

**BEFORE THE COUNTY LEGISLATIVE BODY FOR UNION COUNTY, TENNESSEE**

**RESOLUTION AMENDING REGULATIONS GOVERNING THE CLEANUP OF  
ILLEGAL DUMP SITES AS ADOPTED ON JUNE 11, 2007**

**NO. \_\_\_\_\_**

WHEREAS, by resolution adopted on June 11, 2007, this County Legislative Body (“Body”) adopted a “Resolution Adopting Regulations governing the Cleanup of Illegal Dump Sites, Resolution No. 01-06-11-07;

WHEREAS this Body desires to improve the environment and reduce the risks to the health and welfare of the residents of Union County, Tennessee, as posed by the accumulated debris at illegal dump sites on private property within the county; and

WHEREAS, this Body wishes to amend its June 11, 2007, resolution as below set forth.

NOW, THEREFORE, BE IT RESOLVED that this county legislative body hereby amends its June 11, 2007, resolution as follows:

1) That Section II – Definition, Subsection H be deleted in its entirety and the following be adopted:

II) H) Owner shall mean any person, partnership, firm or corporation, who alone or jointly with other shall be in possession of or have control of any property, dwelling or dwelling unit within Union County as owner, employee or agent of the owner, or as executor, administrator, trustee or guardian of the estate of the owner.

2) That Section IV – Enforcement Personnel and Hearing Board – Subsection A be deleted in its entirety and the following be adopted:

IV) A) This ordinance will be enforced by the “Union County Litter Enforcement Officer” (hereinafter referred to as “Enforcement Officer). The Enforcement Officer (s) may be assisted by Constables, Health Inspectors, Fire Marshals and all city and county police officers if needed. The Enforcement Officer (s) will be appointed by the County Mayor and subject to confirmation by the County Legislative Body. The Enforcement Officer(s) will serve at the direction and at the pleasure of the County Mayor.

3) That Section V – Initiation of Action be deleted in its entirety and the following be adopted:

3) Section V – Enforcement action under this ordinance is initiated by the filing of a written complaint by any one (1) person residing in Union County alleging a violation of Section III, the Complaint will include a description and location of the real property on which unhealthy or dangerous conditions exist, or illegal dumpsite (defined herein), is believed to exist. The

Company must be submitted to the Enforcement Officer or the Director of Keep Union County Beautiful. The Litter Office can also at his discretion deem a site unsafe, unhealthy, or dangerous and send a certified letter to the owner of the property to remedy the unsafe conditions.

4) That the following be added as Section XI – P

This resolution shall be published in its entirety in *The Union News Leader*, and shall then become effective July 15, 2019.

ADOPTED AND APPROVED IN OPEN MEETING AT MAYNARDVILLE, this \_\_\_\_\_ day of August, 2019.

MOTION TO ADOPT BY \_\_\_\_\_; SECONDED BY \_\_\_\_\_.

**Those voting in the affirmative:**

\_\_\_\_\_  
\_\_\_\_\_

**Those voting no:**

\_\_\_\_\_  
\_\_\_\_\_

**Those passing:** \_\_\_\_\_

\_\_\_\_\_  
Chairman & County Mayor

Attest:

\_\_\_\_\_  
Pam Ailor, County Clerk

The Union County Commission met in Regular Called Meeting at 7:00 P.M. on Monday, June 11, 2007 at the Union County Courthouse. The Honorable Gary England, County Chairman, Presiding. Pam Ailor, County Clerk and the following Commissioners to Wit: Elmer Bailey, Lynn Beeler, Stanley Boles, Wayne Cole, Wayne Collins, Charlie Cox, Greg Davis, Gary England, Dean A. Hill, Kenny Hill, Janet Atkins Holloway, Brenda Jesse, R.L. Jones, Joyce Meltabarger, Mike Sexton, J. T. Washam and Doyle Welch.

A quorum being present, County Commission was duly opened at 7:05 P.M. by Deputy Sheriff Wayne Cole.

The Agenda for June 11, 2007 is as follows:

1. Roll Call
2. To Approve Minutes of May 14, 2007
3. To Approve Notaries
4. Report From the Budget and Finance Committee and Approve Budget Amendments – Commissioner Stanley Boles
5. Discuss Jail Renovation
6. Approve or Disapprove Illegal Dump Ordinance For Union County
7. Approve or Disapprove Resolution For Office Space For Employees of Union County
8. Finalize Transfer of Juvenile Court to Circuit Court Clerk
9. Discuss Powerhouse Ministries Land Purchase In Luttrell Industrial Park
10. Approve or Disapprove Continuing Operating Budget & Resolution for 2007
11. Present 2007 – 2008 Fiscal Year Budget
12. Discuss Security in the Courthouse – Faye Edmondson
13. Old Business/New Business
14. Adjourn

#### ADDENDUM

1. Appoint Burney Hutchison to Solid Waste Board to Replace James Griffin
  2. Approve Capital Outlay Note for Jail Renovation, Paving and Striping Parking Lot
  3. Approve or Disapprove GIS Mapping System for Union County Tax Assessors Office
2. A Motion was made by Charlie Cox and second by Kenny Hill to approve the Minutes of May 14, 2007.

County Chairman, Gary England called for an Aye Vote. Motion Carried.

3. A Motion was made by Elmer Bailey and second by Stanley Boles to approve the following notaries: Karen Briggs, Jessica Cooke, Robyn T. Kitts, and Gina Singletary

County Chairman, Gary England called for an Aye Vote. Motion Carried.

