

HAMBLEN COUNTY LEGISLATIVE BODY

Regularly Scheduled Monthly Meeting

Thursday – June 23, 2016

5:00 p.m.

Reconvene – June 30, 2016

4:00 p.m.

Open Meeting - *Sheriff Esco Jarnagin*

Call to Order – *Commission Chairman Rick Eldridge*

Prayer – *Dr. Terry Kirby, Senior Pastor Alpha Baptist Church*

Pledge of Allegiance – *Commissioner Larry Carter*

Roll Call - *County Clerk, Penny Petty*

*Prepared under the direction of:
Commission Chairman Rick Eldridge*

REGULAR CALENDAR

Order #	Vote	Item
1		Recognition/Presentations/Proclamations (Commission Chairman Rick Eldridge) a. — Employee Years of Service
2		Public Comment Regarding Business of the Agenda Only (Commission Chairman Rick Eldridge)
3		Appointments and Nominations (Commission Chairman Rick Eldridge) a. — None
4	Vote	Public Official Bonds (Commission Chairman Rick Eldridge) a. — Dr. Dale Lynch, Superintendent of Schools
5	Vote Vote	Calendar and Rules Committee Report (Chairman John Smyth) a. — Approval of Consent Calendar Items b. — Approval of Regular Calendar Items
6	Vote	Approval of Consent Calendar (Commission Chairman Rick Eldridge) a. — Consent Calendar
7	Vote	Budget Committee (Chairman Herbert Harville) a. — Approval of Budget Committee Action
8	Vote Vote Vote Vote Vote Vote Vote Vote Vote Vote	Finance Committee (Chairman Herbert Harville) a. — Approval of Monthly Checks — May 2016 b. — Hamblen County Fleet Plan c. — Budget Amendments 1. — Fund #101 Various End of Year \$821,729 2. — Fund #116 Various End of Year \$20,006 3. — Fund #131 Various End of Year \$7,231 4. — Fund #101 Jail \$19,988 5. — Fund #122 Drug Enforcement \$75,000 d. — Lease Agreement — State of Tennessee, Judge Beth Boniface Office Space e. — Secures Technologies Contract f. — Approval to Apply for COPs Grant
9	Vote Vote Vote	Public Services Committee (Chairman Howard Shipley) a. — Morristown Utilities Systems Request to Use Cherokee Park Property b. — Items to Surplus 1. — Sheriff Dept. 2. — I.T. Dept. 3. — Donation of Surplus Computer to Senior Citizens Center
10		Public Comment – General (Commission Chairman Rick Eldridge)
11		Recess Meeting and Reconvene on Thursday, June 30, 2016 at 4:00 p.m. – Large Courtroom Hamblen County Courthouse (Chairman Rick Eldridge)

Regular Calendar Continued on Page 3

		<i>Reconvene June 30, 2016 4:00 p.m. Third Floor Large Courtroom</i>
12		Public Comment (Commission Chairman Rick Eldridge)
		Resolutions
	Vote	a. Conflict of Interest Statement (#1)
	Vote	b. Resolution Fixing the Tax Levy in Hamblen County, Tennessee for Fiscal Year Beginning July 1, 2016 and ending June 30, 2017.
	Vote	c. Conflict of Interest Statement (#2)
	Vote	d. Resolution Making Appropriations for the Various Fund Departments, Institutions, Offices and Agencies for Hamblen County, Tennessee for the Year Beginning July 1, 2016 and Ending June 30, 2017.
	Vote	e. Conflict of Interest Statement (#3)
	Vote	f. Resolution Making Appropriations to Nonprofit, Charitable and Civic Organizations of Hamblen County, Tennessee for the Year Beginning July 1, 2016 and ending June 30, 2017.
	Vote	g. Resolution 16-12 to Increase Motor Vehicle Privilege Tax by \$15 (Vote #1)
13		Announcements /Informational Items/Upcoming Meeting Dates (Commission Chairman Rick Eldridge)
		a. July 11, 2016 – <i>Committee Meetings</i> : 11:30 a.m. – Health Dept. Conference Room
		b. July 21, 2016 – <i>County Commission Meeting</i> : 5:00 p.m. – Courthouse Large Courtroom
14		Adjournment (Commission Chairman Rick Eldridge)

