

**D. A RESOLUTION TO AMEND THE 2013 FISCAL YEAR GENERAL FUND
UNASSIGNED FUND BALANCE FUND**

A motion was made by Commissioner Bowers and seconded by Commissioner Greenway to approve a resolution to amend the 2013 fiscal year General Fund Unassigned Fund Balance Fund. Mayor Broyles called for the Commissioners to vote on their keypads. The following vote was taken: Commissioners Bird; Bowers, Carter, Crum, Dabbs, Greenway, Hensley, Holt, Hopson, Kiker, King, Malone, McAmis, Moss, Quillen, Rollins, and Seay voted yes. Commissioners White, Sauceman, and Waddle voted no. Commissioner Sams was absent. The vote was 17 – aye; 3 – nay; 1 - absent. The Commissioners voted in favor of the motion to approve the resolution.

**A RESOLUTION TO AMEND THE 2013 FISCAL YEAR
HIGHWAY FUND'S TO BUDGET PROCEEDS FROM THE SALE OF SURPLUS
EQUIPMENT AND TO INCREASE APPROPRIATIONS TO
ALLOW FOR THE EXPENDITURE OF THE FUNDS RECEIVED**

WHEREAS, the Greene County Highway's Dept. has sold various items of Highway Fund equipment on January 23, 2013 and

WHEREAS, the amount received from the sale was not included in the original budget for the current year; and

WHEREAS, the Greene County Highway Dept. wishes to have the budget amended for these additional revenues and expenditures; and

THEREFORE, let the Highway Fund Budget be amended as follows:


INCREASE ESTIMATED REVENUES:

44530	Sale of Equipment	\$	11,186
Total increase to estimated revenues		\$	11,186

INCREASE APPROPRIATIONS

68000	Capital Outlay	\$	11,186
707	Building Improvements	\$	11,186
Total increase in appropriations		\$	11,186

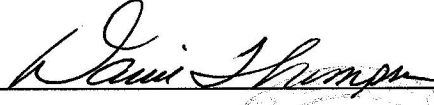
NOW, THEREFORE; be it resolved by the Greene County Legislative Body meeting in regular session this 19th day of February, 2013, a quorum being present and a majority voting in the affirmative, that the budget be amended as above.



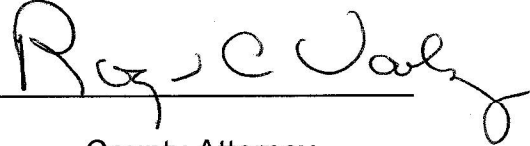
County Mayor

Budget and Finance Committee

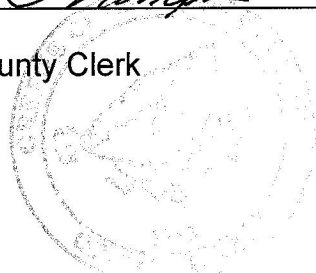
Sponsor



County Clerk



County Attorney



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**E. A RESOLUTION TO AMEND THE 2013 FISCAL YEAR HIGHWAY FUND'S
BUDGET TO BUDGET PROCEEDS FROM THE SALE OF SURPLUS EQUIPMENT
AND TO INCREASE APPROPRIATIONS TO ALLOW FOR THE EXPENDITURE
OF THE FUNDS RECEIVED**

A motion was made by Commissioner Greenway and seconded by Commissioner Holt to approve a resolution to amend the 2013 fiscal year Highway fund's Budget to budget proceeds from the sale of surplus equipment and to increase appropriations to allow for the expenditure of the funds received. Mayor Broyles called for the Commissioners to vote on their keypads. The following vote was taken: Commissioners Bird; Bowers, Carter, Crum, Dabbs, Greenway, Hensley, Holt, Hopson, Kiker, King, Malone, McAmis, Moss, Quillen, Rollins, Sauceman, Seay, and White voted yes. Commissioner Waddle voted no. Commissioner Sams was absent. The vote was 19 – aye; 1 – nay; 1 - absent. The Commissioners voted in favor of the motion to approve the resolution.

