

The Union County Commission met in Regular Called Meeting at 7:00 P.M. on Monday, June 8, 2009 at the Union County Courthouse. The Honorable Gary England, County Chairman, Presiding. Pam Ailor, Union 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 Hill, Kenny Hill, Janet Holloway, R. L. Jones, Joyce Meltabarger, J. T. Washam and Doyle Welch. Commissioners absent: Brenda Jessee and Mike Sexton.

A quorum being present, County Commission was duly opened at 7:00 P.M. by Dean Hill, City of Maynardville Police Chief.

The Agenda for June 8, 2009 is as follows:

1. Roll Call
 2. Approve Minutes of May 11, 2009 Regular Meeting
 3. Approve Notaries
 4. Budget Amendments/Transfers – Commissioner Beeler
 5. Committee Reports and Correspondence
 - A. Revenue Committee Report – Quarter Ending March 31, 2009
 6. Approve or Disapprove Three Star Resolution
 7. Appoint Janet Holloway to the Budget and Finance Committee
 8. Appoint Stanley Boles, R. L. Jones and Doyle Welch to the Solid Waste Board for Term to Run With Office of County Commission
 9. Approve or Disapprove Highway Safety Grant for Sheriff’s Department in the Amount of \$5,000.00
 10. Approve or Disapprove Funding for Edward Bryne Memorial Justice Assistance Competitive Grant
 11. Approve or Disapprove Right of Way Easement for Bridge on Sharps Chapel Road
 12. Approve or Disapprove **Resolution No 01 06-08-09** for Continuous Budget
 13. Approve or Disapprove **Resolution No 02 06-08-09** To Consider Financing and Construction For Union County Board of Education Projects
 14. Old Business
 - A. Approve or Disapprove Bids On Communication Equipment
- New Business
- A. Approve or Disapprove Five (5) Year Grant For Juvenile Court Contract For \$45,000.00

Addendums

1. Approve or Disapprove Contract With Walter State WIA Workforce
15. Adjourn
2. A **Motion** was made by **Charlie Cox** and **Second** by **Stanley Boles** to **Approve** the Minutes of May 11, 2009 Regular Meeting including Mayor Larry Lays Veto on page 19.

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

3. A **Motion** was made by **R. L. Jones** and **Second** by **Greg Davis** to **Approve** the following Notary: Jennifer Shipley.

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

4. The following Budget Amendments/Transfers were presented for **Approval:**

UNION COUNTY COMMISSION
MONDAY JUNE 8 2009
BUDGET AMENDMENTS

DECREASE	CREDIT	DEBIT
54110-425-GASOLINE		2,000.00
INCREASE		
54110-338	2,000.00	
MAINTENANCE REPAIR VEHICLE SHERIFF DEPT		

A **Motion** was made by **Dean Hill** and **Second** by **R. L. Jones** to **Approve** Budget Amendment/Transfer for Maintenance Repair Vehicle Sheriff Department as presented.

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

DECREASE		
UNDESIGNATED FUND BALANCE-3900		995.10
INCREASE-58900-599	995.10	
STREET SIGNS AND POST		

A **Motion** was made by **Charlie Cox** and **Second** by **Stanley Boles** to **Approve** Budget Amendment/Transfer for Street Signs and Post as presented.

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

DECREASE		
UNDESIGNATED FUND BALANCE-3900		5,000.00
INCREASE-54110-140	5,000.00	
TRAILER PURCHASED BY SHERIFF DEPT HIGHWAY SAFETY GRANT NO MATCH		
DECREASE UNDESIGNATED FUND BALANCE-3900		8,400.00
INCREASE-54110-140	8,400.00	
DEPUTIES SALARY SUPPLEMENT / STATE OF TN		

A **Motion** was made by **Dean Hill** and **Second** by **Charlie Cox** to **Approve** Budget Amendment/Transfer for Trailer Purchased by Sheriff Dept Highway Safety Grant No Match and Deputies Salary Supplement/State of TN as presented.

