

BE IT REMEMBERED that the Legislative Body Session for Hamblen County, Tennessee met at its regular monthly meeting on December 16, 1996 at 5:00 p.m. in the Hamblen County Courthouse with the Honorable Herbert Harville presiding.

The Legislative Body was opened by Sheriff Charles Long.

Invocation was given by Rev. George Raun.

Upon roll call the following were present:

Larry Baker	Keith Horner
Maudie Briggs	Bud Jones
Eldridge Bryant	Willie Osborne
Guy Collins	Bobby Reinhardt
Stancil Ford	Tony Sizemore
Doyle Fullington	Joe Spoone
Herbert Harville	

Absent: Frank Parker

BUDGET AMENDMENT-SCHOOLS

Motion by Willie Osborne, seconded by Eldridge Bryant that the following budget amendment be approved.

<u>Voting for</u>	<u>Voting against</u>	<u>Passing</u>
Larry Baker	None	Guy Collins
Maudie Briggs		
Eldridge Bryant		
Stancil Ford		
Doyle Fullington		
Herbert Harville		
Keith Horner		
Bud Jones		
Willie Osborne		
Bobby Reinhardt		
Tony Sizemore		
Joe Spoone		

AMENDMENT #4 GENERAL PURPOSE SCHOOL BUDGET

HAMBLE COUNTY SCHOOLS 1996-97

EXPENDITURES CODE	TITLE	BUDGET	INCREASE	DECREASE	ACTUAL
72620-717	MAINTENANCE EQUIPMENT	97444.00	40825.00	0.00	138269.00
76100-308	CONSULTANTS	0.00	30000.00	0.00	30000.00
		97444.00	70825.00	0.00	168269.00
	NET INCREASE		70825.00		

TO BE USED FOR MAINTANCE EQUIPMENT
CONSULTANT FOR FACILITIES STUDY

AMENDMENT #4 GENERAL PURPOSE SCHOOL BUDGET

HAMBLE COUNTY SCHOOLS 1996-1997

REVENUES CODE	TITLE	BUDGET	INCREASE	DECREASE	ACTUAL
44170	MISCELLANEOUS REFUNDS	0.00	40825.00	0.00	40825.00
39000	FUND BALANCE	1768799.80	30000.00	0.00	1798799.80
		1768799.80	70825.00	0.00	1839624.80
	NET INCREASE		70825.00		

HONEYWELL MONEY
CONSULTANT FOR FACILITIES STUDY

REQUESTS FOR FUNDS -SCHOOLS

Motion by Larry Baker, seconded by Guy Collins to table any action on the request for funds in the amount of \$689,243 from the school board until the appropriate committee can review the request.

Voting for: all
Voting against: none

MINUTES APPROVAL

Motion by Tony Sizemore, seconded by Guy Collins that the minutes of the previous meeting be approved.

Voting for: all
Voting against: none

NOTARIES AND BONDSMEN

Motion by Willie Osborne, seconded by Stancil Ford that the following notaries and their bondsmen be approved.

Voting for: all
Voting against: none

CERTIFICATE OF ELECTION OF NOTARIES PUBLIC

As CLERK OF THE COUNTY OF Hamblen
December, TENNESSEE,
I HEREBY CERTIFY TO THE SECRETARY OF STATE THAT THE FOLLOWING WERE ELECTED TO THE OFFICE OF
NOTARY PUBLIC DURING THE Dec., 19 96 MEETING OF THE GOVERNING BODY:

NAME (PRINT OR TYPE)	HOME ADDRESS AND PHONE (INCLUDE ZIP AND AREA CODES)	BUSINESS ADDRESS AND PHONE (INCLUDE ZIP AND AREA CODES)
Melvin D. Eizen Bonding Co.	283 Meadowood R., Morr.Tn. 423-581-7762 37814	Eagle Oil and Petroleum 1119 Davis Ave., Morr.Tn. 37814 423-586-1563
Patricia K. Didcoct Bonding Co.	1165 Millrace Rd., Morr.Tn. 423-581-1076 37814	Morr. Area Chamber Of Commerce 825 W. 1st. N. St., Morr.Tn.37814 423-586-6382
Matthew Wade Stallings Bonding Co.	7358 Sugarwood Dr., Talbott,Tn 423-587-1212 37877	Norwest Financial In., Inc. 1952 W. Morris Blvd, Morr.Tn. 37814 423-581-5881
Richard Westley Lee Bonding Co.	343 Meek ST. Talbott, In. 37877 423-581-3860	Lakeway Trucking Inc. P.O. Box 159, Morr.TN. 37814 423-587-6880
Rhonda E. Holt Anne E. Dixon Kelley Hinsley	887 Bulls Gap, Tn. 37711 423-235-7982	Kelley Hinsley, Attorney 435 W. 1st. North ST., Morr.Tn.37814 423-587-1131
Loretta Lynn Sherman Bonding Co.	2102 Reese St., Morr.Tn.37814 423-585-5127	Comer Electric Co., Inc. 2307 W. A. J. Hwy, Morr.Tn. 37814 423-587-2360
Barbara C. Owen J. B. Sams, MD H. E. Theil James Grant Greene Bonding Co.	401 McCrary Dr., Morristown, Tn. 37814 423-581-2736 908 Simpson Rd., Whitesburg, Tn. 423-235-6445	Morr. Radiology, Pc. 901 W. 4th North St., Morr.Tn.37814 423-586-1742 Same
Jamie Denise Biggs Bonding Co.	3854 Clyde Thomas Rd., Morr.Tn. 423-587-6954 37814	Lowland Credit Union 1045 S. Cumberland St. Morr.TN. 37814 423-581-8345
Maximino Garcia Bonding Co.	2386 Cherokee Dr., Morr.TN. Morristown, In 37814 423-586-4890	
Kamela M. Elkins Bonding Co.	3472 Beaver Rd., Morr.Tn. 37814 423-581-4817	American General Finance 2307 W. A. J. Hwy. Morr.Tn. 37814 423-585-5062
Dexter Wayne Ratcliff D. O. Ratcliff and Hugh Watkins	1211 Hodge Dr., Morr. Tn. 37814 423-587-4897	Lea-Wayne Knitting Mills, Inc 5937 Commerce Blvd, Morr.TN.37814 423-586-7513

CONSTABLE-2ND DISTRICT

Motion by Bud Jones, seconded by Larry Baker to appoint Jerry Cox as constable for the 2nd district.

Motion by Joe Spoons, seconded by Guy Collins to table the motion until the next meeting.

Voting for: all
Voting against: none

BILLS

Motion by Stencil Ford, seconded by Keith Horner that the following bills be approved and paid.

Voting for: all
Voting against: none

Finance Committee

BILLS Recommended for Payment - December 16, 1996

Adrian Hale Pest Control	HD	19.00	Hayter Stockyards Printing	CE	25.00
	CH	59.00		A	84.50
	JC	38.00			
			Hill, Robert	CC	325.00
American Red Cross	THF	24.00			
			Ikon Office Solutions	Mall	360.00
As Is	CH	55.00			
			Hiram H. Jones Assoc	HC	4,050.00
Bob Barker Company	THF	100.22			
			Kinser, John MD	ME	840.00
Bridge Computer	CnC	250.00			
			Leonard's Office Equip.	Ext	8.04
Bridge Moonlight Services	T	2,500.00			
			Letter Shop, The	CnC	467.50
Business Info Systems	RD	3,575.00			
			Mathis Company	CRC	409.00
Capps, Cantwell, & Capps	HC	1,899.26			
			Michie Company	CE	36.49
Citizen Tribune	CE	16.49		CM	36.49
	EC	1,351.16		GS	36.49
Comptroller of Treasury	PC	319.65	Monroe Systems	CnC	1,531.00
Concepts in Communications	HC	118.52	Morristown Ford	WP	37.43
County Record Services	RD	142.40	Murrell Burglar Alarm	CH	20.00
Dave's Cleaning Service	JC	1,456.73	Newman, Jim	T	229.68
Davis, Eddie R.	CC	200.00	Otis Elevator Company	CH	278.55
Evans Office City	HD	53.14	Owens & Minor	HD	704.83
	Inv	61.58			
	CE	118.79	Pitney Bowes	CnC	74.00
	CRC	538.40			
	CnC	132.20	Price & Price Mechanical	JC	185.00
	WP	5.11			
	RD	6.66	Purkey, Joe	PC	44.40
	HC	25.84			
	THF	143.62	R.L. Polk & Company	CnC	74.00
Free Service Tire	WP	163.32	Rental Uniform Service	CH	154.56
				JC	171.36
Gall's	THF	43.74			
			Ryder	EC	209.25
Graybar	HC	324.95			
			Saf-N-Kleen	HD	875.00