REGULAR CALENDAR – June 23/30, 2016

CONSENT CALENDAR

Order #	Item	Placed From
1	Approval of the Previous Month Minutes: Hamblen County Commission Meeting, — May 19, 2016	Commission Chairman Rick Eldridge
2	Approval of Notaries	County Clerk Penny Petty
3	Expenditure Reports — May 2016	Finance Committee
4	Planning Commission Building Permit Report — May 2016	Finance Committee
5	County Attorney Invoices — May 2016	Finance Committee
6	Coroner’s Monthly Report — May 2016	Finance Committee
7	Budget Amendments Approved by County Mayor a. Fund #101, Accounting and Budgeting, \$1,546 b. Fund #101, County Clerk. —\$2,090 c. Fund #101, Other Finance —\$1,131 d. Fund #101, Courtroom Security —\$2,400 e. Fund #101, Courtroom Security —\$5,500 f. Fund #101, Drug Court —\$1,596 g. Fund #101, Sheriff’s Dept. —\$1,000 h. Fund #101, Sheriff’s Dept. —\$500 i. Fund #101, Sheriff’s Dept. —\$1,500 j. Fund #101 Sheriff’s Dept. —\$1,400 k. Fund #101 Trustee —\$2,514 l. Fund #131 Administration —\$4,500 m. Fund #131 Highway and Bridge Maintenance —\$11,800 n. Fund #131 Highway and Bridge Maintenance —\$10,000	Finance Committee

CONSENT CALENDAR – June 23, 2016

**RESOLUTION FIXING THE TAX LEVY IN
HAMBLÉN COUNTY, TENNESSEE
FOR FISCAL YEAR BEGINNING JULY 1, 2016**

SECTION 1. BE IT RESOLVED by the Board of County Commissioners of Hamblen County, Tennessee, assembled in regular session on this 30th day of June, 2016, that the combined property tax rate for Hamblen County, Tennessee for the year beginning July 1, 2016, shall be \$1.90 on each \$100 of taxable property inside the corporate limits of the City of Morristown and \$2.13 on each \$100 of taxable property outside the corporate limits of the City of Morristown, which is to provide revenue for each of the following funds and otherwise conform to the following tax levies:

<u>FUND</u>	<u>Inside Rate</u>	<u>Outside Rate</u>
General	\$ 0.63	\$ 0.63
General Debt Service	0.31	0.31
General Purpose School	0.96	0.96
Solid Waste/Sanitation	0.00	0.23
TOTAL	<u>\$ 1.90</u>	<u>\$ 2.13</u>

SECTION 2. BE IT FURTHER RESOLVED, that all resolutions of the Board of County Commissioners of Hamblen County, Tennessee, which are in conflict with this resolution are hereby repealed.

SECTION 3. BE IT FURTHER RESOLVED, that there is hereby levied a gross receipts business tax as provided by law. The proceeds of the gross receipts tax herein levied shall accrue to the General Fund.

SECTION 4. BE IT FURTHER RESOLVED, that there is levied a motor vehicle privilege tax as provided by law. The proceeds of the \$27 motor vehicle privilege tax herein levied shall accrue \$27 to the General Fund.

SECTION 5. BE IT FURTHER RESOLVED, that there is levied a hotel/motel occupancy tax as provided by law. The proceeds of the hotel/motel occupancy tax herein levied shall accrue to the General Fund for the specific purpose of capital improvements to Cherokee Park.

SECTION 6. BE IT FURTHER RESOLVED, that a local option sales tax is levied as provided by law. The first 50% of the sales tax shall accrue to the General Purpose School Fund; of the remaining 50%, the first \$165,000 shall accrue to the Highway/Public Works Fund, and the remainder shall accrue to the Solid Waste/Sanitation Fund.

SECTION 7. BE IT FURTHER RESOLVED, that revenues derived from State Revenue Sharing - T.V.A. shall accrue as follows: the first \$200,000 shall accrue to the Highway/Public Works Fund, and the remaining revenues shall accrue to the General Fund.

SECTION 8. BE IT FURTHER RESOLVED, that revenues derived from interest earned on the cash balances in the Central Cafeteria Fund shall accrue to that fund; revenues derived from interest earned on the cash balances in the Drug Control Fund shall accrue to that fund; all other interest earnings from operating funds shall accrue to the General Debt Service Fund.