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

DECREASE-3900-UNDESIGNATED FUND BALANCE		5,280.16
INCREASE-54210-160	5,280.16	
CORRECTION OFFICER SALARY/INCREASE DUE TO NOT ENOUGH FUND TO FINISH OUT 08/09 BUDGET YEAR		

A **Motion** was made by **Charlie Cox** and **Second** by **Janet Holloway** to **Approve** Budget Amendment/Transfer for Correction Officer Salary/Increase Due To Not Enough Fund To Finish Out 08/09 Budget Year as presented.

County Chairman, Gary England called for a **Roll Call Vote.** Commissioners Voting For: Elmer Bailey, Lynn Beeler, Stanley Boles, Wayne Cole, Wayne Collins, Charlie Cox, Greg Davis, Gary England, Dean Hill, Kenny Hill, Janet Holloway, R. L. Jones, Joyce Meltabarger, J. T. Washam and Doyle Welch. **Motion Carried.**

5. **COMMITTEE REPORTS AND CORRESPONDENCE**

- A. Revenue Committee Report – Quarter Ending March 31, 2009 was not presented.
6. A **Motion** was made by **Charlie Cox** and **Second** by **Stanley Boles** to **Approve** the Three Star Resolution was presented.

**RESOLUTION TO ADOPT THE STRATEGIC
ECONOMIC DEVELOPMENT PLAN**

WHEREAS, the Three-Star Program was developed to meet the needs and challenges of the evolving economic environment in urban and rural communities and to partner with communities to create opportunities for sustained economic growth; and

WHEREAS, communities seeking certification as a Three-Star community must meet certain criteria, including the adoption of a five-year strategic economic development plan; and

WHEREAS, in achieving the mission of the Three-Star Program, the Department of Economic and Community Development commits to assist communities in developing and implementing a strategic economic plan;

NOW, THEREFORE, BE IT RESOLVED, by the county legislative body of Union County, Tennessee, meeting in regular session at Maynardville, Tennessee, that:

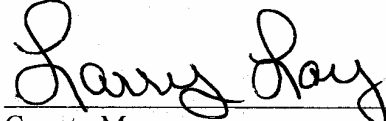
SECTION 1. The legislative body of Union County declares that the county has adopted a five-year strategic economic development plan to be updated annually.

SECTION 2. The strategic economic development plan includes the county's economic goals in promoting economic growth, a plan to accomplish those goals and a projected timeline in achieving those goals.

SECTION 3. The strategic economic development plan addresses the county's goals pertaining to existing industry, manufacturing recruitment, workforce development, retail/service, tourism, agriculture, infrastructure assessment and educational assessment.

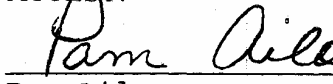
Adopted this 8th day of June, 2009 .

APPROVED:

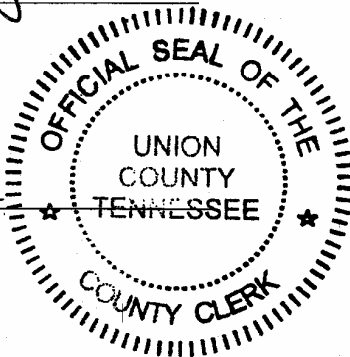


County Mayor

ATTEST:



Pam Ailor
Union County Clerk



**RESOLUTION TO AFFIRM COMPLIANCE WITH
FEDERAL TITLE VI REGULATIONS**

WHEREAS, both Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 provide that no person in the United States shall, on the ground of race, color or national origin be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity receiving federal financial assistance; and

WHEREAS, the Tennessee Attorney General opined in Opinion No. 92.47 that state and local governments are required to comply with Title VI of the Civil Rights Act in administering federally funded programs; and

WHEREAS, the Community Development Division of the Tennessee Department of Economic and Community Development administers the Three-Star Program and awards financial incentives for communities designated as Three-Star communities; and

