

**WASHINGTON COUNTY, TENNESSEE
BOARD OF COUNTY COMMISSIONERS**

September 10, 2013 Agenda

1. Call to order by the Chair.
2. Prayer and Pledge to the Flag.
3. Roll Call.
4. Budget and Tax Levy
 - a. Consider Resolution No. 13-09-05. *"Resolution Making Appropriations for the Various Funds, Departments, Institutions, Offices and Agencies of Washington County, Tennessee for the Fiscal Year Effective July 1, 2013, and Ending June 30, 2014."*
 - b. Consider Resolution No. 13-09-06. *"Resolution Fixing the Tax Levy for the County of Washington County, Tennessee for the Fiscal Year Effective July 1, 2013 and Ending June 30, 2014."*
5. Legal Services Oversight Committee
 - a. Consider Resolution No. 13-09-04. *"Resolution Appointing an Interim County Attorney for Washington County, Tennessee."*
 - b. Consider Resolution No. 13-09-03. *"Resolution Appointing an Attorney for the Washington County, Tennessee Zoning Office."*
6. Miscellaneous Announcements.
7. Adjournment.

WASHINGTON COUNTY, TENNESSEE BOARD OF COUNTY COMMISSIONERS

RESOLUTION No. 13-09-05

RESOLUTION MAKING APPROPRIATIONS FOR THE VARIOUS FUNDS, DEPARTMENTS, INSTITUTIONS, OFFICES AND AGENCIES OF WASHINGTON COUNTY, TENNESSEE FOR THE FISCAL YEAR EFFECTIVE JULY 1, 2013, AND ENDING JUNE 30, 2014

WHEREAS, the Washington County Budget Committee has reported on its deliberations and recommended the adoption of appropriations for the various funds, departments, institutions, offices, and agencies of Washington County, Tennessee, for fiscal year beginning July 1, 2013, and after due consideration by the Board of County Commissioners, the following action is taken:

BE IT RESOLVED, that the Board of County Commissioners of Washington County, Tennessee, in regular session duly assembled, a quorum being present, on the 10th day of September 2013, that the amounts hereinafter set out are hereby appropriated for the purposes of meeting the expenses of said County and funding the budget for the various departments, funds, institutions, offices, and agencies of Washington County, Tennessee, for the capital outlay, and for meeting the payment of the principal and interest on the County's indebtedness maturing during the fiscal year aforesaid in the following particulars, to wit:

ARTICLE I. REGULARLY FUNDED COUNTY BUDGETS

- | | | |
|----|--|---------------------|
| 1. | COUNTY GENERAL FUND: | <u>\$35,411,443</u> |
| | The budget for this fund is reflected in Exhibit A attached hereto and is hereby appropriated by line item and special appropriations are contained in a special resolution which is made a part hereof. | |
| 2. | ROAD UPKEEP FUND: | <u>\$10,495,958</u> |
| | This budget for this fund is reflected in Exhibit B attached hereto and which is hereby appropriated by line item. | |

- | | | |
|----|--|--------------------|
| 3. | DEBT SERVICE FUND:
This budget for this fund is reflected in Exhibit C attached hereto and which is hereby appropriated by line item. | <u>\$9,757,680</u> |
| 4. | GENERAL PURPOSE SCHOOL FUND:
This budget for this fund is reflected in Exhibit D attached hereto and which is hereby appropriated by line item. | \$ |
| 5. | SOLID WASTE SANITATION FUND:

This budget for this fund is reflected in Exhibit E attached hereto and which is hereby appropriated by line item. | <u>\$1,703,658</u> |
| 6. | DRUG FUND:
The budget for this fund is reflected in Exhibit F attached hereto and which is hereby appropriated by line item. | <u>\$56,450</u> |
| 7. | CAPITAL PROJECTS FUND:
The budget for this fund is reflected in Exhibit G attached hereto and which is hereby appropriated by line item. | <u>\$76,515</u> |