REED ROAD--REZONING KEITH BREEDING PROPERTY(COUNTY ATTORNEY REVIEW)

Motion by Bud Jones, seconded by Joe Spoone to approve the following review from the county attorney:

"The Hamblen County Legisaltive Body rescind its action of March 20,1989 based upon a mistake of fact. The effect of this is to negate its previous action and leave Reed Road as a dedicated private rightof way for egress and in gress belonging to the property owners abutting the proposed right of way. Should theabutting property owners ever desire to o pen this road and have it declared a public road, it would be incumbent upon them to prepare and construct the the road and then request the county to accept it as a public road."

voting for: all
voting against: None

Motion by Joe Spoone, seconded by Maudie Briggs to rezone the Keith Breeding property.

Voting for: all
voting against: none

RESOLUTION--AMEND ARTICLE 6.8 OF THE ZONING RESOLUTION

Motion by Willie Osborne, seconded by Joe Spoone to approve the following resolution.

Voting for: all
Voting against: none

RESOLUTION
A RESOLUTION TO AMEND THE ZONING RESOLUTION OF
HAMBLLEN COUNTY BY THE SUBSTITUTION OF ARTICLE 6.8
ACCESS PERMITS AS WRITTEN BELOW IN PLACE OF THE
CURRENT ARTICLE 6.8.

WHEREAS, The Hamblen County Planning Commission has reviewed and recommended the rewriting of Article 6.8 Access Permits to replace the existing Article 6.8 section of the Hamblen County Zoning Resolution; and,

WHEREAS, The Hamblen County Board of Commissioners has held a public hearing on _____ and advertised the proposed amendment on _____;

NOW, THEREFORE, BE IT RESOLVED that the Hamblen County Board of Commissioners do hereby adopt the following Article 6.8 Access Permits as a replacement for the existing section:

6.8 ACCESS PERMITS. Upon issuance of a Building Permit, an Access Permit form will be issued for review by the Hamblen County Highway Department to determine the need of any culvert, and/or any potential drainage into the public roadways or surrounding properties. Access Permits will be filed at the Hamblen County Highway Department upon completion of their review.

Certified:

Recommended and Certified to the
Legislative Body for approval.

County Court Clerk

Florence Kegley, Chairman
Hamblen County Planning Commission

Date: _____

Date: _____

Attest:

Wilburn Beck, County Clerk

Authenticated:

David W Purkey, County Executive

DATE: _____

ROAD ACCEPTANCE

Motion by Joe Spoone, seconded by Stencil Ford to accept the following roads into the Hamblen County Road system:

Blackberry Lane
Mt. Vista Dr.
Maria Court

Voting for: all
Voting against: none

RAILROAD CROSSING-SPENCER HALE ROAD

Motion by Joe Spoone, seconded by Guy Collins to request the county executive to send a letter to the railroad requesting that they put up some sort of warning at the railroad crossing at Spencer Hale Road.

Voting for: all
Voting against: none

RECYCLING COMMITTEE

Motion by Maudie Briggs, seconded by Guy Collins that the recycling for Hamblen County be put out for bids.

Voting for: all
Voting against: none

ROAD DEPARTMENT-HEAT

Motion by Joe Spoone, seconded by Larry Baker to authorize an amount up to \$8,000. to be used for insulation and heating equipment for the road department.

Voting for: all
Voting against: none

AUDIT COMMITTEE REPORT

Motion by Willie Osborne seconded by Eldridge Bryant that the minutes from the audit committee be approved.

Voting for: all
Voting against: none

AUDIT COMMITTEE MEETING

THURSDAY, DECEMBER 12, 1996

@ 4:00 P.M.

@ COURTHOUSE

MINUTES

Members Present

Willie Osborne, Chairman
Larry Baker
Stancil Ford

Members Present

Herbert Harville
Maudie Briggs
Bud Jones

Others Present

Sonia Miller
David Purkey
Barry Poole
Press
Bill Brittain
Tom Jones

The purpose of this meeting was to discuss the audit for the Road Department and the Garbage Department.

Willie Osborne opened the meeting and turned the floor over to Tom Jones. Tom explained that this audit was through August 31, 1996. Mr. Jones gave an overview of the audit and explained that he had two findings.

Barry Poole assured the committee that both of these findings had been corrected. Dan Myers was given the opportunity to respond, but at the time of the meeting Tom had not had any response.