WHEREAS, by virtue of the Tennessee Department of Economic and Community Development receiving federal financial assistance all communities designated as Three-Star communities must confirm that the community is in compliance with the regulations of Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987;

NOW, THEREFORE, BE IT RESOLVED, by the county legislative body of Union County, Tennessee, meeting in regular session at Maynardville, Tennessee, that:

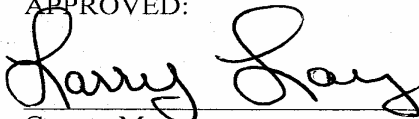
SECTION 1. The legislative body of Union County declares that the county is in compliance with the federal Title VI regulations.

SECTION 2. The Department of Economic and Community Development may from time to time monitor the county's compliance with federal Title VI regulations.

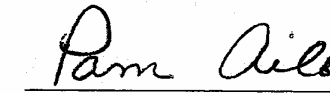
SECTION 3. This Resolution shall take effect upon adoption, the public welfare requiring it.

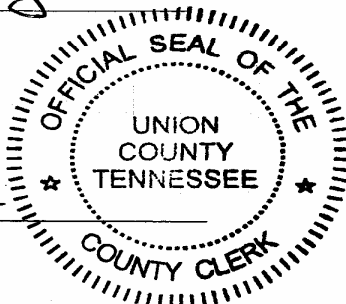
Adopted this 8th day of June, 2009.

APPROVED:


County Mayor

ATTEST:


Pam Ailor
Union County Clerk



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

7. A **Motion** was made by **Charlie Cox** and **Second** by **Elmer Bailey** to accept Commissioner Kenny Hill's resignation from the Budget and Finance Committee effective June 8, 2009.

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

A **Motion** was made by **Lynn Beeler** and **Second** by **Kenny Hill** to Appoint Janet Holloway to the Budget and Finance Committee for Term to Run with Office of County Commission.

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

8. A **Motion** was made by **Dean Hill** and **Second** by **Kenny Hill** to Appoint Stanley Boles, R. L. Jones and Doyle Welch to the Solid Waste Board for Term to Run with Office of County Commission.

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

9. A **Motion** was made by **Charlie Cox** and **Second** by **Janet Holloway** to **Approve** the Highway Safety Grant for Sheriff's Department in the Amount of \$5,000.00

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

10. A **Motion** was made by **Doyle Welch** and **Second** by **Wayne Cole** to **Approve** the Edward Byrne Memorial Justice Assistance Competitive Grant as presented.

County Chairman, Gary England called for a **Roll Call Vote**. Commissioners Voting For: Elmer Bailey, Lynn Beeler, Stanley Boles, Wayne Cole, Wayne Collins, Charlie Cox, Greg Davis, Gary England, Dean Hill, Kenny Hill, Janet Holloway, R. L. Jones, Joyce Meltabarger, J. T. Washam and Doyle Welch. **Motion Carried**.

11. A **Motion** was made by **R. L. Jones** and **Second** by **Kenny Hill** to **Approve** the Easement For Right-Of-Way Bridge on Sharps Chapel Road as presented.

This Instrument Prepared By:
State of Tennessee
Real Estate Management
William R. Snodgrass Tennessee Tower
312 - 8th Avenue North, 22nd Floor
Nashville, Tennessee 37243-0300

EASEMENT FOR RIGHT-OF-WAY

For and in consideration of the sum of \$1.00, the receipt of which is hereby acknowledged, the State of Tennessee, acting by the Commissioner, Department of Finance and Administration, with the approval of the Governor and the Attorney General, acting under the authority of Tennessee Code Annotated, Section 12-2-112, does hereby convey and deed unto Union County, hereinafter referred to as Grantee, its successors and assigns, an easement for a project to replace a bridge on Sharps Chapel Road in and to the following described real estate located in Union County, Tennessee and being more particularly described as follows:

Exhibit " A " and Exhibit " B " are attached hereto and made a part of this agreement

This conveyance includes the right of the Grantee, its servants and agents to construct, operate, maintain, repair, replace and inspect such improvements and/or appurtenances within the limits of the aforescribed right-of-way easement.

