

**AMENDED RESOLUTION AUTHORIZING THE GREENE COUNTY  
ELECTION COMMISSION TO TRANSFER AND/OR TO DISPOSE OF THE  
REMAINING THREE (3) MACHINES**

WHEREAS, the Greene County Election Commission has stored four (4) Micro Vote blue suitcase voting machines in the Courthouse Annex's Storage Building for a number of years; and

WHEREAS, these particular machines are obsolete and of no value with the current election voting machine systems required by the State Election Commission. Greene County, Tennessee has replaced all obsolete and outdated voting machines that have been used by Greene County for early voting prior to the 2006 election; and

WHEREAS, Alan Broyles, Greene County Mayor has requested that the Greene County Election Commission donate, transfer, and give one of the obsolete and outdated voting machines to the Nathaniel Greene Museum for historic preservation; and

WHEREAS, members of the legislative body believe that it would encourage voter participation in young adults if the remaining voting machines were transferred to the Greene County Board of Education to educate students in the voting process.

WHEREAS, on February 12, 2013 the Greene County Election Commission at its regular meeting discussed this request and at its regular meeting held on April 9, 2013 signed a letter of intent to approve that transfer; and

WHEREAS, *T. C. A. §12-3-1005* provides for the transfer of surplus personal property among governmental entities and any instrumentality of the foregoing provided said transfer is approved by the governing bodies involved in the transactions.

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NOW, THEREFORE BE IT RESOLVED by the Greene County Legislative Body meeting in regular session on the 17th day of June, 2013, a quorum being present and a majority voting in the affirmative that Greene County Election Commission is hereby authorized to donate and transfer one (1) of the obsolete and outdated Micro Vote Voting Machines to the Nathaniel Greene Museum in Greeneville, Tennessee and transfer the remaining three (3) machines to the Greene County Board of Education for student education.

BE IT FURTHER RESOLVED that in the event that the Greene county Board of Education cannot utilize any or all three machines, then any voting machines not transferred would be disposed of by personnel with county buildings.

M.C. Rollins  
Sponsor

Alfred D. Broyler  
County Mayor

David Thompson  
County Clerk

Roy C. Cook  
County Attorney



D. A RESOLUTION AUTHORIZING THE GREENE COUNTY ELECTION COMMISSION TO TRANSFER AND GIVE A VOTING MACHINE TO THE NATHANIEL GREENE MUSEUM AND TO DISPOSE OF THE REMAINING THREE (3) MACHINES.

A motion was made by Commissioner Hopson and seconded by Commissioner Greenway to approve the resolution. Mayor Broyles called for the Commissioners to vote on their keypads. A motion was then made by Commissioner Hopson to amend to authorize the Greene County Election Commission to transfer and give a voting machine to the Nathaniel Greene Museum and to transfer the remaining three (3) machines to the Department of Education as amended. The following vote was taken: Commissioners Bird, Bowers, Carter, Crum, Dabbs, Greenway, Hensley, Holt, Hopson, Kiker, King, Malone, McAmis, Moss, Quillen, Rollins, Sams, Sauceman, Seay, Waddle and White voted yes. The vote was 21– aye; 0 – nay. The Commissioners voted in favor of the motion to amend the resolution. 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, Sams, Sauceman, Seay, Waddle, and White voted yes. The vote was 21 – aye; 0 – nay. The Commissioners voted in favor of the motion to approve the resolution as amended.