SECTION 9. BE IT FURTHER RESOLVED, that revenues derived from \$0.02 (two cents) of the property tax levied to the General Debt Service Fund shall accrue and be restricted for the purpose of retiring debt issued for construction and renovation related to Morristown-Hamblen High School West.

SECTION 10. BE IT FURTHER RESOLVED, that this resolution take effect from and after its passage, the public welfare requiring it. This resolution shall be spread upon the minutes of the Board of County Commissioners.

Passed this 30th day of June, 2016.

Motion made by Commissioner _____, seconded by

Commissioner _____.

Aye:

Nay:

Absent:

Pass:

Abstain:

Chairman

County Mayor

Attest:

County Clerk

**A RESOLUTION MAKING APPROPRIATIONS FOR THE VARIOUS FUNDS,
DEPARTMENTS, INSTITUTIONS, OFFICES AND AGENCIES OF
HAMBLLEN COUNTY, TENNESSEE FOR THE YEAR BEGINNING JULY 1, 2016
AND ENDING JUNE 30, 2017**

SECTION 1. BE IT RESOLVED by the Board of County Commissioners of Hamblen County, Tennessee, assembled in regular session on the 30th day of June, 2016, that the amounts hereafter set out are hereby appropriated for the purpose of meeting the expenses of the various funds, departments, institutions, offices and agencies of Hamblen County, Tennessee, for the capital outlay, and for meeting the payment of principal and interest on the county's debt maturing during the year beginning July 1, 2016, and ending June 30, 2017, according to the following schedule:

GENERAL FUND

51100	County Commission	\$	183,440
51210	Board of Equalization		4,800
51300	County Mayor		211,545
51400	County Attorney		31,293
51500	Election Commission		327,833
51600	Register of Deeds		298,692
51720	Planning		246,818
51760	Geographical Information Systems		45,000
51810	Other Facilities		802,180
51910	Preservation of Records		20,806
52100	Accounting and Budgeting		354,332
52200	Purchasing		53,766
52300	Property Assessor's Office		394,688
52310	Reappraisal Program		139,232
52400	County Trustee's Office		366,492
52500	County Clerk's Office		691,645
52600	Data Processing		124,090
52900	Other Finance		293,406
53100	Circuit Court		869,385
53300	General Sessions Court		434,814
53330	Drug Court		146,910
53400	Chancery Court		364,570
53500	Juvenile Court		297,757
53920	Courtroom Security		620,054
54110	Sheriff's Department		3,034,005
54160	Administration of Sexual Offender Registry		3,360
54210	Jail		3,941,130
54220	Workhouse		91,009
54250	Work Release Program		197,730
54310	Fire Prevention and Control		200,000
54410	Civil Defense		94,602
54490	Other Emergency Management		169,793
54510	Inspection and Regulation		7,377
54610	County Coroner/Medical Examiner		118,000
55110	Local Health Center		686,163

General Fund Continued

55120	Rabies and Animal Control	\$	133,500
55140	Nursing Home		200
55170	Alcohol and Drug Programs		5,000
55180	Crippled Children Services		6,242
55390	Appropriations to State		110,500
55520	Aid to Dependent Children		8,000
55590	Other Local Welfare Services		40,000
55710	Sanitation Management		15,000
56100	Adult Activities		11,600
56300	Senior Citizens Assistance		6,500
56500	Libraries		267,250
56700	Parks and Fair Boards		266,594
56900	Other Social, Cultural, and Recreational		299,500
57100	Agricultural and Natural Resources		153,927
57300	Forest Service		1,000
57500	Soil Conservation		45,981
57800	Storm Water Management		22,500
58110	Tourism		72,550
58120	Industrial Development		254,375
58300	Veterans' Service		19,785
58600	Employee Benefits		1,031,072
58900	Miscellaneous		225,404
73300	Community Services		5,500
91110	General Administration Projects		60,000
91130	Public Safety Projects		329,000
	Total General Fund	\$	<u>19,257,697</u>