The Grantee covenants with the State of Tennessee that said portion or parcels of land as aforescribed is to remain the property of the State and may be used for any lawful purpose or purposes desired after the construction of all the aforesaid improvements, provided, in the reasonable opinion of the Grantee, said use or uses do not destroy, weaken or damage the above mentioned improvements or interfere with the operation or maintenance thereof. The Grantee further covenants that, upon completion of construction of the proposed bridge, it will restore the hereinabove described property to its original condition, or as near thereto as is reasonably possible.

The State of Tennessee is conveying the said Easement for a project to replace a bridge on Sharps Chapel Road. If at any time the conveyance ceases to be used for the above stated purpose or is put to another use, this Easement shall terminate.

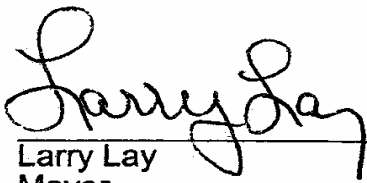
The Grantee, its successors & approved assigns shall indemnify to the extent permitted by Tennessee law and hold the State harmless from any and all claims, costs, damages and judgments of whatsoever nature, including but not limited to costs and expenses incurred by the State in the defense of any action, arising out of the activities of the Grantee on the premises pursuant to this easement, to assume all responsibility and liability therefore and to discharge any judgment that may be rendered therein.

The Grantee, its successors and assigns, agrees to maintain adequate public liability insurance, which may include self-insurance, and will provide satisfactory evidence of such protection to the State (in the discretion of the State) with the monetary limits of the Grantee's insurance not less than the monetary limits of liability provided for in the Tennessee Governmental Tort Liability Act, T.C.A. Section 29-20-101, et seq., as it may be from time to time amended. Any successors or assigns of the Grantee agrees to maintain public liability insurance with the limits of said insurance to be no less than the exposure and limits of the State's liability under the Claims Commission Statute, T.C.A. Section 9-8-307, as it may be from time to time amended and/or construed by the Claims Commission and the courts and will provide satisfactory evidence of such protection to the State. The insurance policy shall include a provision for the insurance company to notify the State in writing of any cancellation or change of the policy at least 30 days in advance of the cancellation or changes.

In witness whereof, the authorized officials of the parties have caused their names to be signed as of this the 8 day of June, 2009.

UNION COUNTY

STATE OF TENNESSEE



Larry Lay
Mayor

M. D. Goetz, Jr., Commissioner
Finance & Administration

APPROVED:

Robert E. Cooper Jr, Attorney General

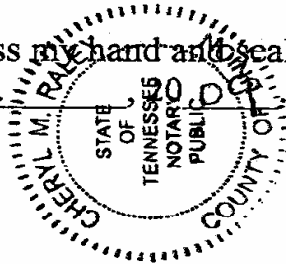
Phil Bredesen, Governor

STATE OF TENNESSEE
COUNTY OF UNION

Personally appeared before me, the undersigned, Notary Public for the State and County aforesaid, *Larry Lay*, with whom I am personally acquainted or proved to me on the basis of satisfactory evidence and who, upon oath, acknowledged that he is the Mayor of the Union County and that he, as Mayor, being authorized so to do, executed the foregoing instrument for the purpose therein contained by signing the name of Union County by himself as Mayor.

Witness my hand and seal at office, this 16 day of

June



Cheryl M Raley

Notary Public

My Commission Expires:

March 2-2011

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned Notary Public for Davidson County, *M. D. Goetz, Jr.*, Commissioner of Finance and Administration with whom I am personally acquainted and who, upon oath, acknowledged that he is the Commissioner of Finance and Administration and that he as Commissioner, being authorized so to do, executed the foregoing instrument for the purpose therein contained by signing the name of the State of Tennessee by himself as Commissioner.