ARTICLE II: MISCELLANEOUS SPECIAL AND CHARITABLE AND NON-PROFIT ORGANIZATIONS:

AND BE IT FURTHER RESOLVED:

WHEREAS, it appearing to the Board of County Commissioners that by virtue of Title 5, Chapter 9, TENNESSEE CODE ANNOTATED, a county legislative body is authorized to make appropriations to various county organizations specifically authorized by said statute; and

WHEREAS, notice is required by said statute and pursuant thereto, notice of the consideration of such authorized special appropriation has been made in accordance with the law; and

WHEREAS, the Board of County Commissioners recognizes various non-profit charitable and other statutorily authorized organizations located in

Washington County serve a necessary and useful purpose and have great need for funds to carry on those worthwhile endeavors which promote the general welfare of Washington County; now therefore,

BE IT FURTHER RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, TENNESSEE, that the following non-profit, charitable, civic and other statutorily authorized organizations be appropriated the sums hereinafter set forth, as follows:

SECTION 1. EMBREEVILLE VOLUNTEER FIRE DEPARTMENT

That \$110,000.00 be appropriated to the Embreeville Volunteer Fire Department to provide fire protection to the citizens of Washington County; identified as Line Item No. 54310.316.

SECTION 2. FALL BRANCH FIRE DEPARTMENT

That \$110,000.00 be appropriated to the Fall Branch Fire Department to provide fire protection to the citizens of Washington County; identified as Line Item No. 54310.316.

SECTION 3. GRAY VOLUNTEER FIRE DEPARTMENT

That \$110,000.00 be appropriated to the Gray Volunteer Fire Department to provide fire protection to the citizens of Washington County; identified as Line Item No. 54310.316.

SECTION 4. JONESBOROUGH FIRE DEPARTMENT

That \$110,000.00 be appropriated to the Jonesborough Fire Department to provide fire protection to the citizens of Washington County; identified as Line Item No. 54310.316.

SECTION 5. LIMESTONE VOLUNTEER FIRE DEPARTMENT

That \$110,000.00 be appropriated to the Limestone Volunteer Fire Department to provide fire protection to the citizens of Washington County; identified as Line Item No. 54310.316.

SECTION 6. NOLICHUCKEY VOLUNTEER FIRE DEPARTMENT

That \$110,000.00 be appropriated to the Nolichucky Volunteer Fire Department to provide fire protection to the citizens of Washington County; identified as Line Item No. 54310.316.

SECTION 7. SULPHUR SPRINGS VOLUNTEER FIRE DEPARTMENT

That \$110,000.00 be appropriated to the Sulphur Springs Volunteer Fire Department to provide fire protection to the citizens of Washington County; identified as Line Item No. 54310.316.

SECTION 8. WATAUGA VOLUNTEER FIRE DEPARTMENT

That \$35,000.00 be appropriated to the Watauga Volunteer Fire Department to provide fire protection to the citizens of Washington County; identified as Line Item No. 54310.316.

SECTION 9. PINEY FLATS VOLUNTEER FIRE DEPARTMENT

That \$10,000.00 be appropriated to the Piney Flats Volunteer Fire Department to provide fire protection to the citizens of Washington County; identified as Line Item No. 54310.316.

SECTION 10. CIVIL DEFENSE

That \$109,058.00 be appropriated for Civil Defense, administered by Washington County-Johnson City Emergency Management, to promote the health and welfare of the residents of Washington County; identified as Line Item No. 54410.316.

SECTION 11. FALL BRANCH FIRST RESPONSE TEAM

That \$84,300.00 be appropriated to the Fall Branch First Response Team to promote the health and safety of Washington County residents; identified as Line Item No. 54420.316.

SECTION 12. WASHINGTON COUNTY/JOHNSON CITY
ANIMAL CONTROL PROGRAM

That \$158,000.00 be appropriated to the Washington County/Johnson City Animal Control Program to promote the health and safety of the citizens of Washington County; identified as Line Item No. 55120.316.

