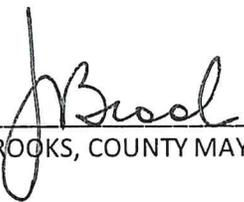
WHEREAS, the Claiborne County Commission adopted Resolution 2021-102 for the 2022 budget to increase the Clerk and Master’s budget to purchase printers, but this purchase did not occur until the 2023 budget year and the 2023 budget did not include funding for the approved equipment purchase; and

NOW, THEREFORE, the Claiborne County Commission must approve the following budget amendment to provide budget authority for the approved purchase:

		<u>Revenue</u>	<u>Expense</u>
101-39000	Undesignated Fund Balance	\$3,002.46	
101-53400-719	Office Equipment		\$3,002.46

NOW, THEREFORE, BE IT RESOLVED by the Claiborne County Commission, meeting in regular session on the 15th day of May 2023, that this resolution is approved.

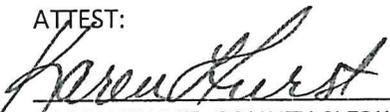
BE IT FURTHER RESOLVED that this resolution will take effect upon its passage, the public welfare requiring it. Duly passed and approved this 15th day of May 2023.



JOE BROOKS, COUNTY MAYOR

Mitchell Cosby

SPONSOR

ATTEST:


KAREN HURST, COUNTY CLERK

FILED 5-5-23
KAREN HURST, COUNTY CLERK
BY: 8:45 am D.C.

ITEM #15 – RES. 2023-056 – VEHICLE TRANSFER TO SHERIFF’S DEPT.

MOTION: Commissioner Epperson – to approve

SECOND: Commissioner Poore

(discussion)

ROLL CALL VOTE: 14 for; 7 against / Motion carried

FOR: Commissioners Cook, Shuford, Epperson, Poore, Campbell, Crawford, Shrout,
Mullins, Rowe, Cosby, Barnett, Brogan, Rogers, Wilson

AGAINST: Commissioners Bunch, Barker, Brooks, Mason, Jones, McCreary,
Mundy

(Resolution as follows)

**Resolution 2023 – 056
VEHICLE TRANSFER TO THE
CLAIBORNE COUNTY SHERIFF’S DEPARTMENT**

WHEREAS, the Claiborne County Sheriff’s department is in need a vehicle to be used for transporting bodily remains; and,

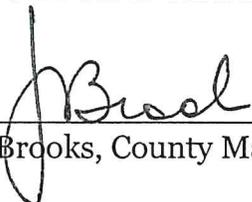
WHEREAS, Claiborne County has a van that no longer being utilized; and,

NOW, THEREFORE, BE IT RESOLVED the following vehicle is being transferred to the Claiborne County Sheriff’s for use as a transportation vehicle:

2015 Dodge Grand Caravan SE Plus VIN# 2C4RDGBG2FR689715

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

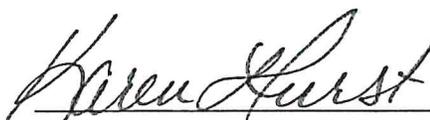
PASSED AND APPROVED this 15th day of May, 2023.



Joe Brooks, County Mayor

Nathan Epperson, County Commissioner

ATTEST:



Karen Hurst, County Clerk

ITEM #16 – RES. 2023-057 – ADDITIONAL WHEEL TAX FOR GENERAL FUND REVENUE

MOTION: Commissioner Epperson – to approve

SECOND: (none)

(Chairman declared motion failed due to lack of second)

(Further action as follows)

MOTION: Commissioner Shuford – to reconsider this item (Res. 2023-057)

SECOND: Commissioner Epperson

ROLL CALL VOTE (on Motion to Reconsider): 11 for; 10 against / Motion carried

FOR: Commissioners Bunch, Cook, Shuford, Barker, Epperson, Campbell, Crawford, Shroul, Mullins, Rowe, Cosby

AGAINST: Commissioners Poore, Barnett, Brooks, Mason, Brogan, Jones, McCreary, Mundy, Rogers, Wilson

MOTION: Commissioner Epperson – to approve

SECOND: Commissioner Shuford

(discussion)

MOTION TO AMEND: Commissioner Shuford – to amend the resolution to approve a wheel tax of seventy dollars (\$70.00) to balance the 2023-24 budget.

SECOND: Commissioner Epperson

(further discussion)

ROLL CALL VOTE (on Motion to Amend): 16 for; 5 against / Motion carried

FOR: Commissioners Bunch, Cook, Shuford, Barker, Epperson, Campbell, Crawford, Shroul, Mullins, Rowe, Cosby, Mason, Brogan, McCreary, Rogers, Wilson

AGAINST: Commissioners Poore, Barnett, Brooks, Jones, Mundy

05/15/2023
(Res. 2023-057 cont.)