4. The following Budget Amendments and Transfers were presented by  
Commissioner Boles:

BUDGET AMENDMENTS AND TRANSFER

TRANSFER

**INCREASE**

**CLERK AND MASTER**

53400-435 OFFICE SUPPLIES 350.00  
CLERK AND MASTER, RECORD BOOKS

**DECREASE**

**CLERK AND MASTER**

53400-337 MAINT AND REPAIR SERVICE 200.00  
53400-508 BONDS 150.00

TRANSFER NEEDED TO PAY FOR OFFICE RECORD BOOKS

**INCREASE**

**COUNTY CLERK OFFICE**

52500-435 OFFICE SUPPLIES 155.80

**DECREASE**

**COUNTY CLERK OFFICE**

52500-337 MAIN AND REPAIR 29.00  
52500-355 TRAVEL 8.80  
52500-719 EQUIPMENT 49.00  
52500-508 BONDS 71.00

TRANSFER NEEDED TO PAY FOR OFFICE SUPPLIES FOR OFFICE DEPOT

**INCREASE**

**OTHER GENERAL ADMINISTRATION**

51900-701 ADMINISTRATIVE EQUIPMENT 500.00

**DECREASE**

**OTHER GENERAL ADMINISTRATION**

51900-425 GASOLINE 500.00

TRANSFER NEEDED TO PAY FOR COURT HOUSE COPIER EXPENSE

**INCREASE**

**KUCB**

64000-435 KUCB OFFICE SUPPLIES 150.00

**DECREASE**

**OTHER GENERAL ADMINISTRATION**

51900-425 GASOLINE 150.00

TRANSFER NEEDED TO PAY FOR KUCB UNIFORMS

**INCREASE**

**KUCB**

64000-355 KUCB TRAVEL 60.00

**DECREASE**

**OTHER GENERAL ADMINISTRATION**

51900-425 GASOLINE 60.00

TRANSFER NEEDED TO PAY KUCB DIRECTOR FOR TRAVEL

**INCREASE**

**LIBRARY**

56500-355 LIBRARY TRAVEL 100.00

**DECREASE**

**LIBRARY**

56500-435 LIBRARY SUPPLIES 100.00

TRANSFER NEEDED TO PAY FOR LIBRARIAN TRAVEL TO MANDATED MEETING

**INCREASE**

**JAIL**

54210-335 JAIL REPAIR 295.00  
REPAIR SEWER IN JAIL

**DECREASE**

**COUNTY BLDGS**

51800-434 NATURAL GAS 295.00

TRANSFER NEEDED TO PAY FOR SEWER REPAIR IN JAIL

**INCREASE**

**LAW LIBRARY**

53100-432 LAW LIBRARY BOOKS 515.00

**DECREASE**

**COUNTY BLDGS**

51800-434 NATURAL GAS 515.00

UPDATED LAW LIBRARY BOOKS AND SUBSCRIPTION

**INCREASE**  
**SHERIFF DEPT**  
 54110-435 OFFICE SUPPLIES 690.00

**DECREASE**  
**COUNTY BLDGS**  
 51800-434 NATURAL GAS 690.00

*TRANSFEEER NEEDED TO PAY FOR SHERIFF DEP  
 OFFICE SUPPLIES*

A Motion was made by R. L. Jones and second by Dean Hill to approve the Budget Amendments and Transfers as presented.

County Chairman, Gary England called for an Aye Vote. Motion Carried.

The following Budget Amendments and Transfers were presented by Commissioner Boles:

**INCREASE**  
**JAIL MEDICAL**  
 54210-340 MEDICAL CARE 4,811.89

**INCREASE**  
**JAIL DRUGS**  
 54210-413 DRUGS AND MEDICAL 16,248.41

**DECREASE**  
**UNDESIGNATED FUND BALNCE**  
 39000-UNDESIGNATED FUND BALANCE 11,060.30

*INCREASE NECESSARY TO PAY FOR HOSPITAL VISITS  
 AND FOR R/X DRUGS FOR INMATES*

A Motion was made by Dean Hill and second by Doyle Welch to approve the Budget Amendments and Transfers as presented.

County Chairman, Gary England called for an Aye Vote. Motion Carried.

The following Budget Amendment For Convenience Center Operators was presented by Commissioner Boles:

11-Jun-07

BUDGET AMENDMENT FOR CONVENIENCE CENTER OPERATORS

INCREASE 55732-149 CONVENIENCE CENTER OPERATOR 7,600.00  
 DECREASE 39000 UNDESIGNATED FUND BALANCE 7,600.00

SOLID WASTE AUTHORITY WILL REIMBURSE COUNTY FOR EMPLOYEE SALARIES

A Motion was made by Charlie Cox and second by Kenny Hill to approve the Budget Amendment for Convenience Center Operators as presented.

County Chairman, Gary England called for an Aye Vote. Motion Carried.



The following Budget Amendments 141-General Purpose Schools was presented for approval:

**UNION COUNTY COMMISSION  
Budget Amendments  
141-General Purpose Schools  
June 11, 2007**

<b>Increase Expenditures:</b>		
141-71100-116-GEAR	Teachers	\$ 1,575.00
141-72210-499-GEAR	Other Supplies and Materials	1,075.00
141-72210-355-GEAR	Travel	<u>265.00</u>
	<b>Total</b>	<b><u>\$ 2,915.00</u></b>
<b>Decrease Expenditures:</b>		
141-71100-201-GEAR	Social Security	327.00
141-71100-204-GEAR	State Retirement	100.00
141-71100-212-GEAR	Employer Medicare	23.00
141-72210-499-GEAR-PS	Other Supplies and Materials	550.00
141-72210-499-GEAR-ID	Other Supplies and Materials	215.00
141-72210-524-GEAR	Professional Development	500.00
141-72210-599-GEAR	Other Charges	<u>1,200.00</u>
	<b>Total</b>	<b><u>\$ 2,915.00</u></b>

The above amendments are requested to move funds to line items where funds are needed in our Gear Up Grant.

<b>Increase Expenditures:</b>		
141-72620-499	Other Supplies and Materials	<b><u>\$ 30,000.00</u></b>
<b>Increase Reserves:</b>		
141-34290	Other Local Educational Reserves	<b><u>\$ 30,000.00</u></b>

The above amendments are requested to budget funds from Reserves to fund expenditures in the above line item where funds are needed.