SECTION 13. WASHINGTON COUNTY-JOHNSON CITY E.M.S.

That \$1,435,272.00 be appropriated to the Washington County-Johnson City E.M.S. to provide emergency medical service to the residents of Washington County; identified as Line Item No. 55130.316.

SECTION 14. ARC OF WASHINGTON COUNTY, INC.

That \$2,250.00 be appropriated to ARC of Washington County, Inc. to promote the health and welfare of the residents of Washington County; identified as Line Item No. 55510.316.

SECTION 15. DAWN OF HOPE

That \$9,000.00 be appropriated to Dawn of Hope to promote the health and welfare of the citizens of Washington County; identified as Line Item No. 55510.316.

SECTION 16. JOHNSON CITY/WASHINGTON COUNTY BOYS' &
GIRLS' CLUB

That \$9,900.00 be appropriated to the Johnson City/Washington County Boys' and Girls' Club; identified as Line Item No. 55510.316.

SECTION 17. GIRLS' INC. OF JOHNSON CITY/WASHINGTON
COUNTY

That \$8,100.00 be appropriated to Girls' Inc. of Johnson City/Washington County; identified as Line Item No. 55510.316.

SECTION 18. SALVATION ARMY

That \$3,600.00 be appropriated to the Salvation Army; identified as Line Item No. 55510.316.

SECTION 19. CRUMLEY HOUSE BRAIN INJURY REHABILITATION

That \$10,800.00 be appropriated to Crumley House Brain Injury Rehabilitation; identified as Line Item No. 55510.316.

SECTION 20. COALITION FOR KIDS, INC.

That \$12,150.00 be appropriated to the Coalition for Kids, Inc.; identified as line Item No. 55520.316

SECTION 21. JOHNSON CITY SENIOR CITIZENS CENTER

That \$36,450.00 be appropriated to the Johnson City Senior Citizens Center to promote the health and welfare of Washington County's senior citizens; identified as Line Item No.56100.316.

SECTION 22. JONESBOROUGH AREA ADULT CENTER

That \$36,450.00 be appropriated to the Jonesborough Area Adult Center to promote the health and welfare of Washington County's senior citizens; identified as Line Item No. 56100.316.

SECTION 23. JOHNSON CITY PUBLIC LIBRARY

That \$100,000.00 be appropriated to the Johnson City Public Library to provide for the educational needs of Washington County residents; identified as Line Item No. 56500.316.

SECTION 24. THE HERITAGE ALLIANCE

That \$13,500.00 be appropriated to the Heritage Alliance, which operates the Jonesborough/Washington County Museum; identified as Line Item No. 56900.316.

SECTION 25. FOREST RESOURCE SERVICES

That \$1,500.00 be appropriated to the Tennessee Department of Conservation to promote the health and safety of Washington County residents; identified as Line Item No. 57300.326.

SECTION 26. WASHINGTON COUNTY SOIL CONSERVATION

That \$15,065.00 be appropriated to the Washington County Soil Conservation District to promote the health and welfare of the citizens of Washington County; identified as Line Item No. 57500.316.

SECTION 27. NORTHEAST TENNESSEE TOURISM COUNCIL, INC.

That \$6,971.00 be appropriated to the Northeast Tennessee Tourism Council, Inc. to promote tourism in Washington County; identified as Line Item No. 58110.316.

SECTION 28. JOHNSON CITY – JONESBOROUGH - WASHINGTON
COUNTY AREA ECONOMIC DEVELOPMENT BOARD

That \$146,206.00 be appropriated to the Johnson City – Jonesborough - Washington County Area Economic Development Board to promote the health and welfare of the citizens of Washington County; identified as Line Item No. 58120.316.

SECTION 29. TENNESSEE VOCATIONAL TRAINING CENTER

That \$8,694.00 be appropriated to the Tennessee Vocational Training Center to promote the health and welfare of the citizens of Washington County, Tennessee; as identified as Line Item No. 58500.316.