Witness my hand and seal at office, this _____ day of _____,
20_____.

Notary Public

My Commission Expires:

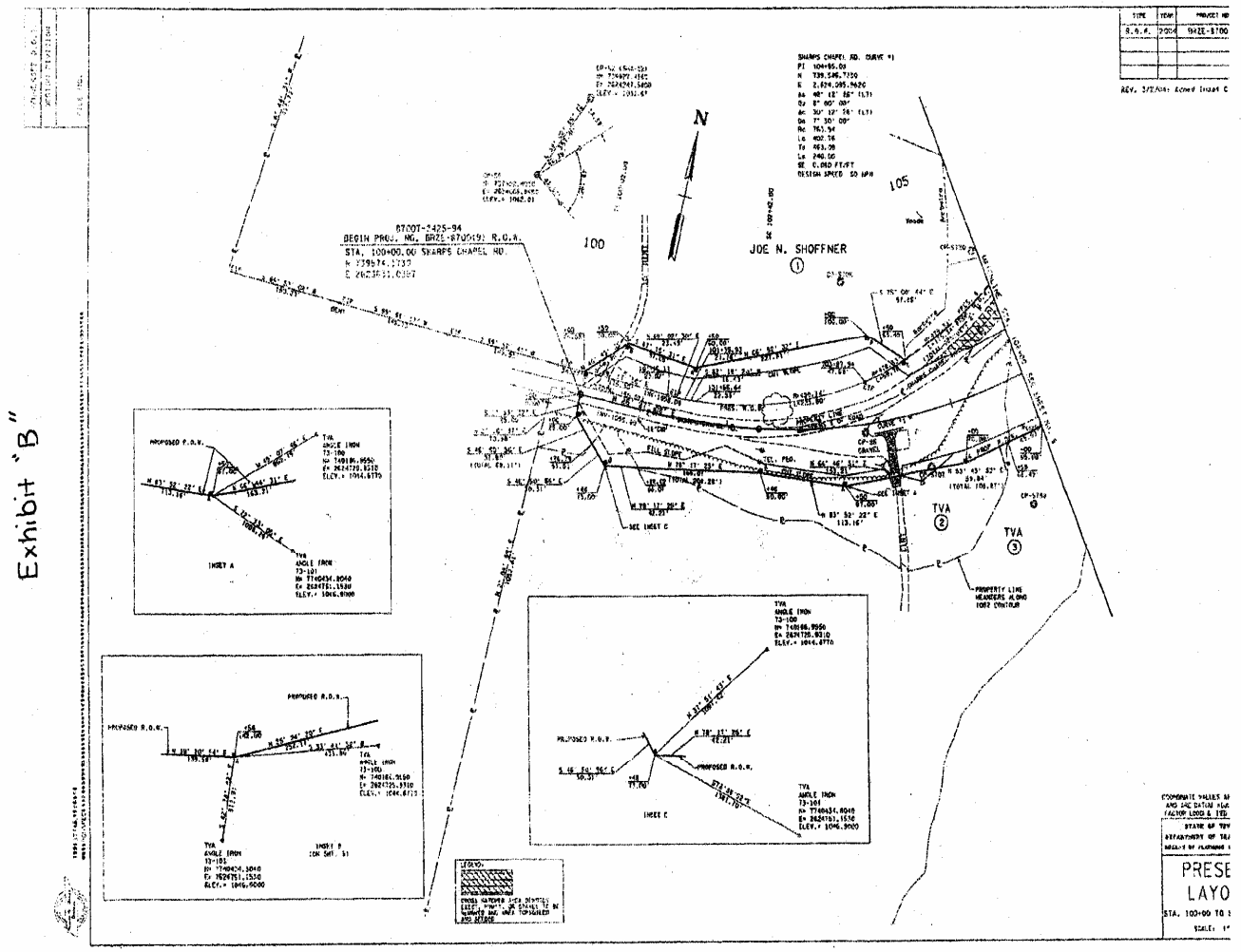
**BRZE-8700(9)
Union County
Tract #2
EXHIBIT "A"**