**Budget Transfer  
142—Federal Projects  
Sub Fund 101  
Title I-A  
Improving the Academic Achievement of the Disadvantaged**

<b>Increase Expenditures</b>		
142-71100-195-101	Certified Substitute Teachers	\$ 2,524.00
142-71100-198-101	Non-Certified Substitute Teachers	\$ 1,236.00
142-71100-201-101	Social Security	\$ 503.00
142-71100-201-101—LES	Social Security	\$ 66.00
142-71100-204-101	State Retirement	\$ 85.00
142-71110-204-101—LES	State Retirement	\$ 55.00
142-71110-204-101—BRES	State Retirement	\$ 37.00
142-71100-204-101—MES	State Retirement	\$ 135.00
142-71100-204-101—SCES	State Retirement	\$ 4.00
142-71100-212-101	Medicare	\$ 84.00
142-72110-212-101—LES	Medicare	\$ 15.00
		<u>\$ 4,744.00</u>
<b>Decrease Expenditures</b>		
142-71100-207-101—BRES	Medical Insurance	\$ 1,250.00
		<u>\$ 1,250.00</u>
142-72210—790-101	Other Equipment	\$ 3,494.00
		<u>\$ 3,494.00</u>

This transfer is requested to reallocate 07.01 Title I-A project funds as needed to ensure adequate funding of substitute teacher salaries and benefits for the 2007-2008 school year.

**Budget Transfer**  
**142—Federal Projects**  
**Sub Fund 201**  
**Title II-A**  
**Teacher Quality**

**Increase Expenditures**

142-71100-195-201	Certified Substitute Salaries	\$ 1,080.00
142-71100-201-201	Social Security	\$ 59.00
142-71100-204-201	State Retirement	\$ 64.00
142-71100-204-201—LES	State Retirement	\$ 1.00
142-71100-212-201	Medicare	\$ 14.00
142-71100-212-201—MES	Medicare	\$ 1.00
142-71100-204-201—SCES	State Retirement	\$ 26.00
		<u>\$ 1,245.00</u>

**Decrease Expenditures**

142-72210-524-201	Staff Development	\$ 1,245.00
		<u>\$ 1,245.00</u>

**This transfer is requested to reallocate 07.01 Title II-A project funds as needed to ensure adequate funding of substitute teacher salaries and benefits for the 2007-2008 school year.**

A Motion was made by Wayne Cole and second by Brenda Jessee to approve the Budget Amendments 141-General Purpose Schools as presented.

County Chairman, Gary England called for an Aye Vote. Motion Carried.

5. No action or discussion was taken on this matter.
6. The following Resolution #01 06-11-07 Adopting Regulations Governing The Cleanup of Illegal Dump Sites was presented for approval:

**BEFORE THE COUNTY LEGISLATIVE BODY**  
**FOR UNION COUNTY, TENNESSEE**

**RESOLUTION ADOPTING REGULATIONS GOVERNING**  
**THE CLEANUP OF ILLEGAL DUMP SITES**

NO. 01 - 06-11-07

**WHEREAS**, the purpose of this resolution is to provide regulatory standards for the cleanup of illegal dump sites on private properties within the confines of Union County, Tennessee; and

**WHEREAS**, Tennessee Code Annotated, Section 5-1-115, authorizes counties to impose regulations on removal of accumulated debris; and

**WHEREAS**, the citizens of Union County are desirous of improving the environment and reducing the risks to their health and welfare posed by the accumulated debris at illegal dumpsites on private property within the county; and

**WHEREAS**, the regulations set out herein are intended to address this need;

**NOW THEREFORE, BE IT RESOLVED** by the County Legislative Body for Union County, Tennessee, meeting in regular session on the 11th day of June, 2007, in Maynardville, Tennessee, that the following regulations be adopted:

## Regulations on the Cleanup of Illegal Dumpsites

### SECTION I - PURPOSE

The purpose of this ordinance is to promote the public health, safety, and welfare of the residents of Union County, and to provide for the abatement of unhealthy or dangerous conditions at private expense.

### SECTION II - DEFINITIONS

A) Unhealthy or dangerous conditions are those which might endanger the health or safety of the public at illegal dumpsites on private property, including (but not limited to):

1) Accumulation (through improper storage or disposal) of debris, trash, litter, garbage, bulky wastes, other solid waste, or any combination of the preceding elements, which creates or allows:

- a) an infestation and harborage of rodents, or
- b) the breeding of flies, or
- c) the release of airborne contaminants such as mold spores, or
- d) the contamination of surface water streams or groundwater by petroleum products, asbestos, or other controlled substances as a result of rainwater runoff; or

2) Accumulation of water in artificial containers causing mosquito breeding or proliferation; or

3) Unburied dead animals; or

4) Any other condition that may be injurious to the public's health and safety.

B) Illegal dumpsite means private property on which the debris, trash, litter, garbage, bulky wastes, other solid wastes, or any combination of the preceding elements has been allowed to accumulate (through improper storage or disposal), and which has not been licensed or permitted by any government entity for such storage or disposal.

C) Infestation means the presence of rodents, insects, or other pests of such kind or in such numbers to cause a hazard to health.

D) Rodent for the purpose of this ordinance means rat or mouse.

E) Artificial containers means any man-made container, such as: tires, swimming pools, boats, cans, or buckets.

F) Bulky wastes means large items of solid waste such as appliances, furniture, vehicles or large vehicle parts, and other oversize wastes whose large size precludes or complicates their handling.

G) Abatement (for the purpose of this ordinance) means to take measures to eliminate, correct, or control the unhealthy or dangerous condition, thereby minimizing the danger to the public's health and safety.

H) Owner means the owner of record of the property on which the unhealthy or dangerous condition is located.

I) Owner-occupied residence means the domicile of record where the person who owns the domicile routinely lives. This definition excludes temporary shelters (such as tents or campers), on a piece of property occupied by the property owner for the purpose of avoiding prosecution under this ordinance.