ROLL CALL VOTE (on Original Motion as amended): 15 for; 6 against / Motion carried

*FOR: Commissioners Bunch, Cook, Shuford, Barker, Epperson, Campbell, Crawford,
Shrout, Mullins, Rowe, Cosby, Mason, McCreary, Rogers, Wilson*

*AGAINST: Commissioners Poore, Barnett, Brooks, Brogan, Jones, Mundy
(Resolution as follows)*

Resolution 2023 - 057
A RESOLUTION ADDING AN ADDITIONAL WHEEL TAX
FOR GENERAL FUND REVENUE

WHEREAS, the Claiborne County Budget Committee has determined its general fund revenues will not generate enough money needed to balance its budget for FY24; and,

WHEREAS, the Claiborne County Budget Committee has determined an increase in the property tax rate of \$0.30 would balance the budget for FY'24; and,

WHEREAS, the Claiborne County Budget Committee wishes to rebuild its general fund balance; and,

WHEREAS, the Claiborne County Budget Committee has determined that an additional increase in the property tax rate of \$0.20 will generate an additional \$1,353,600 in revenue for its general fund balance; and,

WHEREAS, the Claiborne County Budget Committee does not want to saddle the property owners with the full burden of meeting the FY24 deficits; and,

WHEREAS, the Claiborne County Budget Committee wishes to offer an additional wheel tax as an alternative to increasing property taxes an additional \$0.20; and,

WHEREAS, the additional wheel tax would bring in the following revenue:

\$25 - \$715,000 annually

\$50 - \$1,430,000 annually

WHEREAS, the additional wheel tax revenue would spread the county's operational costs to every citizen of Claiborne County that operates a car in Claiborne County.

WHEREAS, T.C.A. § 5-8-102 authorizes counties to levy a motor vehicle privilege tax, or "wheel tax," as a condition precedent to the operation of a motor vehicle within the county; and

WHEREAS, under the provisions of Resolutions Passed on 9/15/2003 (Book W, Pg. 863-865) & Resolution 2015-088 the total motor vehicle privilege tax in Claiborne County currently is Fifty dollars (\$ 50.00); and

WHEREAS, the need for new revenue sources is great in Claiborne County; and

WHEREAS, the county legislative body of Claiborne County has determined that it is in the best interests of the county that an additional motor vehicle privilege tax in the amount of Seventy dollars (\$ 70.00) be levied in Claiborne County as provided herein, so that the total motor vehicle privilege tax in Claiborne County will be One Hundred Twenty dollars (\$120.00).

NOW, THEREFORE BE IT RESOLVED by the county legislative body of Claiborne County meeting in session at Tazewell, Tennessee, on the day 15th of May, 2023, that:

SECTION 1. For the privilege of using the public roads and highways in Claiborne County, Tennessee, there is levied upon motor-driven vehicles, and upon the privilege of the operation thereof, except motorcycles, motor-driven bicycles and scooters, farm tractors, self-propelled farm machines not usually used for operation upon public highways or roads, and motor-driven

Resolution 2023 - 057
**A RESOLUTION ADDING AN ADDITIONAL WHEEL TAX
FOR GENERAL FUND REVENUE**

vehicles owned by any governmental agency or governmental instrumentality, and except for other exemptions provided by general law, a special privilege tax for the benefit of such county, which tax shall be in the amount of one hundred twenty dollars (\$120.00) for each such motor-driven vehicle, the owner of which resides within said county. This tax applies to, is a levy upon, and shall be paid on each motor-driven vehicle, the owner of which resides within said county. This tax shall be in addition to all other motor vehicle privilege taxes now levied in Claiborne County.

SECTION 2. The tax herein levied shall be paid to and collected by the County Clerk of Claiborne County, who is authorized by T.C.A. § 67-4-103 to collect such privilege taxes. The County Clerk shall collect this tax at the same time he or she collects the state privilege tax levied upon the operation of a motor-driven vehicle over the public highways of this state, and all other county motor vehicle privilege taxes levied in Claiborne County. The County Clerk shall deduct a fee of five percent (5%), or such higher or lower fee as may from time to time be authorized under T.C.A. § 8-21-701 for receiving and paying over county revenue, from the amount of taxes collected and paid over to the County Trustee.

SECTION 3. Payment of the privilege tax imposed hereunder shall be evidenced by a receipt, issued in duplicate by the County Clerk, the original of which shall be kept by the owner of the motor-driven vehicle, and by the same decal or emblem issued by the County Clerk to evidence payment of all other motor vehicle privilege taxes levied in Claiborne County.

SECTION 4. The privilege tax or wheel tax herein levied, when paid, together with full, complete and explicit performance of and compliance with all provisions of this resolution by the owner, and payment of all other motor vehicle privilege taxes levied in Claiborne County, shall entitle the owner of the motor-driven vehicle for which said tax was paid and on which the required decal or emblem has been affixed to operate or allow to be operated his vehicle over the streets, roads and highways of the county for a period of one (1) year which will run concurrently with the period established by T.C.A. § 55-4-104 for state registration fees.

In the event a wheel tax decal or emblem is sold by the Clerk for a period of more or less than a twelve-month period, the tax imposed shall be proportionate to the annual tax fixed for the vehicle and modified in no other manner, except that the proportional tax shall be rounded off to the nearest quarter of a dollar.