SECTION 30. WASHINGTON CO. EMERGENCY COMMUNICATION
(911)

That \$645,233.00 be appropriated to the Washington County Emergency Communication (911) to promote the health and welfare of the citizens of Washington County; identified as Line Item No. 54900.316.

SECTION 31. FIRST TENNESSEE HUMAN RESOURCES AGENCY

That \$39,977.00 be appropriated to the First Tennessee Human Resources Agency to promote the purposes of the Agency; identified as Line Item No. 56100.316.

SECTION 32. JOHNSON CITY PUBLIC LIBRARY

That \$27,500.00 be appropriated to the Johnson City Public Library to assist in the funding of Dolly Parton's Imagination Library program; identified as Line Item No. 56510.432.

SECTION 33. BOONE LAKE ASSOCIATION – That \$900.00 to be appropriated to the Boone Lake Association for the purpose of clean-up; identified as Line Item 56900.316

SECTION 34. WASHINGTON COUNTY ECONOMIC DEVELOPMENT
COUNCIL

That \$25,000.00 be appropriated to the Washington County Economic Development Council; identified as Line Item No. 58190.316

SECTION 35. NORTHEAST STATE COMMUNITY COLLEGE

That \$25,000.00 be appropriated to Northeast State Community College Scholarship Fund for education programs; identified as Line Item No. 58500.316.

SECTION 36. HANDS ON MUSEUM

That \$4,500.00 be appropriated to the Hands on Museum; identified as Line Item No. 56900.316

SECTION 37. SECOND HARVEST FOOD BANK

That \$2,250.00 be appropriated to the Second Harvest Food Bank to provide charitable relief to the citizens of Washington County; identified as Line Item No. 55510.316.

BE IT FURTHER RESOLVED that all appropriations enumerated in Sections 1-37, inclusive, above are made subject to the following conditions:

(1) That the non-profit charitable and other statutorily authorized organizations to which funds are appropriated shall file with the County Clerk and the disbursing official a copy of an annual report of its business affairs and transactions and the proposed use of the county's funds in accordance with rules promulgated by the Comptroller of the Treasury, Chapter 0380-2-7. Such annual report shall be prepared and certified by the chief financial officer of such organization in accordance with Title 5, Chapter 9, Tennessee Code Annotated.

(2) That said funds must only be used by the named non-profit charitable and other organizations in furtherance of their respective purposes benefiting the general welfare of the residents of Washington County.

(3) That it is the expressed interest of the Board of County Commissioners of Washington County in providing these funds to the above-named organizations to be fully in compliance with Chapter 0390-2-7 of the Rules of the Comptroller of the Treasury, and Title 5, Chapter 9 of Tennessee Code Annotated, and any and all other laws which may apply to county appropriations to such organizations and this appropriation is made subject to compliance with any and all of these laws and regulations.

ARTICLE III. EXPENDITURE OF FEES BY COUNTY OFFICES

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

ARTICLE IV. AUTHORIZATION FOR MAYOR TO COMPROMISE AND SETTLE LIABILITY CLAIMS

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and empowered by the County Legislative Body to compromise and settle those lawsuits and claims seeking monetary damages that are brought against the County and/or its officials, employees, and agents acting in their official capacity. The County Mayor, on behalf of the County and its officials, employees and agents acting in their official capacity, is also authorized to reject settlement demands and offers to compromise made by opposing parties. This authority granted to the Mayor is limited to \$.00 aggregate payable to all claimants seeking damages, costs and opposing counsel's attorney's fees for one or more causes of action, claims, suits, and/or debts that arise from a single event, occurrence or course of conduct. The Mayor is not authorized to compromise or settle claims that bind or commit the Board of County Commissioners to future or recurring appropriations. The aggregate expenditures by the Mayor to compromise and settle claims during the Fiscal Year effective July 1, 2013, and ending June 30, 2014, shall in no instance be more than the amount herein appropriated by the Board of County Commissioners for said purpose. The County Mayor shall notify the budget committee of all expenditures made pursuant to this authorization.