**A RESOLUTION TO BUDGET FOR THE ASPHALT FACILITY FOR WORK
DONE ON THE STATE AID PROGRAM FOR CURRENT WORK COMPLETED
BY THE HIGHWAY FUND**

WHEREAS, on July 22, 2011 the Greene County Commission approved the acquisition and operation of a hot-mix asphalt facility pursuant to T.C.A. §12-8/-101; and

WHEREAS, during the summer and fall of 2012 the Highway department performed work on the State Aid Program that utilized asphalt produced by the Greene County Asphalt Plant, and

WHEREAS, in the past, costs for asphalt for the State Aid Program were budgeted under the function category of Highway and Bridge Maintenance – Highway Construction. This is the category where the program was budgeted in the originally approved budget for FYE June 30, 2013. Operation of good budgetary practices require that revenues and expenditures be categorized into functions and accounts which best describe the activity; and timely revisions must be made because of the ever-changing factors that make up a budget; and

WHEREAS, The costs associated with the production of asphalt utilized in the State Aid Program have been captured in the function category of asphalt plant operations. This resolution will move the amounts previously budget in Highway and Bridge Maintenance–Highway Construction to the proper function category of asphalt plant operations; and

THEREFORE, let the Highway Fund Budget be amended as follows:

DECREASE IN APPROPRIATIONS:

62000	HIGHWAY AND BRIDGE MAINTENANCE	
713	Highway Construction	\$ 303,182
Total decrease in appropriations		<u>\$ 303,182</u>

INCREASE IN APPROPRIATIONS:

63500	ASPHALT PLANT OPERATIONS	
144	Equipment Operators - Heavy	\$ 2,568
201	Social Security	159
204	State Retirement	268
212	Medicare	37
399	Other Contracted Services	3,032
405	Asphalt - Liquid	187,973
409	Crushed Stone	100,050
415	Electricity	3,031
434	Natural Gas	6,064
Total increase in appropriations		<u>\$ 303,182</u>

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NOW, THEREFORE; be it resolved by the Greene County Legislative Body meeting in regular session this 19th day of February, 2013, a quorum being present and a majority voting in the affirmative, that the budget be amended as above.

Alan D. Broyles
County Mayor

David Shumpp
County Clerk

Budget and Finance Committee

Sponsor

Roger A. Joch
County Attorney



**F. A RESOLUTION TO BUDGET FOR THE ASPHALT FACILITY FOR WORK
DONE ON THE STATE AID PROGRAM FOR CURRENT WORK COMPLETED BY
THE HIGHWAY FUND**

A motion was made by Commissioner Quillen and seconded by Commissioner Greenway to approve a resolution to budget for the Asphalt Facility for work done on the State Aid Program for current work completed by the Highway Fund. Mayor Broyles called for the Commissioners to vote on their keypads. The following vote was taken: Commissioners Bird; Bowers, Carter, Crum, Dabbs, Greenway, Hensley, Holt, Hopson, Kiker, King, Malone, McAmis, Moss, Quillen, Rollins, Sauceman, Seay, Waddle and White voted yes. Commissioner Sams was absent. The vote was 20 – aye; 1 - absent. The Commissioners voted in favor of the motion to approve the resolution.

**RESOLUTION TO BUDGET FOR A CONTRIBUTION TO THE GREENE COUNTY
PARTNERSHIP TO DEFREY THE EXPENSES INCURRED IN PROCURING AND
HOSTING THE LADIES CLASSIC BASKETBALL TOURNMENT**

WHEREAS, the Greene County Partnership has worked diligently to procure funding for the Ladies Classic Basketball tournament for 2013; and

WHEREAS, the Ladies Classic generally includes the five Greene County high school teams who are included in the tournament with a total of 16 teams from Tennessee, North Carolina, Kentucky and Ohio and other states who will come to Greeneville, Tennessee to participate in the Ladies Classic at Hal Henard Gymnasium in December of 2013; and

WHEREAS, continued to host the Ladies Classic basketball tournament will provide significant exposure to Greene County, Tennessee, promote tourism and have a significant economic impact on Greene County; and

WHEREAS, the Greene County motel/hotel tax was adopted by the County Legislative Body to help fund recreational pursuits in Greene County and after carefully considering the request for funding the Greene County Legislative Body believes that it is the best interest of the citizens of Greene County to contribute Three Thousand Dollars (\$3,000.00) to the Greene County Partnership designated for defraying the expenses of the Ladies Classic Basket Tournament with said funding derived and taken from the portion of the motel/hotel tax allocated for the recreational pursuits for Greene County; and

WHEREAS, the fund currently has adequate resources to fund this project;

NOW THEREFORE BE IT RESOLVED, by the Greene County Legislative Body, meeting in regular session on the 19th day of February, 2013 a quorum being present and a majority voting in the affirmative, that Three Thousand Dollars (\$3,000.00), be allocated for the current budget year 2012-2013, to the Greene County Partnership to cover the expenditures

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incurred by the Partnership in the procurement and hosting of the Ladies Classic Basketball Tournament.