## **A RESOLUTION TO ADOPT THE PROVISIONS OF T.C.A. §67-4-601(b)(5)**

**WHEREAS,** Greene County has performed extensive reconstruction, renovation and upgrading of the Greene County Courthouse, the Greene County Detention Center and the Greene County Workhouse including the installation of energy efficient HVAC systems and lighting, upgrading the electrical system, installation of sprinkler systems, installation of energy efficient windows and other improvements to those buildings; and

**WHEREAS,** Greene County incurred debt for the reconstruction, remodeling, and upgrades on these buildings above described and in addition thereto has a continuing debt remaining from the construction of the Greene County Workhouse; and

**WHEREAS,** Pursuant to T.C.A. §67-4-601(b)(5), Greene County is authorized to impose a litigation tax on all civil and criminal cases in any of the various courts in Greene County, excluding municipal courts in an amount not to exceed \$25.00 per case; and

**WHEREAS,** In order to provide the revenues to retire the debt on the renovations, reconstruction and upgrades to the Greene County Courthouse, the Greene County Detention Center, and the Greene County Workhouse and to retire the debt on the original construction of the Workhouse it would appear that it would be in the best interest of Greene County and its citizens to impose a \$25.00 privilege tax on all civil and criminal cases filed in Greene County excluding cases in the municipal courts.

**NOW, THEREFORE;** be it resolved by the Greene County Legislative Body meeting in regular session on this 17<sup>th</sup> day of June, 2013, a quorum being present and a two-thirds (2/3) majority voting in the affirmative, that:

**Section 1:** Effective the 1<sup>st</sup> day of the month following the final passage of this Resolution the privilege tax on litigation on all civil and criminal cases filed in Greene County shall be levied \$25.00 per filing/case as provided in this Resolution (which privilege tax shall be in addition to any other privilege taxes on litigation heretofore authorized and collected) to be used exclusively for and allocated to General Debt Service Fund 151, Account # 40260 – Litigation Tax – Special Purpose – General Debt Service.

**Section 2:** The Clerks of the Courts of Greene County are instructed to collect this additional litigation tax on all civil and criminal cases filed in Greene County in the same manner as all other litigation taxes.

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**Section 3:** Tax imposed by this Resolution shall take effect on the 1<sup>st</sup> day of July, 2013, the public welfare requiring it and it shall be used for the purpose hereinabove stated.

**Section 4:** If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other provisions or applications of this Resolution which shall be given effect without the invalid provision or application and to that end the provisions of this Resolution are declared to be servable.

Budget and Finance Committee  
Sponsor

County Clerk

County Mayor

County Attorney

*Regina C. Culy*

E. A RESOLUTION TO ADOPT THE PROVISIONS OF T.C.A §67-4-601(B)(5).

A motion was made by Commissioner Bird and seconded by Commissioner Hopson to approve a resolution to adopt the provisions of T.C.A. §67-4-601(b)(5). Mayor Broyles called for the Commissioners to vote on their keypads. The following vote was taken: Commissioners Bird, Bowers, Carter, Greenway, Hensley, Holt, Hopson, King, Malone, Rollins, Sauceman, and Seay voted yes. Commissioners McAmis, White, Quillen, Waddle, Moss, Dabbs, Crum, Kiker, and Sams voted no. The vote was 12– aye; 9 – nay. The Commissioners voted against the motion to approve the resolution because it required a two thirds majority to pass thus requiring 14 votes to pass.



## RESOLUTION OF THE GREENE COUNTY LEGISLATIVE BODY TO INCREASE THE COUNTY-WIDE MOTOR VEHICLE TAX

**WHEREAS,** Tennessee Code Annotated, § 5-8-102 and Chapter 409 of the Public Acts of 1983 authorize 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 additional revenue to fund county services is great in Greene County, and

**WHEREAS,** to broaden the base of citizens who would be required to pay their share of the cost of providing local governmental services and to avoid imposing additional taxes on the owners of real property, it would appear that an increase in the motor vehicle privilege tax would be appropriate.

**NOW, THEREFORE BE IT RESOLVED,** Greene County Legislative Body meeting in regular session this 17<sup>th</sup> day of June, 2013, a quorum being present and majority voting in the affirmative, that the local motor vehicle privilege tax levied on all motor vehicles in Greene County be increased by \$10.00 from \$20.00 to \$30.00 pursuant to T.C.A. §5-8-102.