ARTICLE V. LIMITATION ON EXPENDITURE OF APPROPRIATIONS

BE IT FURTHER RESOLVED that any appropriation made by this resolution which covers the same purpose for which a specific appropriation is

made by statute, is made in lieu of but not in addition to said statutory appropriation. The salary, wages or remuneration of each officer, employee or agent of the County shall not be in excess of the amounts authorized by existing law or as set forth in the estimate of expenditures which accompanies this resolution. Provided, however, the appropriations for such salaries, wages or other remuneration hereby authorized shall in no case be construed as permitting expenditures for an office, agency, institution, division or department of the County in excess of the appropriation made herein for such office, agency, institution, division or department of the County. Such appropriation shall constitute the limit to the expenditures of any office, agency, institution, division or department ending June 30, 2014. The aggregate expenditures for any item of appropriation shall in no instance be more than the amount herein appropriated for such item.

ARTICLE VI. FUTURE RESOLUTIONS

BE IT FURTHER RESOLVED that any resolution which may hereafter be presented to the Board of County Commissioners providing for appropriations in addition to those made by this budget appropriation resolution shall specifically provide sufficient revenue or other funds, actually to be provided during the fiscal year in which the expenditure is to be made, to meet such additional appropriation. Said appropriating resolution shall be submitted to and approved by the State Director of Local Finance after its adoption as provided by TENN. CODE ANN. §§ 9-11-109 to 9-11-119.

ARTICLE VII. SCHOOL FUND CLEARING ACCOUNTS

BE IT FURTHER RESOLVED that certain school funds which function as clearing accounts have been included in the revenue and appropriations for the year ending June 30, 2014, as a memorandum only. It is expressly understood that the County Board of Education may not create or incur expenditures from these funds above actual revenue of such funds. It is further directed that no transfers may be affected between these clearing accounts and the operating school funds accounts.

ARTICLE VIII. REVENUE ANTICIPATION NOTES

BE IT FURTHER RESOLVED that the Mayor and County Clerk are hereby authorized to borrow money on tax anticipation notes, provided such notes are first approved by the Director of Local Finance, to pay the expenses herein authorized until the taxes and other revenue for fiscal year 2013-2014

have been collected, not exceeding sixty percent (60%) of the appropriations of each individual fund. The proceeds of loans for each individual fund shall be used only to pay the expenses and other requirements of the fund for which the loan is made and the loan shall be paid out of revenue of the fund for which money is borrowed. The notes evidencing the loans authorized under this section shall be issued under the authority of Title 9, Chapter 21, Tennessee Code Annotated. Said notes shall be signed by the County Mayor and countersigned by the County Clerk and shall mature and be paid in full without renewal not later than June 10, 2014.

ARTICLE IX. DELINQUENT PROPERTY TAXES

BE IT FURTHER RESOLVED that the delinquent County property taxes for the year 2013 and prior years and the interest and penalty thereon collected during the year ending June 30, 2014, shall be apportioned to the various County funds according to the subdivision of the tax levy for the year 2013. The Clerk and Master or Circuit Court Clerk, for those delinquent tax cases filed in their respective courts, and the Trustee are hereby authorized and directed to make such apportionment accordingly.

ARTICLE X. YEAR-END BALANCES

BE IT FURTHER RESOLVED, that all unencumbered balances of appropriations remaining at the end of the fiscal year shall lapse, and be of no further effect at the end of the fiscal year at June 30, 2014.

ARTICLE XI. REPEALING PROVISION

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

ARTICLE XII. EFFECTIVE DATE

BE IT FURTHER RESOLVED that this Resolution shall take effect from and after its passage and its provisions shall be in force effective July 1, 2013. This Resolution shall be spread upon the minutes of the Board of County Commissioners.