BE IT FURTHER RESOLVED, the budget shall be amended as follows:

DECREASE BUDGETED FUND BALANCE

34535 Restricted for Social, Cultural, and
Recreational Services

\$3,000

Total adjustment to beginning budget fund balance:

\$3,000

INCREASE APPROPRIATIONS

91150 Social, Cultural and Recreation Services
316 Contributions

\$3,000


TOTAL INCREASE IN APPROPRIATIONS


\$3,000

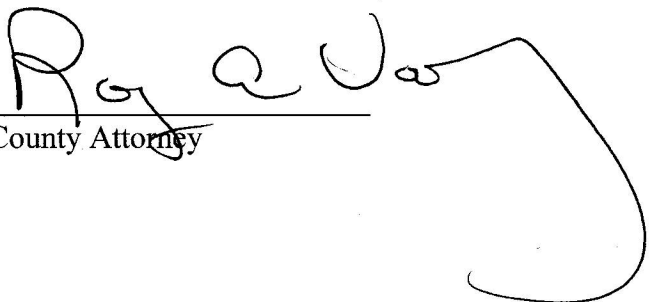
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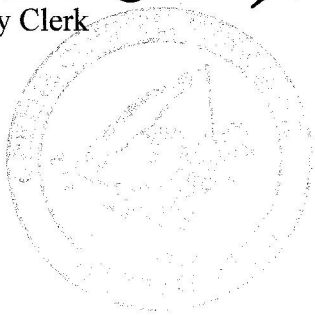
M.C. Rollins

Sponsor


County Mayor


County Clerk


County Attorney



**G. A RESOLUTION TO BUDGET FOR A CONTRIBUTION TO THE GREENE
COUNTY PARTNERSHIP TO DEFRAY THE EXPENSES INCURRED IN
PROCURING AND HOSTING THE LADIES CLASSIC BASKETBALL
TOURNAMENT**

A motion was made by Commissioner Bird and seconded by Commissioner Bowers to approve a resolution to budget for a contribution to the Greene County Partnership to defray the expenses incurred in procuring and hosting the Ladies Classic basketball tournament. Mayor Broyles called for the Commissioners to vote on their keypads. The following vote was taken: Commissioners Bird; Bowers, Carter, Crum, Dabbs, Greenway, Hensley, Holt, Hopson, Kiker, King, Malone, McAmis, Moss, Quillen, Rollins, Sauceman, Seay, Waddle and White voted yes. Commissioner Sams was absent. The vote was 20 – aye; 1 - absent. The Commissioners voted in favor of the motion to approve the resolution.

**RESOLUTION BY THE GREENE COUNTY COMMISSION REAFFIRMING THE OATH TO ABIDE BY THE
CONSTITUTIONS OF THE UNITED STATES AND THE STATE OF TENNESSEE**

WHEREAS, all elected officials are duly sworn to protect and defend the Constitutions of the United States and the State of Tennessee; and

WHEREAS, due to heinous and violent criminal events occurring around the Country which has caused much distress and concern for our welfare; and

WHEREAS, there has been much emotional reaction among the public and their respective Representatives in Government to do something in reaction to these crimes; and

WHEREAS, some politicians, desiring to appear to be responding properly to a demanding public by placing restrictions on personal decisions regarding one's own protection against such criminal activity, the result being the potential weakening of the Second Amendment Rights as set forth in the Constitution of the United States; and

WHEREAS, the guarantee of this Right, along with many other equally important Rights was set forth for specific purposes by our Founders which have served our Nation well these past some 230 years; and

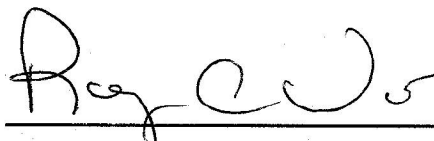
WHEREAS, it is the intent of this governing body to continue to follow and obey our Constitutions and the laws which flow from these documents until such time as they may be Amended, at which time we would agree to perform our duties under any such Amended statements therein; and

WHEREAS, until such future time that Amendments may be made to these Documents, that this governing body shall continue to defend the existing Documents and the Amendments as of this date.

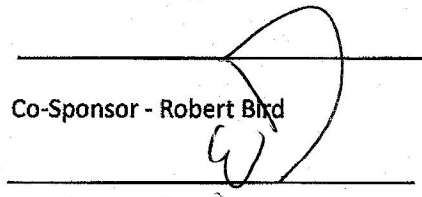
NOW, THEREFORE, BE IT RESOLVED by the Greene County Legislative Body meeting in regular session, this 19th day of February, 2013, a quorum being present and a majority voting in the affirmative, that we do reaffirm our oath and duty to uphold and defend the Constitutions of the United States and the State of Tennessee and expect all duly elected and sworn Constitutional Officers serving Greene County to carry out the same responsibilities in their respective positions.