### SECTION III - UNHEALTHY OR DANGEROUS CONDITIONS PROHIBITED

It shall be a violation of this ordinance for any person to allow the existence of, create, keep, or maintain any unhealthy or dangerous condition or an illegal dumpsite as defined by this ordinance.

### SECTION IV - ENFORCEMENT PERSONNEL AND HEARING BOARD

A) This ordinance will be enforced by the "Union County Litter Enforcement Officers" (hereinafter referred to as "Enforcement Officers"). The Enforcement Officers will be appointed by the County Mayor and subject to confirmation by the County Legislative Body. The Enforcement Officers will serve at the pleasure of the County Mayor.

B) There is hereby created the Union County Health and Safety Standards Board (hereinafter referred to as "Hearing Board") which shall consist of seven (7) members, one residing in each civil district of Union County, to be appointed by the County Mayor subject to confirmation by the County Legislative Body. The Board shall elect its own Chairperson (hereinafter referred to as "Chair") from among the seven members. All members of the Hearing Board shall be appointed for four-year terms; however, the initial appointments shall be made on the following terms in an effort to achieve subsequent staggered four-year terms:

Board member One - Initial One Year Term  
Board Members Two and Three-Initial Two Year Terms  
Board Member Four and Five - Initial Three Year Terms  
Board Members Six and Seven - Initial Four Year Terms

C) Any compensation or authorization for reimbursement of expenses for the members of the Hearing Board shall be established by the County Legislative Body. Any vacancy that occurs on the Hearing Board shall be filled by the County Mayor subject to confirmation by the County Legislative Body for the remainder of the term of the vacant position.

### SECTION V - INITIATION OF ACTION

Enforcement action under this ordinance is initiated by the filing of a written complaint alleging a violation of Section III. The complaint will include a description and location of the real property on which an unhealthy or dangerous condition, or illegal dumpsite (defined herein), is believed to exist, and must be signed by at least ten "owners of record" of properties within a two-mile radius of the alleged illegal dumpsite. The complaint with all the signatures will be submitted to the Enforcement Officer.

### SECTION VI - INVESTIGATIONS AND INSPECTIONS

Whenever the Enforcement Officer receives a written complaint (as defined above) that a parcel of property is in violation of Section III, the Enforcement Officer shall, after making a

V20070811

Page 3 of 6

preliminary investigation which discloses a basis for such violation, issue and cause to be served upon the owner of such properties a notice, in accordance with the provisions of Section VII below, stating the violations and requesting the condition be remedied immediately.

### SECTION VII - NOTICE OF VIOLATIONS

If the Enforcement Officer determines that a violation of these Regulations exists, the Officer shall provide notice to the alleged violator or owner of the property upon which the condition creating the violation is located, to remedy the condition immediately. The notice shall be by personal service on the owner or by United States Mail (certified, return receipt requested) to the owner at the last known address. The notice shall be written in plain language and shall state that the owner is entitled to a hearing. The notice shall include, but not be limited to, the following elements:

A) a brief statement identifying these Regulations and a description of the violations alleged; and shall cite the consequences of failing to remedy the noted condition;

B) the person, office, address, and telephone number of the department or person giving notice;

C) brief instructions regarding what actions the owner must take to remedy the violation of Section II, including a deadline by which the actions must be accomplished; a cost estimate (which shall be in conformity with the standards of cost in the community) for remedying the noted condition; and a statement summarizing the provisions of Section VIII below, that allow the county to remedy the violation and bill the owner;

D) the notice shall indicate how the owner may contest or appeal the notice of violation, and provide that such appeal must be made within thirty (30) days of serving or mailing the notice; and specify a place wherein the owner may return a copy of the notice, indicating the desire for a hearing.

**SECTION VIII - REMEDY OF VIOLATIONS BY THE COUNTY**

A) If, within thirty (30) days following personal service of the notice of violation or following the mailing of the notice of violation, a violation of Section II of these Regulations is not remedied or the owner has not requested a hearing to review the alleged violation, the Enforcement Officer shall cause the condition creating the violation to be remedied by one of the following methods:

- 1) By contracting with a private party for the job in accordance with any purchasing laws in effect in the county, or
- 2) By reaching agreement with the chief administrative officer of the county highway department for that department to remedy the condition.

V20070811

Page 4 of 6

B) The cost of all remedies effected by the Enforcement Officer shall be defrayed from general fund appropriations for this purpose, but the general fund shall be reimbursed by the property owner in accordance with these Regulations. If the county highway department performs the work, the highway fund shall be reimbursed for all expenses related to such effort from the county general fund.

C) If the county remedies the condition which caused a violation, the Enforcement Officer shall send a statement by certified mail (return receipt requested), to the property owner itemizing the cost of remedying the condition causing the violation. If such owner fails to reimburse the county general fund for the cost of the remedy within sixty (60) days of receiving the statement of cost, such statement shall constitute a lien upon the land. Such statements shall constitute a lien upon such real property as of the date notice is filed in accordance with T.C.A. § 15-1-115. The lien provided herein shall be entered in the records of the register of deeds of this county. Such lien shall be satisfied to the extent of the value of the consideration received at the time of transfer of ownership, and if the lien is not fully satisfied at the time of transfer, it shall remain a lien on the property until it is fully satisfied.

D) As an alternative means of recovering the cost of remedying the violation, upon request by the Enforcement Officer and approval of the County Mayor and the County Commission, the County Attorney may bring suit to obtain a judgment in favor of the county for the costs of remedying the violation. Once such a judgment is obtained, the county may pursue collection of the judgment by any method authorized by the Tennessee Rules of Civil Procedure. Upon satisfaction of the judgment, the county attorney shall take all necessary actions to remove any lien placed upon the property in accordance with subsection C).