SITUATED, lying and being in Civil District No. _____ of Union County, Tennessee and being more fully described as follows:

BEGINNING at a right of way marker on the south proposed uncontrolled right of way line, said marker located 67.00 feet right of centerline station 103+50 and also being south 49 degrees 07 minutes 48 seconds west 962.79 feet from TVA 73-100 and north 72 degrees 33 minutes 05 seconds west 1,088.29 feet from TVA 73-101; thence with the said south proposed uncontrolled right of way line south 83 degrees 52 minutes 22 seconds west 113.16 feet to a right of way marker located 50.00 feet right of centerline station 102+46; thence south 78 degrees 17 minutes 25 seconds west 166.07 feet to a point on the 1,052 foot contour line; thence with the 1,052 foot contour line northwesterly 49 feet, more or less to a point; thence westerly 20 feet, more or less to a point; thence southerly 25 feet, more or less to a point on the south proposed uncontrolled right of way line, said point located 51.61 feet right of centerline station 100+26.79; thence with the said south proposed uncontrolled right of way line north 46 degrees 50 minutes 56 seconds west 37.80 feet to a right of way marker located 25.00 feet right of centerline station 100+00; thence north 01 degrees 33 minutes 32 seconds west 25.00 feet to a point on the centerline of Sharps Chapel Road; thence with the road centerline easterly to northeasterly 532 feet, more or less to a corner common to TVA, the 1,052 foot contour line; thence with the 1,052 foot contour line easterly 12 feet, more or less to a point; thence southerly 19 feet, more or less to a point; thence northeasterly 71 feet, more or less to a point; thence southerly 132 feet, more or less to a point on the south proposed uncontrolled right of way line, said point located 65.49 feet right of centerline station 105+55; thence with the said south proposed uncontrolled right of way line south 53 degrees 43 minutes 32 seconds west 59.84 feet to a right of way marker located 70.00 feet right of centerline station 105+00; thence south 66 degrees 46 minutes 31 seconds west 163.21 feet to the Point of **BEGINNING**.

Containing 0.969 acres, more or less.

The grantors acquired title to said land under Deed of record in Deed Book 26
Page 120-224 in the Register's Office of Union County, Tennessee.



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

12. **Resolution No 01 06-08-09** for Continuous Budget 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, 2009, AND TO AUTHORIZE THE ISSUANCE OF
TAX ANTICIPATION NOTES FOR THE COUNTY OF UNION**

NO. 01 06-08-09

WHEREAS, it appears that the 2009-2010 fiscal year budget of Union County, Tennessee, will not be approved by this county legislative body by July 1, 2009;

NOW, THEREFORE, BE IT RESOLVED, by this county legislative body for Union County, Tennessee, meeting this 8th day of June, 2009, that the amounts set out in the 2008-2009 Appropriation Resolution are hereby continued until a new 2009-2010 Appropriation Resolution is adopted; and

BE IT, FURTHER, RESOLVED, that the property tax rate as adopted for the 2008-2009 fiscal year shall remain in effect for the fiscal year beginning July 1, 2009 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 2009-2010 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, 2010.

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 8th day of June, 2009.

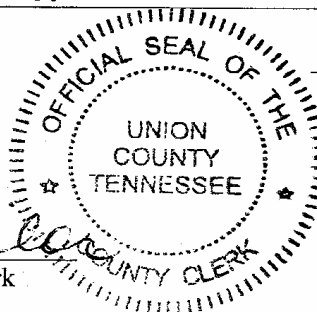
Passed:

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, R.L. Jones, Joyce Meltabarger, J. T. Washam and Doyle Welch.
Those voting no: None.

Those passing: None.