**SECTION 1.** For the privilege of operating a motor vehicle within Greene County, Tennessee, there is levied upon motor-driven vehicles, (including motorcycles and motor-driven bicycles and scooters), and upon the privilege of the operation thereof, except farm tractors, self-propelled farm machines not usually used for the operation upon public roads, and except all motor-driven vehicles owned by an governmental agency or governmental instrumentality, a special privilege tax for the benefit of such county, which tax shall be

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increased by the amount of ten dollars (\$10.00) from the present motor vehicle tax of twenty dollars (\$20.00) to thirty dollars (\$30.00) for each such motor-driven vehicle including motorcycles, or motor-driven bicycles and scooters.

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 Greene County, who is authorized by T.C.A. § 55-4-101 et. seq. to collect such privilege taxes. The County Clerk shall collect this tax at the same time he 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 T.C.A. § 8-21-701(7) 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 Clerk, the original of which shall be kept by the owner of the motor-driven vehicle.

**SECTION 4.** The privilege tax imposed herein shall be collected by the Clerk upon issuance of the license fee for the motor vehicle, with the wheel tax to be renewed in the same fashion as the renewal of the license fee (privilege tax) for the State of Tennessee. No emblem or decal for the county wheel tax will be issued. The renewal of the privilege tax will be on the same date as the renewal for the license plate. The expiration date will be clearly shown by the month and year evidenced on the license plate.

**SECTION 5.** The privilege tax (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 to operate or allow to be operated his/her 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 licensing requirements for each vehicle.

In the event the wheel tax is collected by the clerk for a period of more or less than a calendar year, the tax imposed shall be proportionate to the annual tax filed 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 6.** In the event any motor vehicle for which the wheel tax has been paid 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 the county, or in the event that the owner transfer the title to such vehicle, upon application by the owner, the privilege for operating another vehicle may be transferred to the second vehicle by proper application of the owner, which would occur concurrently with the issuance of a new license plate for the second vehicle, in order that the expiration date for both the license and the privilege tax will occur at the same time.

**SECTION 7.** The proceeds from this tax shall be placed in the General Fund for Greene County and appropriated for such purposes as the County Legislative Body deems appropriate.

**SECTION 8.** Any person violating the provisions of this resolution, upon conviction, commits a Class C misdemeanor.



**SECTION 9.** This Resolution shall have no effect unless it is approved by a two-thirds (2/3) vote of the County Legislative Body at two (2) consecutive regularly scheduled meetings.

**SECTION 10.** For the purpose of approving or rejecting the provisions of this Resolution, it shall be effective upon being approved by a two-thirds (2/3) vote of the Board of County Commissioners of Greene County at two (2) consecutive regular meetings. For the purpose of collection of the tax herein levied such collection shall begin on the 1<sup>st</sup> day of September, 2013.

Passed 1<sup>st</sup> reading at the regular meeting on the \_\_\_\_ day of \_\_\_\_\_, 2013, of the Greene County Legislative Body.

Passed 2<sup>nd</sup> reading at the regular meeting on the \_\_\_\_ day of \_\_\_\_\_, 2013, of the Greene County Legislative Body.

Budget and Finance Committee  
Sponsor

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
County Mayor

Royce Vail  
County Attorney



F. A RESOLUTION OF THE GREENE COUNTY LEGISLATIVE BODY TO  
INCREASE THE COUNTY-WIDE MOTOR VEHICLE TAX.

A motion was made by Commissioner Crum and seconded by Commissioner Bird to approve a resolution of the Greene County Legislative Body to increase the county-wide Motor Vehicle Tax. Mayor Broyles called for the Commissioners to vote on their keypads. The following vote was taken: Commissioners Bird, Carter, King, Moss, Rollins, and Seay voted yes. Commissioners McAmis, Malone, White, Hopson, Hensley, Quillen, Bowers, Sauceman, Greenway, Holt, Waddle, Dabbs, Crum, Kiker, and Sams voted no. The vote was 6– aye; 15 – nay. The Commissioners voted against the motion to approve the resolution.



The meeting adjourned.