**SECTION IX - JUDICIAL ACTIONS AND APPEALS**

A) If a timely request for a hearing is made by the violator or property owner as provided in these Regulations, the Hearing Board shall, within a reasonable time following the request, hold a hearing regarding the notice of violations or on the issue of the requirements imposed on the property owner or on the issue of the cost of remedying the violation. Failure to make the demand for a hearing within the time limit allowed by these Regulations shall constitute a waiver of the right to a hearing. Immediately following the hearing, the Hearing Board Chair may modify or dismiss the notice of violation or may confirm the notice. Any enforcement action by the county is stayed pending the hearing.

B) Pursuant to T.C.A. § 5-1-115, any property owner aggrieved by an order or act of the Hearing Board under the provisions of this regulation may seek judicial review of it under Tennessee Code Annotated, Title 27, Chapter 8, Part 1.

V20070811

Page 5 of 6

**SECTION X - DISCRIMINATION**

Discrimination on the grounds of race, age, color, sex, religion, national origin, disability, marital status, citizenship, sexual orientation, veteran status, or other protected classification(s) shall be prohibited in the enforcement of this ordinance.

**SECTION XI - EXEMPTIONS**

The provisions of SECTION VIII permitting the county to remedy such dangerous conditions shall not apply to:

- A. Any parcel of property upon which an owner-occupied residence is located; or
- B. Any properly licensed business enterprise open and operating at least forty hours per week. However, note that property owners may not obtain a business license for the purpose of avoiding prosecution under this ordinance; or

C. No property owner(s) shall be deemed in violation of this resolution or be required to cleanup of his, her, their property under the provisions hereof if the property owner(s) and/or his/her/their agents, employees and permittees did not place the debris, trash, litter, garbage, bulky wastes or other solid wastes on the property, and he/she/they did not knowingly allow said debris, trash, litter, garbage, bulky wastes or other solid wastes to be placed on their property and after learning of the existence of same on their property took measures to thereafter prevent additional debris, trash, litter, garbage, bulky wastes or other solid wastes from being placed on their property.

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

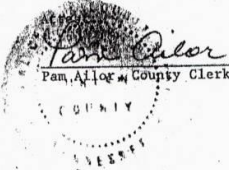
ADOPTED AND APPROVED IN OPEN MEETING AT MAYNARDVILLE, this 11th day of June, 2007.

Passed:

Those voting in the affirmative: Elmer Bailey, Lynn Beeler, Stanley Boles, Wayne Cole, Greg Davis, Gary England, Dean Hill, Janet Holloway, Brenda Jessee, R. L. Jones, Joyce Meltabarger, Mike Sexton, J. T. Washam and Doyle Welch.

Those Voting No: Wayne Collins, Charlie Cox and Kenny Hill.

Those Passing: None.



*Gary England*  
 Gary England, Chairman  
*Larry Cox*  
 Larry Cox, County Mayor

V20070611

Page 6 of 6

A Motion was made by R. L. Jones and second by Doyle Welch to approve Resolution #01 06-11-07 Adopting Regulations Governing The Cleanup of Illegal Dump Sites as presented.

County Chairman, Gary England called for a Roll Call Vote. Commissioners Voting For: Elmer Bailey, Lynn Beeler, Stanley Boles, Wayne Cole, Greg Davis, Gary England, Dean A. Hill, Janet Holloway, Brenda Jessee, R. L. Jones, Joyce Meltabarger, Mike Sexton, J. T. Washam and Doyle Welch. Commissioners Voting No: Wayne Collins, Charlie Cox and Kenny Hill. Motion Carried.



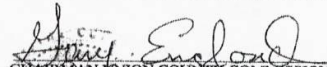
7. The following Resolution #02 06-11-07 for Office Space for Employees of Union County was presented for approval:

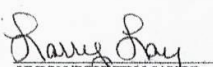
RESOLUTION NO. 02 06-11-07

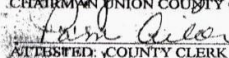
WHEREAS:

1. UNION COUNTY CLERK OFFICE WILL BE THE ONLY OFFICE LOCATED IN THE BANK BUILDING.
2. UNION COUNTY MAYOR,S OFFICE WILL USE ROOM NUMBER 119, FORMERLY THE COUNTY CLERK OFFICE.
3. ROOM NUMBER 208 FORMERLY UNION COUNTY MAYOR,S OFFICE STAFF WILL BE JUDGES CHAMBERS.
4. ROOM 219 WILL BE JUVENILE STAFF, FORMERLY THE AMBULANCE STAFF.
5. JUVENILE ROOM BESIDE SMALL COURT ROOM WILL BE THP OFFICE.
6. NEW AMBULANCE BUILDING WILL STAFF AMBULANCE PERSONNEL

THEREFORE LET IT IS RESOLVED THAT THESE CHANGES WILL TAKE EFFECT WHEN UNION COUNTY RECEIVES THE DEED FOR THE BANK BUILDING, AND AMPLE TIME IS GIVEN FOR THE PERSONNEL TO MOVE THEIR OFFICES TO THEIR NEW LOCATION.

  
CHAIRMAN, UNION COUNTY COMMISSION

  
UNION COUNTY MAYOR

  
ATTENDING COUNTY CLERK

VOTING FOR: Elmer Bailey, Lynn Beeler, Stanley Boles, Charlie Cox, Gary England, Kenny Hill, Janet Holloway, R.L. Jones & Joyce Meltabarger

VOTING AGAINST: Wayne Cole, Greg Davis, Dean Hill, Brenda Jessee, Mike Sexton, J. T. Washam and Doyle Welch.

PASSED: Wayne Collins.

A Motion was made by Charlie Cox and second by Kenny Hill to approve Resolution #02 06-11-07 for Office Space for Employees of Union County as presented.

County Chairman, Gary England called for a Roll Call Vote. Commissioners Voting For: Elmer Bailey, Lynn Beeler, Stanley Boles, Charlie Cox, Gary England, Kenny Hill, Janet Holloway, R. L. Jones and Joyce Meltabarger. Commissioners Voting No: Wayne Cole, Greg Davis, Dean Hill, Brenda Jessee, Mike Sexton, J. T. Washam and Doyle Welch. Commissioners Passing: Wayne Collins. Motion Carried.