Introduced by Commissioner:
Seconded by Commissioner:
Commissioners Voting FOR Resolution:
Commissioners Voting AGAINST Resolution:
Commissioners NOT VOTING:
Commissioners ABSENT:

ADOPTED BY THE COUNTY LEGISLATIVE BODY, in session duly assembled, on this the 10th day of September 2013.

KATHY STOREY, County Clerk

GREG MATHERLY, Chair of the Board

REFERRED to County Mayor this the ___ day of _____ 2013.

KATHY STOREY, County Clerk

APPROVED by County Mayor on this the ___ day of _____ 2013.

DANIEL J. ELDRIDGE, County Mayor

The County Mayor having declined to approve this Resolution, the same became effective on the ___ day of _____ 2013, pursuant to Tennessee Code Annotated § 5-6-107(b)(5).

KATHY STOREY, County Clerk

**WASHINGTON COUNTY, TENNESSEE
BOARD OF COUNTY COMMISSIONERS**

RESOLUTION NO. 13-09-06

***RESOLUTION FIXING THE TAX LEVY FOR THE COUNTY OF
WASHINGTON COUNTY, TENNESSEE FOR THE FISCAL YEAR
EFFECTIVE JULY 1, 2013 AND ENDING JUNE 30, 2014***

WHEREAS, the Washington County Budget Committee has reported on its deliberations and recommended the adoption of a tax rate for Washington County, Tennessee for the ensuing fiscal year effective July 1, 2013, and after due consideration by the entire Board of County Commissioners, the following action is taken:

BE IT RESOLVED, by the Board of County Commissioners of Washington County, Tennessee, that the combined property tax for Washington County, Tennessee for the fiscal year beginning July 1, 2013, and ending June 30, 2014, shall be the sum of \$1.9139 on each \$100 of taxable property in said County, which shall be for the purpose of providing revenue for each of the following funds and otherwise conform to the following levies for the following uses and purposes, to wit:

<i>Fund</i>	<i>Rate</i>
County General Fund	\$.6545
Road Upkeep Fund	\$.1484
General Purpose School Fund	\$.7690
Debt Service Fund	\$.3129
Sanitation	\$.0291
<i>Total Tax Levy:</i>	<i>\$1.9139 per \$100 Taxable property</i>

BE IT FURTHER RESOLVED, that there is hereby levied a gross receipts tax, as by law required. The proceeds of said gross receipts tax hereby levied shall accrue to Washington County as by law provided.

BE IT FURTHER RESOLVED, that all the resolutions of the Board of County Commissioners of Washington County, Tennessee conflicting with this resolution are hereby repealed.

BE IT FURTHER RESOLVED, that this resolution shall take effect from and after its passage, for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the public welfare requiring it. The resolution shall be spread upon the minutes of the Board of County Commissioners of Washington County, Tennessee.

Introduced by Commissioner:
Seconded by Commissioner:
Commissioners Voting FOR Resolution:

Commissioners Voting AGAINST Resolution:

Commissioners NOT VOTING:
Commissioners ABSENT:

ADOPTED BY THE COUNTY LEGISLATIVE BODY, in session duly assembled, on this the _____ day of Septmeber 2013.

KATHY STOREY, County Clerk

GREG MATHERLY, Chair of the Board

REFERRED to County Mayor this the ____ day of _____ 2013.

KATHY STOREY, County Clerk

APPROVED by County Mayor on this the ____ day of _____ 2013.

DANIEL J. ELDRIDGE, County Mayor

The County Mayor having declined to approve this Resolution, the same became effective on the ____ day of _____ 2012, pursuant to Tennessee Code Annotated § 5-6-107(b)(5).