SOLID WASTE/SANITATION FUND

55710	Sanitation Management	\$	<u>2,360,438</u>
	Total Solid Waste/Sanitation Fund	\$	<u>2,360,438</u>

DRUG CONTROL FUND

54150	Drug Enforcement	\$	<u>91,076</u>
	Total Drug Control Fund	\$	<u>91,076</u>

HIGHWAY/PUBLIC WORKS FUND

61000	Administration	\$	429,853
62000	Highway and Bridge Maintenance		1,148,745
63100	Operation and Maintenance of Equipment		334,167
66000	Employee Benefits		43,540
68000	Capital Outlay		<u>750,800</u>
	Total Highway/Public Works Fund	\$	<u>2,707,105</u>

GENERAL PURPOSE SCHOOL FUND

71000	<u>Instruction</u>		
71100	Regular Instruction Program	\$	42,397,826
71200	Special Education Program		5,850,443
71300	Vocational Education Program		3,341,421
71400	Student Body Education Program		184,302
71900	Other		59,223
72000	<u>Support Services</u>		
72110	Attendance	\$	5,850
72120	Health Services		740,419
72130	Other Student Support		1,428,870
72210	Regular Instruction Program		735,208
72220	Special Education Program		826,162
72230	Vocational Education Program		219,767
72310	Board of Education		1,151,072
72320	Director of Schools		645,211
72410	Office of the Principal		4,554,454
72510	Fiscal Services		435,304
72610	Operation of Plant		6,329,992
72620	Maintenance of Plant		1,548,224
72710	Transportation		3,553,399
72810	Central and Other		1,533,265
73000	<u>Operation of Non-Instructional Services</u>		
73300	Community Services		318,209
73400	Early Childhood Education		848,006
76000	<u>Capital Outlay</u>		
76100	Regular Capital Outlay		3,766,284
82300	<u>Other Debt Service</u>		
82330	Education - Other Debt Service		500,000
99000	<u>Other Uses</u>		
99100	Transfers Out		28,244
	Total General Purpose School Fund	\$	<u>81,001,155</u>

CENTRAL CAFETERIA FUND

72000	<u>Support Services</u>		
72310	Board of Education	\$	69,000
73000	<u>Operation of Non-Instructional Services</u>		
73100	Food Service		6,685,119
	Total Central Cafeteria Fund	\$	<u>6,754,119</u>

GENERAL DEBT SERVICE FUND

82100	<u>Principal on Debt</u>		
82110	General Government	\$	106,760
82120	Highways and Streets		308,924
82130	Education		4,133,170

General Debt Service Continued

82200	<u>Interest on Debt</u>	
82210	General Government	136,320
82220	Highways and Streets	35,166
82230	Education	1,031,741
82300	<u>Other Debt Service</u>	
82310	General Government	90,000
82330	Education	11,280
		<hr/>
	Total General Debt Service Fund	<u>\$ 5,853,361</u>

HIGHWAY CAPITAL PROJECTS

91200	Highway and Street Capital Projects	<u>\$ 0</u>
	Total Highway Capital Projects Fund	<u>\$ 0</u>

BE IT FURTHER RESOLVED, that the budget for the Special School Projects Fund shall be the line-item budget approved for separate projects within the fund by the Hamblen County Board of Education.

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

SECTION 3. BE IT FURTHER RESOLVED, that if any fee officials, as enumerated in Section 8-22-101, Tennessee Code Annotated, operate under provisions of Section 8-22-104, Tennessee Code Annotated, provisions of the preceding paragraph shall not apply to those particular officials.

SECTION 4. BE IT FURTHER RESOLVED, that any amendment to the budget, except for amendments to the budget for funds under supervision of the Director of Schools, shall be approved as provided in Section 5-9-407, Tennessee Code Annotated. The Director of Schools must receive approval of the Board of Education for transfers within each major category of the budget, and approval of both the Board of Education and the Board of County Commissioners for transfers between major categories as required by law.

One copy of each amendment shall be filed with the County Clerk, one copy with the Chairman of the Finance Committee, and one with each divisional or departmental head concerned. The reason(s) for each transfer shall be clearly stated; however, this provision shall in no case whatsoever be construed as authorizing transfer from one fund to another, but shall apply solely to transfers within a certain fund.