8. No action was taken on this matter. Will be addressed and finalized at the Special Called Meeting scheduled for Thursday, June 28, 2007.
9. Dean Hill, 2<sup>nd</sup> District Commissioner addressed the County Commission on the Powerhouse Ministries proposed land purchase in the Luttrell Industrial Park. Commissioner Hill stated the following "for the record", as a representative of the 2<sup>nd</sup> District based on everyone that I have talked to my answer to the purchase of property in the Industrial Park is going to have to be no. And there are several reasons that I have looked at on this and I can give a few examples. I don't want any commissioner, whether it be ten (10) years from now, twenty (20) or four (4) to have to set at the table and some business wants to come in to an Industrial Park maybe a distributor or something and end up having problems, and I'm not saying by no means that the church would cause a problem, but it can get into a difficult situation with the county. The citizens of the 2<sup>nd</sup> district, and might I add this is for the record - the citizens of the 2<sup>nd</sup> district want industry, the citizens of the county want industry. There's not been any industry over there, there hasn't been, there hasn't been one business over there. But I have to look at the future of Union County. I have to make my decision based on county revenue and so forth and I want to apologize to you, the members of the church who are trying their best to purchase property in a location where it is feasible for you and I want you to understand as a representative from the 2<sup>nd</sup> district I have to go by the majority and by the people of the 2<sup>nd</sup> district. Thank you.



Derrick Merritt of Powerhouse Ministries was present and addressed the County Commission on plans for their church. Mr. Merritt provided the commission with a listing of community involvement and upcoming events for Powerhouse Ministries as well as a picture of the proposed church. Powerhouse Ministries has been in Luttrell looking for property to build a church for about one (1) year and has been unable to locate land. Mr. Merritt requested county commission to purchase five (5) acres of property in the Luttrell Industry Park to build their church.

A Motion was made by Charlie Cox and second by Kenny Hill to sell five (5) acres in the Luttrell Industry Park at the price of \$4,500 per acre to Powerhouse Ministries for the purpose of building a church.

County Chairman, Gary England called for a Roll Call Vote. Commissioners Voting For: Lynn Beeler, Stanley Boles, Charlie Cox, Kenny Hill and Janet Holloway. Commissioners Voting No: Elmer Bailey, Wayne Cole, Wayne Collins, Greg Davis, Gary England, Dean Hill, Brenda Jessee, R. L. Jones, Joyce Meltabarger, Mike Sexton, J. T. Washam and Doyle Welch. Motion Failed.

10. The following Resolution #03 06-11-07 TO ADOPT A CONTINUING BUDGET AND TAX RATE FOR THE FISCAL YEAR BEGINNING JULY 1, 2007, AND TO AUTHORIZE THE ISSUANCE OF TAX ANTICIPATION NOTES FOR THE COUNTY OF UNION was presented for approval:

**BEFORE THE COUNTY LEGISLATIVE BODY FOR UNION COUNTY, TENNESSEE  
RESOLUTION TO ADOPT A CONTINUING BUDGET AND TAX RATE FOR THE  
FISCAL YEAR BEGINNING JULY 1, 2007, AND TO AUTHORIZE THE ISSUANCE OF  
TAX ANTICIPATION NOTES FOR THE COUNTY OF UNION  
NO. 03 06-11-07**

WHEREAS, it appears that the 2007-2008 fiscal year budget of Union County, Tennessee, will not be approved by this county legislative body by July 1, 2007;

NOW, THEREFORE, BE IT RESOLVED, by this county legislative body for Union County, Tennessee, meeting this 11<sup>th</sup> day of June, 2007, that the amounts set out in the 2006-2007 Appropriation Resolution are hereby continued until a new 2007-2008 Appropriation Resolution is adopted; and

BE IT, FURTHER, RESOLVED, that the property tax rate as adopted for the 2006-2007 fiscal year shall remain in effect for the fiscal year beginning July 1, 2007 until a new property tax rate is adopted; and,

BE IT, FURTHER, RESOLVED, that the County Mayor and County Clerk are hereby authorized to borrow money on tax anticipation notes, not exceeding 60% of the appropriations of each individual fund of the continuing budget, to pay for the expenses herein authorized until the taxes and other revenues for the fiscal year 2007-2008 have been collected. Such notes shall first be approved by the State Director of Local Finance. The notes evidencing the loans authorized under this section shall be issued under the authority of Title 9, Chapter 21, Tennessee Code Annotated. All of said notes shall mature and be paid in full without renewal not later than June 30, 2008.

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

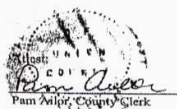
ADOPTED AND APPROVED IN OPEN MEETING AT MAYNARDVILLE, this 11<sup>th</sup> day of June, 2007.

Passed:

Those voting in the affirmative: Elmer Bailey, Lynn Beeler, Stanley Boles, Wayne Cole, Wayne Collins, Charlie Cox, Greg Davis, Gary England, Dean Hill, Kenny Hill, Janet Holloway, Brenda Jessee, R. L. Jones, Joyce Meltabarger, Mike Sexton, J. T. Washam and Doyle Welch.

Those voting no: None.

Those passing: None.



*Gary England*  
Gary England, Chairman  
*Larry Lay*  
Larry Lay, County Mayor

A Motion was made by Charlie Cox and second by R. L. Jones to approve Resolution #03 06-11-07 To Adopt A Continuing Budget And Tax Rate For The Fiscal Year Beginning July 1, 2007, And To Authorize The Issuance Of Tax Anticipation Notes For The County Of Union as presented.

County Chairman, Gary England called for an Aye Vote. Motion Carried.