County Mayor

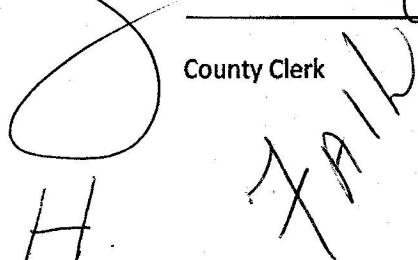
Sponsor – Ted Hensley



County Attorney – Roger Woolsey



Co-Sponsor - Robert Bird



County Clerk

H. A RESOLUTION REAFFIRMING THE OATH TO ABIDE BY THE
CONSTITUTIONS OF THE UNITED STATES AND THE STATE OF TENNESSEE

A motion was made by Commissioner Hopson and seconded by Commissioner Hensley to approve a resolution reaffirming the oath to abide by the Constitutions of the United States and the State of Tennessee. Mayor Broyles called for the Commissioners to vote on their keypads. The following vote was taken: Commissioners McAmis, Hopson, Hensley, Bird, and Moss voted aye. Commissioners Malone, White, Quillen, Rollins, Seay, Greenway, Holt, Waddle, Dabbs and Kiker voted nay; Commissioners Carter, Bowers, King, Sauceman and Crum abstained. Commissioner Sams was absent. The vote was 5 – aye; 10 – nay; 5 – abstained; 1 – absent. The motion to approve the resolution failed.

**RESOLUTION APPROVING THE OPERATING AGREEMENT FOR THE KINSER
PARK BASEBALL COMPLEX BETWEEN THE KINSER PARK COMMISSION AND
THE GREENEVILLE MARLINS ASSOCIATION, INC.**

WHEREAS, Greene County, Tennessee and the Town of Greeneville, Tennessee jointly have an easement for public recreation over certain property (herein "Kinser Park") in Greene County, Tennessee owned by the United States of America acting by and through the Tennessee Valley Authority; and

WHEREAS, Greene County and the Town of Greeneville manage and utilize said public recreation easement through the Kinser Park Commission; and

WHEREAS, the Kinser Park Commission previously had entered into an agreement to lease a certain portion of Kinser Park to the Greeneville Marlins, a baseball association, upon which the said Greeneville Marlins had constructed a baseball complex, and

WHEREAS, The Kinser Park Commission now desires to enter into an Operating Agreement with the Greeneville Marlins Association, Inc. for the continued operation of the baseball complex by that Association, subject to the approval of the governing bodies of Greene County and the Town of Greeneville; and

WHEREAS, after lengthy negotiations by representatives of the Kinser Park Commission and the Greeneville Marlins Association, Inc., a proposed Operating Agreement has been drafted that provides for the continued operation of the

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baseball complex by the Greeneville Marlins Association, Inc.
as well as for the maintenance of the baseball complex; and

WHEREAS, after careful consideration of said Operating Agreement, it would appear that the Operating Agreement will facilitate the continued operation of the baseball complex, would best utilize the baseball complex, and would be in the best interests of the citizens of Greene County and the Town of Greeneville.

NOW THEREFORE BE IT RESOLVED, by the Greene County Legislative Body meeting in regular session on the 19th day of February, 2013, a quorum being present and a majority voting in the affirmative, that the County Mayor is authorized to approve the proposed Operating Agreement attached as Exhibit "A" to this Resolution on behalf of Greene County which would provide for the continued operation and maintenance of the baseball complex at Kinser Park.

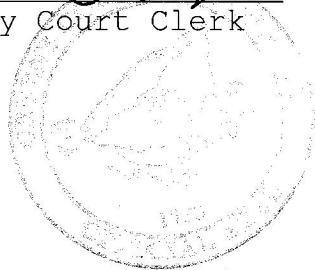
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Lloyd "Hoot" Bowers
Sponsor

Alvin D. Broyer
County Mayor

Dawn Shum
County Court Clerk

Roger C. Woolsey
County Attorney



I. A RESOLUTION APPROVING THE OPERATING AGREEMENT FOR THE
KINSER PARK BASEBALL COMPLEX BETWEEN THE KINSER PARK
COMMISSION AND THE GREENEVILLE MARLINS ASSOCIATION,
INC.

A motion was made by Commissioner Bowers and seconded by Commissioner Quillen to approve a resolution to approve the operating agreement for the Kinser Park Baseball Complex between the Kinser Park Commission and the Greeneville Marlins Association, Inc. Mayor Broyles called for the Commissioners to vote on their keypads. The following vote was taken: Commissioners Bird; Bowers, Carter, Crum, Dabbs, Greenway, Hensley, Holt, Hopson, Kiker, King, Malone, McAmis, Moss, Quillen, Rollins, Sauceman, Seay Waddle and White voted yes. Commissioner Sams was absent. The vote was 20 – aye; 1 - absent. The Commissioners voted in favor of the motion to approve the resolution.

OTHER BUSINESS

The meeting adjourned.