Mr. Poole asked the committee to come up with a procedure for overtime pay when someone was called out on a job. He said that he was having a problem getting someone to come out after hours for a job that only took them 15 minutes to do and only being paid overtime for that 15 minutes. Barry told the committee that he would like to pay double time for employees who are called out after normal working hours.

After a lengthy discussion, a motion was made by Larry Baker, seconded by Stancil Ford to recommend to the Road Commissioners that a policy be established as follows: that a minimum of 3 hours at 1 1/2 times the normal hourly rate would be paid for hours worked when called out after hours. (5:00 p.m. - 7:00 a.m.) In the same motion it was voted to extend this policy to all county employees. Unanimous.

Larry Baker asked Tom Jones to go on record saying the he had found no money missing from the Road Department or Garbage Department.

A motion was made by Bud Jones, seconded by Larry Baker to accept the audit.
Unanimous.

Next on the agenda was the discussion of the Private Acts. The committee had some questions regarding the act and decided to meet with the Personnel Committee after the first of the year and discuss their concerns.

Last on the agenda, David Purkey asked the committee to authorize the County Executive and the Trustee to prepare bid specs for a financial advisor for bond issues.

A motion was made by Bud Jones, seconded by Maudie Briggs to have the County Executive and the Trustee along with CTAS to prepare bid specs for a financial advisor to help with bond issues for the schools. Unanimous.

There being no other business, the meeting was adjourned.

NONDISCRIMINATION ASSURANCE

Assurance to be executed by authorized representative of donee activity prior to receiving donations of surplus personal property from the State Surplus Property Agency on and after October 17, 1977.

Assurance of Compliance with GSA Regulations under Title VI of the Civil Rights Act of 1964, Section 606 of Title VI of the Federal Property and Administrative Services Act of 1949, as amended, Section 504 of the Rehabilitation Act of 1973, as amended, Title IX of the Education Amendments of 1972, as amended, and Section 303 of the Age Discrimination Act of 1975.

Hamblen County Government, hereinafter called the "donee," hereby agrees that
(Name of donee)

the program for or in connection with which any property is donated to the donee will be conducted in compliance with, and the donee will comply with and will require any other person (any legal entity) who through contractual or other arrangements with the donee is authorized to provide services or benefits under said program to comply with, all requirements imposed by or pursuant to the regulations of the General Services Administration (41 CFR 101-6.2, or 101-8) issued under the provisions of Title VI of the Civil Rights Act of 1964, Section 606 of Title VI of the Federal Property and Administrative Services Act of 1949, as amended, Section 504 of the Rehabilitation Act of 1973, as amended, Title IX of the Education Amendments of 1972, as amended, and Section 303 of the Age Discrimination Act of 1975, to the end that no person in the United States shall on the ground of race, color, national origin, sex, or age, or that no otherwise qualified handicapped person shall solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity for which the donee received federal assistance from the General Services Administration; and Hereby Gives Assurance That it will immediately take any measures necessary to effectuate this agreement.

The donee further agrees that this agreement shall be subject in all respects to the provisions of said regulations; that this agreement shall obligate the donee for the period during which it retains ownership or possession of any such property; that the United States shall have the right to seek judicial enforcement in interest of the donee and the word "donee" as used herein includes any such successor in interest.

Dated 12-16-96

Hamblen County Government
Donee

Hamblen County Government
511 W. 2nd North Street
Morristown, TN 37814
Donee mailing address

BY *Daniel W. [Signature]*
(President/Chairman of the Board
or comparable authorized official)
County Executive

Return to:
Department of General Services
Federal Property Section
6500 Centennial Blvd.
Nashville, TN 37209

GS-0433

NAME OF ORGANIZATION	<u>Hamblen County Government</u>	
ADDRESS	<u>511 West Second North Street</u>	
	<u>Morristown, TN 37814</u>	
PHONE NUMBER	<u>423-586-1931</u>	FAX: <u>423-587-9798</u>

NOW THEREFORE BE IT RESOLVED THAT:

David W. Purkey	, County Executive	<i>David W. Purkey</i>
(Name)	(Title)	(Signature)
Charles E. Long	, Sheriff	<i>Charles E. Long</i>
(Name)	(Title)	(Signature)
Barry Poole	, Road Superintendent	<i>Barry P. Poole</i>
(Name)	(Title)	(Signature)
Ronald Brady	, Manager/Solid Waste System	<i>Ronald Brady</i>
(Name)	(Title)	(Signature)
Harold Wolfe	, Supervisor of Maintenance	<i>Harold Wolfe</i>
(Name)	(Title)	(Signature)

is (are) authorized as a legal representative of this organization and its Governing Board, and its heirs, assigns, and successors forever, to act on its behalf in acquiring federal surplus property and so obligate said organization and Governing Board to the certifications and agreements contained in this document and on the distribution document; and that such person or persons are further authorized, at his or her discretion, to further delegate this authority to any employee of the Applicant for the purpose of acquiring surplus property for use by the Applicant organization, and

That this authorization shall remain in full force and effect until revoked or revised by written notice of the Applicant to the State Agency. It is the responsibility of the Applicant to notify the State Agency of any changes of the above named representatives.

DATE 11/21/96 SIGNED *David W. Purkey*, County Executive
 Chief Executive Officer Title

TERM OF OFFICE EXPIRES 8/31/98

This authorization or resolution has been adopted by the Governing Board at a regular or called meeting, thereof, held on the 16 day of December, 19 96, and has been approved and placed in the minutes of said meeting.

DATE 12-16-96 SIGNED _____
 Chairman of the Board

PLEASE RETURN TO: DEPARTMENT OF GENERAL SERVICES
 PROPERTY UTILIZATION DIVISION
 6500 CENTENNIAL BOULEVARD
 NASHVILLE, TN 37243-0543

DEPT. OF GENERAL SERVICES AUTHORIZATIONS

Motion by Willie Osborne, seconded by Stancil Ford that the following Authorizations be approved.

Voting for: all
Voting against: none

RESOLUTION OF GOVERNING BOARD

WHEREAS, the Department of General Services, Property Utilization Division, by authority of the Federal Property and Administrative Services Act of 1949, as amended, makes available federal surplus personal property to public agencies for public purposes and to nonprofit, tax-exempt health and educational institutions, and

WHEREAS, Hamblen County Government, hereafter referred to as the Applicant, is (Applicant Organization) desirous of utilizing the services and resources of the Department of General Services, Property Utilization Division, hereafter referred to as the State Agency, and

WHEREAS, the Applicant certifies that it is a public agency or nonprofit educational or health institution exempt from taxation under Section 501 of the U.S. Internal Revenue Code of 1954, and

WHEREAS, the Applicant further certifies that the property is needed and will be used for carrying out or promoting for the residents of a given political area one or more public purposes and for no other purpose, or be used for public health or educational purposes including research and for no other purpose, and

WHEREAS, the Applicant agrees that all items of property shall be placed in use for the purposes for which acquired within one year of receipt and shall be continued in use for such purposes for one year from the date the property was placed in use, and in the event the property is not so placed in use, or continued in use, the donee shall immediately notify the State Agency, and return said property to the State Agency, as directed, and

WHEREAS, the Applicant further agrees to adhere to any additional periods of restrictions placed on the property by the State Agency which shall include a total period of use restrictions for at least 18 months on all passenger motor vehicles and other items of property with a unit acquisition cost of \$5000 or more; and additional special terms, conditions, reservations and restrictions on aircraft, vessels, special limited or restricted use items, and other items as specified in a Conditional Transfer Document or written on the face of the distribution document, and

WHEREAS, the Applicant further agrees that during the period of restriction, it will not sell, trade, lease, lend, bail, encumber, or otherwise dispose of such property without prior approval of the General Services Administration or the State Agency, and in the event property is so disposed of without prior approval of the General Services Administration or the State Agency, the Applicant will be liable for the fair market value or the fair rental value of such property as determined by the General Services Administration or the State Agency, and

WHEREAS, the Applicant further certifies that it has the necessary funds to pay the handling or service charges or fees assessed by the State Agency and will remit such handling or services charges or fees within 90 days of receipt, and

WHEREAS, it is understood that all property acquired regardless of acquisition cost or service charges will be on an "as is", "where is" basis, without warranty of any kind, and

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION—LOWER TIER COVERED TRANSACTIONS

This certification is required by the General Services Administration regulations implementing Executive Order 12549-41 CFR 105-68—for all lower tier transactions meeting the requirements stated at 41 CFR 105-68.110.

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

NAME OF DONEE APPLICANT	
Hamblen County Government	
NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	
David W. Purkey, County Executive	
SIGNATURE	DATE
<i>David W. Purkey</i>	12/6/96

THEREUPON, MEETING ADJOURNED.