Attest:

Pam Ailor
Pam Ailor, County Clerk



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

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

13. **Resolution No 02 06-08-09** To Levy a County-Wide Motor Vehicle Tax was presented for Approval:

BEFORE THE COUNTY LEGISLATIVE BODY FOR UNION COUNTY, TENNESSEE

RESOLUTION NO. 02 06-08-09

RESOLUTION TO LEVY A COUNTY-WIDE MOTOR VEHICLE TAX

WHEREAS, *Tennessee Code Annotated*, Section 5-8-102, authorizes counties to levy a motor vehicle privilege tax as a condition precedent to the operation of a motor vehicle within a county; and,

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

NOW, THEREFORE BE IT RESOLVED, by the Union County legislative body that;

SECTION 1. For the privilege of using the public roads and highways, in Union 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 Fifty Dollars (\$50.00) for each such motor-driven vehicle, the owner of which resides within said county, however on the 1st day of August, 2021, the tax shall reduce to the sum of \$25.00, for each such motor-driven vehicle, the owner of which resides within said county.

This tax applies to, is a levy upon, and shall be paid on each motor-driven vehicle, the owner of which resides within said county.

SECTION 2. The tax herein levied shall be paid to and collected by the County Clerk of Union County, who is authorized by *Tennessee Code Annotated*, Section 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. The County Clerk shall deduct a fee of five percent (5%) as authorized in *Tennessee Code Annotated*, Section 8-21-701(55), 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 a decal also issued by the County Clerk, which shall be displayed by affixing the decal on and to the lower right corner of the license plate in the space provided for such decal. The design of the decal shall be determined by the County Clerk and shall be the same size as the state renewal decal. The expense incident to the purchase of such decals herein required, as well as the expense of obtaining proper receipts and other records necessary for the performance of the duties herein incumbent upon the County Clerk, shall be paid from the general fund of the 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, shall entitle the owner of the motor-driven vehicle for which said tax was paid and on which the decal or emblem has been affixed as herein provided, to operate or allow to be operated such vehicle over the streets, roads, and highways of the county for a period of one year which will run concurrently with the period established for the state registration fees by *Tennessee Code Annotated*, Section 55-4-104.

In the event the wheel tax decal 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. In the event any motor-driven vehicle, for which the wheel tax has been paid and the emblem or decal 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 such owner 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 such a

duplicate decal or emblem and the owner pays into the hands of the Clerk the sum of Five Dollars (\$5.00), the Clerk will then issue to such owner a duplicate receipt, canceling the original receipt delivered to the Clerk by the owner, and will deliver to the owner a duplicate decal or emblem, which shall be affixed to the motor-driven vehicle for which it is issued, as herein provided, and such duplicate decal or emblem shall entitle the owner 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 resolution, 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 owner of Five Dollars (\$5.00) may issue and deliver to the owner, a duplicate decal or emblem.

SECTION 6. The proceeds of the motor vehicle privilege tax herein levied shall be placed in the county debt service fund and shall be used to retire the indebtedness to purchase land and construct an Elementary School on the Hurst property, construct anew Maynardville Elementary School Building and to construct renovations and additions to Big Ridge, Luttrell, and Sharps Chapel Elementary Schools and equip all buildings and additions.

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 Union 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 Union 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 August 1, 2009, 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.

SECTION 10. The tax herein levied shall expire and cease to be levied on the 1st day of August, 2035, and shall never be increased to a sum greater than amounts herein stated, or until debit is paid.

Passed 1st reading at the regular June 8, 2009, meeting of the Union County legislative body.

Those voting in FOR the resolution: Lynn Beeler, Stanley Boles, Wayne Cole, Charlie Cox, Gary England, Dean Hill, Janet Holloway, R.L. Jones, Joyce Meltabarger, J.T. Washam & Doyle Welch.

Those voting AGAINST the resolution: Elmer Bailey, Wayne Collins, Greg Davis & Kenny Hill.

Those PASSING: NONE.

Passed 2nd reading at the regular July 13, 2009, meeting of the Union County legislative body.