SECTION 5. BE IT FURTHER RESOLVED, that any appropriations made by this resolution, which cover the same purpose for which a specific appropriation is made by statute is made in lieu of but not in addition to said statutory appropriation. The salary, wages, or remuneration of each officer, employee, or agent of the County shall not be in excess of the amounts authorized by existing law or as set forth in the estimate of expenditures which accompanies this resolution. Provided, however, that appropriations for such salaries, wages, or other remuneration hereby authorized shall in no case be construed as permitting expenditures for an office, agency, institution, division or department of the County in excess of the appropriation made herein for such office, agency, institution, division or department of the County. Such appropriation shall constitute the limit to the expenditures of any office, agency, institution, division or department for the year ending June 30, 2017. The aggregate expenditures for any item of appropriation shall in no instance be more than the amount herein appropriated for such item.

SECTION 6. BE IT FURTHER RESOLVED, that any resolution which may hereafter be presented to the Board of County Commissioners providing for appropriations in addition to those made by this Budget Appropriations Resolution shall specifically provide sufficient revenue or other funds actually to be provided during the fiscal year in which the expenditure is to be made to meet such additional appropriation. Said appropriating resolution shall be submitted to and approved by the State Director of Local Finance after its adoption as provided by Section 9-21-403, Tennessee Code Annotated.

SECTION 7. BE IT FURTHER RESOLVED, that the County Mayor and County Clerk are hereby authorized to borrow money on revenue anticipation notes, provided such notes are first approved by the State Director of Local Finance, to pay for the expenses herein authorized until the taxes and other revenue for the year 2016-2017 have been collected. The proceeds of loans for each individual fund shall not exceed 60% of the appropriations of each individual fund and shall be used only to pay the expenses and other requirements of the fund for which the loan is made. The loan shall be paid out of revenue from the fund for which money is borrowed. The notes evidencing the loans authorized under this section shall be issued under the applicable sections of Title 9, Chapter 21, Tennessee Code Annotated. Said notes shall be signed by the County Mayor and countersigned by the County Clerk and shall mature and be paid in full without renewal no later than June 30, 2017.

SECTION 8. BE IT FURTHER RESOLVED, that the delinquent County property taxes for the year 2015 and prior years and the interest and penalty thereon collected during the year ending June 30, 2017, shall be appropriated to the various County funds according to the subdivision of the tax levy for the year 2015. The Clerk and Master and the Trustee are hereby authorized and directed to make such apportionment accordingly.

SECTION 9. BE IT FURTHER RESOLVED, that all unencumbered balances of appropriations remaining at the end of the fiscal year shall lapse, and be of no further effect at the end of the year at June 30, 2017.

SECTION 10. BE IT FURTHER RESOLVED, that any resolution or part of a resolution which has heretofore been passed by the Board of County Commissioners which is in conflict with any provision in this resolution be and the same is hereby repealed.

SECTION 11. BE IT FURTHER RESOLVED, that this resolution shall take effect from and after its passage and its provisions shall be in force from and after July 1, 2016. This resolution shall be spread upon the minutes of the Board of County Commissioners. [Return to Regular Calendar](#)

Passed this 30th day of June, 2016.

Motion made by Commissioner _____, seconded by

Commissioner _____.

Aye:

Nay:

Absent:

Pass:

Abstain:

Chairman

County Mayor

Attest:

County Clerk

A RESOLUTION MAKING APPROPRIATIONS TO NONPROFIT CHARITABLE AND CIVIC ORGANIZATIONS OF HAMBLLEN COUNTY, TENNESSEE FOR THE YEAR BEGINNING JULY 1, 2016 AND ENDING JUNE 30, 2017

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

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

NOW, THEREFORE BE IT RESOLVED, by the Board of County Commissioners of Hamblen County, meeting on this 30th day of June, 2016.

SECTION 1. That one million, six hundred sixty-eight thousand, eight hundred fifty-seven dollars (\$1,668,857) be appropriated to nonprofit organizations in Hamblen County as reflected below:

<u>No.</u>	<u>Agency</u>	<u>Amount</u>
54310-316	North Hamblen County Volunteer Fire Department	\$ 50,000
54310-316	South Hamblen County Volunteer Fire Department	50,000
54310-316	East Hamblen County Volunteer Fire Department	50,000
54310-316	West Hamblen County Volunteer Fire Department	50,000
54490-316	Hamblen County Emergency Communications District	169,793
55110-309	Hamblen County Health Department – Local Direct	65,000
55120-316	Hamblen County Humane Society	133,500
55140-316	ALPS	2,000
55170-316	Helen Ross McNabb Center	5,000
55180-316	Hamblen County Health Department – Children’s Special Services	6,242
55390-316	Hamblen County Health Department – Tennessee Dept. of Health	110,500
55520-316	CEASE	8,000
55590-316	Youth Emergency Shelter (Y.E.S.)	15,000
55590-316	Morristown-Hamblen Child Care Center	25,000
55710-316	Keep Morristown-Hamblen Beautiful	15,000
56100-316	Senior Citizens Center – Adult Center	11,600
56300-316	Senior Citizens Center – Vital Visits	6,500
56500-316	Morristown-Hamblen Library	267,250
56900-316	Ministerial Association Temporary Shelter, Inc. (M.A.T.S.)	8,000
56900-316	Lakeway Achievement Center, Inc.	5,000
56900-316	Senior Citizens Home Assistance Center (S.C.H.A.S.)	5,000
56900-316	Central Services	5,000
56900-316	Morristown Recreation Board	200,000
56900-316	Hearing and Speech Center (University of Tennessee – College of Arts)	1,500
56900-316	Rose Center	5,000
57300-316	Forest Service	1,000

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Continued

<u>No.</u>	<u>Agency</u>	<u>Amount</u>
58110-316	Morristown Area Chamber of Commerce – Tourism	\$ 22,500
58120-316	Morristown Area Chamber of Commerce – Industrial Development	42,000
58120-316	Industrial Development Board of the City of Morristown	15,000
54610	County Coroner/Medical Examiner	118,000
57100	Agricultural Extension Office	149,755
57500	Soil Conservation	45,217
73300-316	HC*Excel	5,000
73330-316	Project Graduation	500
	Total	<u>\$ 1,668,857</u>

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

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

BE IT FURTHER RESOLVED, that this resolution shall take effect from and after its passage and its provisions shall be in force from and after July 1, 2016. This resolution shall be spread upon the minutes of the Board of County Commissioners.

Passed this 30th day of June, 2016.

RESOLUTION 16-12 (1)
TO LEVY AN ADDITIONAL COUNTY-WIDE MOTOR VEHICLE TAX

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 the 2002 Hamblen County Wheel Tax Referendum the total motor vehicle privilege tax in Hamblen County currently is twenty-seven dollars (\$27) with proceeds going to any Fund as the Hamblen County Legislative Body determines by resolution; and

WHEREAS, the need for new revenue sources to fund a local paving and road improvements program is great in Hamblen County; and

WHEREAS, the county legislative body of Hamblen County has determined that it is in the best interests of the county that an additional motor vehicle privilege tax in the amount of fifteen (\$15) be levied in Hamblen County as provided herein, so that the total motor vehicle privilege tax in Hamblen County will be forty-two dollars (\$42).

NOW, THEREFORE BE IT RESOLVED by the county legislative body of Hamblen County meeting in regular session at Morristown , Tennessee, on the 30th day of June, 2016 that:

SECTION 1. For the privilege of using the public roads and highways in Hamblen 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 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 Fifteen (\$15) 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 Hamblen County.

SECTION 2. The tax herein levied shall be paid to and collected by the County Clerk of Hamblen 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 Hamblen 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 Hamblen 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 Hamblen 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 eight dollars (\$8.00), 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 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 eight dollars (\$8.00), may issue and deliver to the applicant a duplicate decal or emblem.

SECTION 6. The proceeds of the additional \$15 motor vehicle privilege tax herein levied shall be placed in the County Highway Capital Projects Fund and shall be used to resurface roads, prepare roads and roadbeds for resurfacing, install guardrails, stripe roads, repair bridges and provide matching money for state and federal road improvements programs (such as the state aid program) for roads whose maintenance is the responsibility of Hamblen County Government.

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 Hamblen 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 Hamblen 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 November, 2016, 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 June 30, 2016 meeting of the Hamblen County Legislative Body.

Voting for:

Voting against:

APPROVED:

ATTEST:

_____ County Mayor

_____ County Clerk

Passed 2nd reading at the regular July 21, 2016 meeting of the Hamblen County Legislative Body.

Voting for:

Voting against:

APPROVED:

ATTEST:

_____ County Mayor

_____ County Clerk

Motion made by Commissioner _____, seconded by
Commissioner _____.

Aye:

Nay:

Absent:

Pass:

Abstain:

Chairman

County Mayor

Attest:

County Clerk