11. No action was taken on this matter.
12. No action was taken on this matter. Will be addressed at the July 9, 2007 County Commission Meeting.
13. OLD BUSINESS:

Charles Thomas, Director of Union County Schools was present and addressed the County Commission on the growth of our county schools. Mr. Thomas expressed a willingness to keep the County Commission informed on the school system and will update as needed.

NEW BUSINESS:

A Motion was made by Kenny Hill and second by Charlie Cox to refund Mr. Joseph G. Coker, Attorney At Law, \$1,465.66 in full for delinquent tax sale.

County Chairman, Gary England called for an Aye Vote. Motion Carried.

The following Union County Highway Department Budget Amendments - June 05, 2006 were presented for approval by Commissioner Lynn Beeler:

*Union County Highway Department  
Budget Amendments - June 05, 2006*

<i>Increase The Following Appropriations:</i>	
<i>Amount \$:</i>	
61000-119-Bookkeeping	1,050.00
61000-302-Advertising	500.00
62000-321-Engineering Service	27,000.00
62000-149-Isbores Salary	28,733.90
62000-399-Other Contracted Services	80,000.00
62000-315-Equipment Rental	50.00
62000-404-Hot Mix Asphalt	520,000.00
62000-436-Road Materials	6,000.00
62000-443-Road Signs	600.00
62000-455-Wood Products	100.00
62000-499-Other Supplies & Materials	300.00
63100-412-Diesel Fuel	7,500.00
65000-307-Telephone	150.00
65000-423-Fuel Oil	1,685.00
66000-203-Retirement	2,635.00
66000-205-Group Insurance Premiums	37,000.00
<i>Total</i>	<i>713,303.90</i>
<i>Funds To Finance Increased Appropriations As Follows:</i>	
<i>Decrease The Following Appropriations:</i>	
61000-336-Maintenance Repair Serv. Equip	500.00
62000-320-Tl County Services	1,000.00
62000-355-Supt. Travel	500.00
62000-403-Cold mix Asphalt	35,000.00
62000-409-Crushed Stone	25,000.00
62000-440-Metal Pipe	1,000.00
63100-416-Heavy Equipment Parts	1,500.00
63100-425-Gas	6,000.00
65000-599-Other Fixed Charge	1,000.00
<i># Total</i>	<i>71,500.00</i>
<i>Beginning Fund Balance Not previously Appropriated</i>	<i>641,803.90</i>
<i># Total</i>	<i>713,303.90</i>

A Motion was made by Charlie Cox and second by R. L. Jones to approve the Union County Highway Department Budget Amendments – June 05, 2006 as presented.

County Chairman, Gary England called for an Aye Vote. Motion Carried.

ADDENDUM:

1. A motion was made by R. L. Jones and second by Greg Davis to appoint Burney Hutchinson to the Solid Waste Board to replace James Griffin. Term expiration will be June 30, 2013.

County Chairman, Gary England called for an Aye Vote. Motion Carried.

2. The following Capital Outlay Note for Jail Renovation, Paving and Striping Parking Lot was presented for approval:

THREE -YEAR CAPITAL OUTLAY NOTES

RESOLUTION OF THE GOVERNING BODY OF  
Union County, TENNESSEE, AUTHORIZING  
THE ISSUANCE, SALE, AND PAYMENT OF INTEREST-BEARING  
Short Term CAPITAL OUTLAY NOTES  
NOT TO EXCEED \$100,100.00

WHEREAS, the Governing Body of UNION COUNTY, Tennessee (the Local Government) has determined that it is necessary and desirable to provide funds for the following public works project(s) (herein referred to as the "Project"): NEW JAIL PROJECT (ADDITIONAL COST OF 75,100) AND PARKING LOT PAVING (COST OF 25,000)

(If multiple projects are involved, attach separate sheet identifying each project, its estimated economic life, and the portion of the Notes to be applied to the cost of such project,) and

WHEREAS, the Governing Body has determined that the Project will promote or provide a traditional governmental activity or otherwise fulfill a public purpose; and

WHEREAS, under the provisions of Parts I, IV, and VI of Title 9, Chapter 21, Tennessee Code Annotated, local governments in Tennessee are authorized to finance the cost of the Project through the issuance and sale of interest bearing capital outlay notes with a maturity of up to three years upon the approval of the State Director of Local Finance; and

WHEREAS, the Governing Body finds that it is advantageous to the Local Government to authorize the issuance of capital outlay notes to finance the cost of the Project;

NOW THEREFORE, BE IT RESOLVED, by the Governing Body of UNION COUNTY, Tennessee, as follows:

Section 1. That, for the purpose of providing funds to finance the cost of the Project in and for the Local Government, the Chief Executive Officer of the Local Government is hereby authorized in accordance with the terms of this resolution, and upon approval of the State Director of Local Finance, to issue and sell interest-bearing capital outlay notes in a principal amount not to exceed One Hundred Thousand One Hundred Dollars (\$100,100.00) (the "Notes") at either a competitive public sale or at a private negotiated sale pursuant to the terms, provisions, and conditions permitted by law. The Notes shall be designated "SHORT TERM 8YEAR Capital Outlay Notes, Series 2007", shall be numbered serially from 1 upwards; shall be dated as of the date of issuance; shall be in denomination (s) as agreed upon with the purchaser; shall be sold at not less than 99% of par value and accrued interest; and shall bear interest at a rate or rates not to exceed Five percent (5%) per annum, and in no event shall the rate exceed the legal limit provided by law.

Section 2. That, the Notes shall mature not later than eight (8) years after the date of issuance and that the Notes and any extension or renewal notes shall not exceed the reasonably expected economic life of the Project, which is hereby certified by the Governing Body to be at least 8 years. Provided, however, that unless otherwise approved by the State Director of Local Finance, each year



the Notes are outstanding, one-EIGHTH \_\_\_\_\_ (1/8), but in no event not less than one-ninth (1/9), of the original principal amount of the Notes shall mature without renewal but subject to prior redemption.