Those voting in FOR the resolution: _____

Those voting AGAINST the resolution: _____

Those PASSING: _____

APPROVED:

County Mayor
ATTEST:

Chairman

County Clerk

A Motion was made by **Charlie Cox** and **Second** by **Wayne Cole** to **Approve Resolution No 02 06-08-09** as presented.

County Chairman, Gary England called for a **Roll Call Vote**. Commissioners Voting For: Lynn Beeler, Stanley Boles, Wayne Cole, Charlie Cox, Gary England, Dean Hill, Janet Holloway, R.L. Jones, Joyce Meltabarger, J. T. Washam and Doyle Welch. Commissioners Voting Against: Elmer Bailey, Wayne Collins, Greg Davis and Kenny Hill.

Commissioner Joyce Meltabarger read the following disclaimer, " Because I am an employee of the Union County Public School System, I have a conflict of interest in the proposal about to be voted. However, I declare that my argument and my vote answer only to my conscience and to my obligation to my constituents and the citizens this body represents." **Motion Failed.**

14. **Old Business**

- A. A **Motion** was made by **Wayne Cole** and **Second** by **Charlie Cox** to override Mayor Lay's Veto dated the 15th day of May 2009 concerning the Communications Equipment Bid listed as item 16A on the May 11th 2009 County Commission Meeting.

County Chairman, Gary England called for a **Roll Call Vote**. Commissioners Voting For: Wayne Cole, Wayne Collins, Charlie Cox, Gary England, Dean Hill, Kenny Hill and Janet Holloway. Commissioners Voting Against: Elmer Bailey, Lynn Beeler, Greg Davis, R.L. Jones, Joyce Meltabarger and Doyle Welch. Commissioners Passing: Stanley Boles. Commissioner J. T. Washam was not present for this vote. **Motion Failed. Veto Stands.**

A **Motion** was made by **Greg Davis** and **Second** by **Joyce Meltabarger** to refer the Communications Equipment Bid back to the Budget and Finance Committee for further review at their next regularly scheduled meeting on Tuesday, July 7, 2009.

County Chairman, Gary England called for a **Roll Call Vote**. Commissioners Voting For: Elmer Bailey, Lynn Beeler, Stanley Boles, Wayne Cole, Charlie Cox, Greg Davis, Gary England, Dean Hill, Kenny Hill, Janet Holloway, R. L. Jones, Joyce Meltabarger and Doyle Welch. Commissioners Passing: Wayne Collins. Commissioner J. T. Washam was not present for this vote. **Motion Carried.**

A **Motion** was made by **Lynn Beeler** and **Second** by **R. L. Jones** for all bid packages to come back to the Budget and Finance Committee for recommendation to the County Commission.

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

New Business

- A. A **Motion** was made by **Greg Davis** and **Second** by **Charlie Cox** to **Approve** a five (5) year Grant for Juvenile Court Contract for \$45,000.00 as presented.

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

- B. A **Motion** was made by **Joyce Meltabarger** and **Second** by **R. L. Jones** to add \$.29 to Union County property tax beginning in Fiscal Year 2009 – 2010 (July 1, 2009), to construct an Elementary School on the Hurst property, construct a new Maynardville Elementary School Building and to construct renovations and additions to Big Ridge, Luttrell, and Sharps Chapel Elementary Schools and equip all building and additions.

County Chairman, Gary England called for a **Roll Call Vote**. Commissioners Voting For: Lynn Beeler, Wayne Cole, Gary England, Janet Holloway, R. L. Jones and Joyce Meltabarger. Commissioners Voting Against: Elmer Bailey, Stanley Boles, Charlie Cox, Greg Davis, Dean Hill, Kenny Hill, J. T. Washam and Doyle Welch. Commissioners Passing: Wayne Collins. **Motion Failed.**

Addendums:

1. A **Motion** was made by **Charlie Cox** and **Second** by Lynn Beeler to **Approve** the Contract With Walter State WIA Workforce as presented.

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

17. 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.**