SECTION 5. If any motor-driven vehicle, for which all wheel taxes have been paid and the required decal or emblem issued and placed thereon, becomes unusable or is destroyed or damaged to the extent that it can no longer be operated over the public roads, streets or highways of said county, or in the event that the owner transfers the title to such vehicle, or completely removes therefrom and destroys the decal or emblem issued for and placed thereon, and the owner makes proper application to the Clerk for the issuance of a duplicate decal or emblem to be used by the applicant on another vehicle for the unexpired term for which the original decal or emblem was issued, and the Clerk is satisfied that the applicant is entitled to the issuance of a duplicate decal or emblem and the applicant pays into the hands of the Clerk the sum of _____ dollars (\$_____), the Clerk will then issue to such owner a duplicate receipt, cancelling the original receipt delivered to the Clerk by the applicant, and will deliver to the applicant a duplicate decal or emblem, which shall be affixed to the motor-driven vehicle for which it is issued, and such duplicate decal or emblem shall entitle the applicant to operate or allow to be operated the vehicle upon the streets, roads, and highways of said county

Resolution 2023 - 057
**A RESOLUTION ADDING AN ADDITIONAL WHEEL TAX
FOR GENERAL FUND REVENUE**

for the remainder of the period for which the original decal or emblem was issued. Likewise, in the event a decal or emblem becomes obliterated, erased, or defaced, or is destroyed under the provisions of this act, and is therefore illegible and unusable by the owner, upon proper application made by the owner and filed with the Clerk, showing such circumstances and facts to be true, then the Clerk, upon receipt from the applicant of _____ dollars (\$ _____), may issue and deliver to the applicant a duplicate decal or emblem.

SECTION 6. The proceeds of the motor vehicle privilege tax herein levied shall be placed in the county General fund and shall be used to generate general fund revenues.

SECTION 7. If any provision of this resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this resolution which can be given effect without the invalid provision or application, and to that end the provisions of this resolution are declared to be severable.

SECTION 8. This resolution shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Claiborne County at two (2) consecutive regularly scheduled meetings.

SECTION 9. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon being approved by a two-thirds (2/3) vote of the county legislative body of Claiborne County at two (2) consecutive regularly scheduled meetings. For the purpose of collection of the tax herein levied, such collection shall begin on the first day of July 1, 2023, unless this resolution is subject to a referendum election pursuant to T.C.A. § 5-8-102, whereupon collection of the tax herein levied shall begin on the first day of the month following the month that this resolution is approved at a referendum.

Passed 1st reading at the regular _____ May 15th _____, 2023, meeting of the Claiborne County legislative body.

Passed 2nd reading at the regular _____, 20____, meeting of the Claiborne County legislative body.

Joe Brooks, Claiborne County Mayor

Nathan Epperson, County Commissioner

ATTEST:

Karen Hurst, County Clerk

ITEM #16A – DISCUSSION – RECREATION ECONOMY FOR RURAL COMMUNITIES

Commissioner Wilson addressed the commission concerning a community workshop involving “Growing the Outdoor Recreation Economy”. This workshop will be held at the White Oak Elementary School in Duff on June 23rd and 24th for community members and local groups to meet with partnering experts to plan a better outdoor recreation economy in the Clearfork Valley. Commissioner Wilson extended an invitation to the commissioners to attend.

ITEM #16B – RES. 2023-058 – CHANCERY COURT UPDATES

MOTION: Commissioner Cosby – to approve
 SECOND: Commissioner Barnett

ROLL CALL VOTE: 21 for; 0 against / Motion carried
 (Resolution as follows)

RESOLUTION NO. 2023- 058

BUDGET AMENDMENT FOR CHANCERY COURT UPDATES

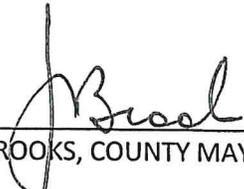
WHEREAS, the Chancery Court needs updates to its courtroom to operate effectively, including replacement chairs, whiteboard, and TV and repainting;

NOW, THEREFORE, the Claiborne County Commission must approve the following budget amendment in order for these monies to be expensed:

		<u>Revenue</u>	<u>Expense</u>
101-39000	Undesignated Fund Balance	\$3,000	
101-53400-711	Furniture and Fixtures		\$3,000

NOW, THEREFORE, BE IT RESOLVED by the Claiborne County Commission, meeting in regular session on the 15th day of May 2023, that this resolution is approved.

BE IT FURTHER RESOLVED that this resolution will take effect upon its passage, the public welfare requiring it. Duly passed and approved this 15th day of May 2023.



 JOE BROOKS, COUNTY MAYOR

Mitchell Cosby

 SPONSOR

ATTEST:



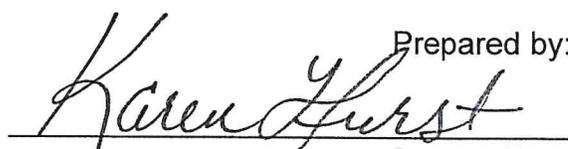
 KAREN HURST, COUNTY CLERK

05/15/2023

17. ADJOURNMENT

MOTION: Commissioner Mundy – to adjourn
SECOND: Commissioner McCreary

Motion carried by aye vote / Meeting adjourned

Prepared by:

County Clerk