KATHY STOREY, County Clerk

**WASHINGTON COUNTY, TENNESSEE
BOARD OF COUNTY COMMISSIONERS**

RESOLUTION No. 13-09-04

***RESOLUTION APPOINTING AN INTERIM COUNTY ATTORNEY FOR
WASHINGTON COUNTY, TENNESSEE***

WHEREAS, the Board of County Commissioners, by private act, created the position of County Attorney; and

WHEREAS, the position is now vacant due to the appointment of John Rambo to Chancellor for the First Judicial District Chancery Court on August 10, 2013; and

WHEREAS, the Legal Services Committee met on September 6, 2013 and desires to appoint Mr. Keith Bowers as Interim County Attorney to represent the needs of Washington County, Tennessee where they have not been defined and representation does not exist; and

WHEREAS, Mr. Bowers is familiar with the position of County Attorney as he currently serves in such role for Carter County, Tennessee;

WHEREAS, Mr. Bowers proposes that his firm will perform services necessary to consult, review, represent and advise on any matters for the Washington County at an hourly rate of One Hundred Fifty Dollars (\$150.00) per hour for his services or for any attorney in his firm or under his supervision and Seventy Five Dollars (\$75.00) per hour for paralegal services in increments of time no less than one quarter (0.25) of an hour; now therefore

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, TENNESSEE THAT:

SECTION 1. As the legislative body of Washington County, the Board of County Commissioners hereby appoints Mr. Keith Bowers to serve as Interim County Attorney for Washington County, Tennessee for a term starting September 6, 2013 and for a period of 120 days afterwards or until a Permanent County Attorney for Washington County, Tennessee has been appointed by the Board of County Commissioners.

SECTION 2. Attorney Keith Bowers and his law firm shall be paid in accordance with the terms of the employment agreement attached hereto as Exhibit A and incorporated herein.

SECTION 3. Mr. Bowers shall serve at the direction, discretion and be overseen by the Legal Services Oversight Committee.

SECTION 4. The Resolution shall take effect immediately.

Introduced by Commissioner
Seconded by Commissioner

Commissioners Voting FOR Resolution:

Commissioners Voting AGAINST Resolution:

Commissioners NOT VOTING: NONE

Commissioners ABSENT:

ADOPTED BY THE COUNTY LEGISLATIVE BODY, in session duly assembled, on this the 10th day of September 2013.

KATHY STOREY, County Clerk

GREG MATHERLY, Chair of the Board

KEITH BOWERS, JR. and Associates

Attorneys at Law

3863 Highway 19E
Elizabethton, Tennessee 37643

Keith Bowers, Jr.
Joshua A. Hardin

(423) 542-0200 Telephone
(423) 542-0600 Facsimile

September 6, 2013

Greg Matherly
Chairman, Washington County Commission
P.O. Box 219
Jonesborough, TN 37659

Re: Interim County Attorney, Washington County

Dear Chairman Matherly:

I send this correspondence after our recent meeting concerning the need for an interim County Attorney for Washington County. Per our Conversation, the committee is seeking an attorney to serve on an hourly basis as interim County Attorney while the search for the new County Attorney is completed. My understanding is that while serving in this position, I would provide supervision to the legal staff as needed, provide legal opinions to the Commission and Constitutional Office holders as needed, provide assistance in the transition of all ongoing litigation and legal matters before the County, and provide office hours as available for legal services.

I have been approached about providing the above listed services while the search process is conducted on behalf of Washington County; I would be pleased to do so on behalf of the County. Please keep in mind that this service would not be on a full time basis but on an hourly basis as I serve as County Attorney for Carter County, therefore, scheduling conflicts due to my service as County Attorney for Carter County could arise from time to time. Please feel free to contact me with any questions and it was a pleasure to meet with you concerning this position.

Sincerely yours,

Keith Bowers, Jr.