Section 3. That, the Notes shall be subject to redemption at the option of the Local Government, in whole or in part, at any time, at the principal amount and accrued interest to the date of redemption, without a premium, or, if sold at par, with or without a premium of not exceeding one percent (1%) of the principal amount.

Section 4. That, the Notes shall be direct general obligations of the Local Government, for which the punctual payment of the principal and interest on the notes, the full faith and credit of the Local Government is irrevocably pledged and the Local Government hereby pledges its taxing power as to all taxable property in the Local Government for the purpose of providing funds for the payment of principal of and interest on the Notes. The Governing Body of the Local Government hereby authorizes the levy and collection of a special tax on all taxable property of the Local government over and above all other taxes authorized by the Local government to create a sinking fund to retire the Notes with interest as they mature in an amount necessary for that purpose.

If applicable, the Notes shall be further secured by

\_\_\_\_\_  
(If the revenues generated by Project are to be applied as additional security for the Notes, describe such revenues here.)

Section 5. That, the Notes shall be executed in the name of the Local Government and bear the manual signature of the chief executive officer of the Local Government and the manual signature of the UNION COUNTY MAYOR with the Local Government seal affixed thereon; and shall be payable as to principal and interest at the office of the UNION COUNTY MAYOR of the Local Government or the paying agent duly appointed by the Local Government. Proceeds of the Notes shall be deposited with the COUNTY GENERAL ACCOUNT of the Local Government and shall be paid out for the purpose of financing the Project pursuant to this Resolution and as required by law.

Section 6. That, the Notes will be issued in fully registered form and that at all times during which any Notes remains outstanding and unpaid, the Local Government or its agent shall keep or cause to be kept at its office a note register, if held by an agent of the Local Government, shall at all times be open for inspection by the Local Government or any duly authorized officer of the Local Government. Each Note shall have the qualities and incidents of a negotiable instrument and shall be transferable only upon the note register kept by the Local Government or its agent, by the registered owner of the Note in person or by the registered owner's attorney duly authorized in writing, upon presentation and surrender to the Local Government or its agent together with a written instrument of transfer satisfactory to the Local Government duly executed by the registered owner of the registered owner's duly authorized attorney. Upon the transfer of any such Note, the Local Government shall issue in the name of the transferee a new registered note or notes of the same aggregate principal amount and maturity as the surrendered Notes. The Local Government shall not be obligated to make any such Note transfer during the fifteen (15) days next preceding an interest payment date of the Notes or, in the case of any redemption of the Notes, during the forty-five (45) days next preceding the date of redemption.



Section 7. That, the Notes shall be in substantially the form attached hereto and shall recite that the Notes are issued pursuant to Title 9, Chapter 21, Tennessee Code Annotated.

Section 8. The Notes shall not be sold until receipt of the State Director of Local Finance's written approval for the sale of the Notes.

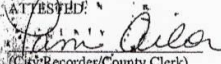
Section 9. That, the notes are hereby designated as qualified tax-exempt obligations for the purpose of Section 265(b)(3) of the Internal Revenue Code of 1986.

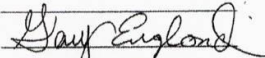
Section 10. That, after the sale of the Notes, and for each year that any of the notes are outstanding, the Local Government shall prepare an annual budget in a form consistent with accepted governmental standards and as approved by the State Director of Local Finance (the "Director"). The budget shall be kept balanced during the life of the notes. The annual budget shall be submitted to the Director immediately upon its adoption; however, it shall not become the official budget for the fiscal year until such budget is approved by the Director in accordance with Title 9, Chapter 21, Tennessee Code Annotated (the "Statutes"). If the Director determines that the budget does not comply with the Statutes, the Governing Body shall adjust its estimates or make additional tax levies sufficient to comply with the Statutes, or as directed by the Director.


Section 11. That, if any of the Notes shall remain unpaid at the end of three (3) years from the issue date, then the unpaid Notes shall be renewed or extended as permitted by law, or retired from the funds of the Local Government or be converted into bonds pursuant to Chapter 11 of Title 9 of the Tennessee Code Annotated, or any other law, or be otherwise liquidated as approved by the State Director of Local Finance.

Section 12. That, all orders or resolutions in conflict with this Resolution are hereby repealed insofar as such conflict exists and this Resolution shall become effective immediately upon its passage.

Duly passed and approved this 11th day of June, 2007.

ATTESTED:  
  
Jim Ailes  
City Recorder/County Clerk

  
Gary England  
(Local Government Chief Executive)

  
Larry Lay, Union County Mayor

Commissioners Voting For: Elmer Bailey, Lynn Beeler, Stanley Boles, Wayne Collins, Charlie Cox, Greg Davis, Gary England, Dean Hill, Kenny Hill, Janet Holloway, R. L. Jones, Joyce Meltabarger, Mike Sexton and Doyle Welch.

Commissioners Voting No: Wayne Cole, Brenda Jessee and J. T. Washam.

Commissioners Passing: None

3

A Motion was made by Charlie Cox and second by Kenny Hill to approve the Capital Outlay Note for Jail Renovation, Paving and Striping Parking Lot as presented.

County Chairman, Gary England called for a Roll Call Vote. Commissioners Voting For: Elmer Bailey, Lynn Beeler, Stanley Boles, Wayne Collins, Charlie Cox, Greg Davis, Gary England, Dean Hill, Kenny Hill, Janet Holloway, R. L. Jones, Joyce Meltabarger, Mike Sexton and Doyle Welch. Commissioners Voting No: Wayne Cole, Brenda Jessee and J. T. Washam. Motion Carried.

3. No action was taken on this matter. Will be addressed at the July 9, 2007 County Commission Meeting.

14. A Motion was made by Charlie Cox and second by Kenny Hill to Adjourn.

County Chairman, Gary England called for an Aye Vote. Motion Carried. Union County Commission's Regular Monthly Meeting was adjourned at 8:30 P.M.