KBJ/bjc

**WASHINGTON COUNTY, TENNESSEE
BOARD OF COUNTY COMMISSIONERS**

RESOLUTION No. 13-09-03

***RESOLUTION APPOINTING AN ATTORNEY FOR THE
WASHINGTON COUNTY, TENNESSEE ZONING OFFICE***

WHEREAS, the Board of County Commissioners, by private act, created the position of County Attorney; and

WHEREAS, the position is now vacant due to the appointment of John Rambo to Chancellor for the First Judicial District Chancery Court on August 10, 2013; and

WHEREAS, the Legal Services Committee met on September 6, 2013 and desires to appoint Mr. Tom Seeley as County Attorney to represent solely the County Zoning Department's many divisions and needs; and

WHEREAS, Mr. Seeley is familiar with the Zoning Office procedures and has handled the litigation for the Zoning Office previously done by John Rambo;

WHEREAS, Mr. Seeley proposes that his firm will perform services necessary to consult, review, represent and advise on any matters for the Washington County Zoning Office at an hourly rate of One Hundred Fifty Dollars (\$150.00) per hour for his services or for any attorney in his firm or under his supervision and Seventy-Five Dollars (\$75.00) per hour for paralegal services in increments of time no less than one quarter (0.25) of an hour; now therefore

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, TENNESSEE THAT:

SECTION 1. As the legislative body of Washington County, the Board of County Commissioners hereby appoints Mr. Tom Seeley to serve as County Attorney for The Washington County, Tennessee Zoning Office for a term starting September 6, 2013.

SECTION 2. Attorney Tom Seeley and his law firm shall be paid in accordance with the terms of the employment agreement attached hereto as Exhibit A and incorporated herein.

SECTION 3. Mr. Seeley shall serve at the direction, discretion and be overseen by the County Zoning Administrator or in his absence the Legal Services Oversight Committee.

SECTION 3. The Resolution shall take effect immediately.

Introduced by Commissioner
Seconded by Commissioner

Commissioners Voting FOR Resolution:

Commissioners Voting AGAINST Resolution:

Commissioners NOT VOTING: NONE

Commissioners ABSENT:

ADOPTED BY THE COUNTY LEGISLATIVE BODY, in session duly assembled, on this the 10th day of September 2013.

KATHY STOREY, County Clerk

GREG MATHERLY, Chair of the Board



1211 East Jackson Boulevard
Post Office Box 308
Jonesborough, TN 37659
Telephone: (423) 913-0117
Telecopier: (423) 913-0118

Thomas J. Seeley, III
tom@firsttownlaw.com

August 30, 2013

Mr. Michael Rutherford
Washington County Zoning Administrator
Post Office Box 417
Jonesborough, Tennessee 37659

Re: Proposal for legal services

Dear Mr. Rutherford:

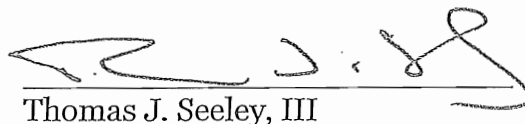
Pursuant to our discussion, Wheeler and Seeley would be interested in providing legal services for the Washington County Zoning Office. I am familiar with the Zoning Office procedures and have handled the litigation for your office previously when John Rambo was with our firm. I understand that you have active files that are in litigation with court deadlines that must be met and deadlines involved with the enforcement of the County Zoning Regulations.

I would propose that this firm perform those services necessary to consult, review, represent and advise you regarding any matters for the Washington County Zoning Office. I would bill at an hourly rate of One Hundred Fifty (\$150.00) Dollars per hour for my services or for any attorney in this office or an attorney under my supervision and Seventy-Five (\$75.00) Dollars per hour for paralegal services in increments of time no less than one quarter (0.25) of an hour.

The Washington County Zoning office would be responsible, in addition to the above attorney's fee, all court costs, subpoena costs, photographs, depositions, court reporter costs, reports, witness statements, and other out-of-pocket expenses directly incurred in investigating or litigating the Zoning office's legal matters. If you have any questions at all concerning this proposal, please do not hesitate to contact me.

Sincerely,

WHEELER & SEELEY



Thomas J. Seeley, III

amp

