

# RESOLUTION

NO. 2011/12/01

To the HONORABLE MELVILLE BAILEY, Chairman, and Members of the Hawkins County Board of Commissioners in Regular Session, met this 19<sup>th</sup> day of December, 2011

**RESOLUTION IN REF:**

**APPROVING RULES OF PROCEDURE FOR  
ELIMINATING NOMINEES IN CASES WHERE  
THERE ARE MULTIPLE NOMINEES FOR THE  
APPOINTMENT OF HAWKINS COUNTY SCHOOL  
BOARD MEMBER**

WHEREAS, T.C.A. 5-5-111(e) states the county legislative body shall adopt rules of procedure for eliminating nominees in cases where there are multiple nominees for an appointment; and

THEREFORE, BE IT RESOLVED the following rules shall apply:

- 1) All candidates must be nominated by a commissioner
- 2) A candidate must receive 11 votes to receive the appointment
- 3) No recess will be granted during the voting procedure.
- 4) After each ballot of random voice votes, the candidate with the least number of votes or no votes, if applicable, will be eliminated. Also, two or more candidates will be eliminated if the lowest votes are a tie; however, if the tie results in only one person remaining, no person will be eliminated after last ballot.
- 5) In the event only 2 candidates remain and neither candidate receives a majority of 11 votes following 3 ballots, then the election will be deferred to the next regular or special called meeting
- 6) The appointment will be effective immediately.
- 7) A tie vote of the county legislative body regarding an appointment may be broken by the county mayor, in accordance to T.C.A. 5-5-111(e).

INTRODUCED BY: Gary Hicks, Jr.

ACTION:            AYE    NAY    PASSED

SECONDED BY: \_\_\_\_\_

ROLL CALL            \_\_\_\_\_

DATE SUBMITTED: 12/05/2011  
A. Carroll Jenkins

VOICE VOTE            \_\_\_\_\_

COUNTY CLERK  
BY: A. Carroll Jenkins

ABSENT                \_\_\_\_\_

COMMITTEE ACTION: \_\_\_\_\_

CHAIRMAN: MELVILLE BAILEY

RESOLUTION

No. 2011 / 12 / 02

To the HONORABLE MELVILLE BAILEY, Chairman, and Members of the Hawkins County Board of Commission in Regular Session, met this 19th day December 2011.

RESOLUTION IN REF: APPOINTMENT TO FILL THE VACANCY LEFT BY THE DEATH OF CHARLES FULLER, THE ELECTED SCHOOL BOARD MEMBER FOR THE FIRST DISTRICT OF HAWKINS COUNTY

WHEREAS, Charles Fuller, elected School Board member for the First District of Hawkins County, deceased on November 9, 2011. The Board of Commissioners and the public have been notified of the vacancy: and

WHEREAS, said vacancy should be filled until the next general election which will be in August of 2012.

THEREFORE, nomination for the position are now open to the public and the following people are being nominated and recognized for the position by the said commissioner/s.

- 1. \_\_\_\_\_ nominated by \_\_\_\_\_
2. \_\_\_\_\_ nominated by \_\_\_\_\_
3. \_\_\_\_\_ nominated by \_\_\_\_\_
4. \_\_\_\_\_ nominated by \_\_\_\_\_

NOW, THEREFORE BE IT FURTHER approved that \_\_\_\_\_ has been selected to fill the term of the First School Board District, beginning immediately and serving until a candidate is certified in the next General Election, in August 2012,

Introduced By Esq. Thomas Wheeler
PASSED

ACTION: AYE NAY

Seconded By Esq.

Roll Call \_\_\_\_\_

Date Submitted 12/05/2011

Voice Vote \_\_\_\_\_

A. Carroll Jenkins
County Clerk

Absent \_\_\_\_\_

COMMITTEE ACTION

By: \_\_\_\_\_

Melville Bailey
Chairman

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

**RESOLUTION**

No. 2011 12 103

To the HONORABLE MELVILLE BAILEY, Chairman, and Members of the Hawkins County Board of Commission in Regular Session, met this 19th day of December, 2011.

**RESOLUTION IN REF: APPOINTMENT TO THE HAWKINS COUNTY PLANNING COMMISSION**

WHEREAS, the Hawkins County Planning Commission has terms that that have expired; and

WHEREAS, each district is to have a representative, therefore the following people are being recommended for reappointment for term ending as follows:

District 1	Vince Pishner	November 30, 2015
District 6	Jimmie Rhea	November 30, 2015
District 7	Jim Hageman	November 30, 2015
At Large Member	Gaye Murrell	November 30, 2015

Other Planning Commission members are:

District 2	John Eidson	November 30, 2012
District 3	Thomas Hicks	November 30, 2012
District 4	Albert Horne	November 30, 2013
District 5	Bill Phillips	November 30, 2013

Road Superintendent - term to correspond with respective term in office.

Non Voting Members – terms to correspond with their respective terms in office.

County Mayor

Chief Executive Officer of the County Industrial Commission

THEREFORE, BE IT RESOLVED THAT the above reference persons be appointed to the Hawkins County Planning commission with terms ending as stated

Introduced By Esq. Charlie Newton

ACTION: AYE NAY PASSED

Seconded By Esq. \_\_\_\_\_

Roll Call \_\_\_\_\_

Date Submitted 12/05/2011

Voice Vote \_\_\_\_\_

D. Carroll Jenkins  
County Clerk

Absent \_\_\_\_\_

COMMITTEE ACTION

By: \_\_\_\_\_

Chairman Melville Bailey

RESOLUTION

No. 2011 / 12 / 04

To the HONORABLE MELVILLE BAILEY, Chairman, and Members of the Hawkins County Board of Commission in Regular Session, met this 19th day of December, 2011.

RESOLUTION IN REF: APPROVAL OF DATES, TIMES AND PLACES FOR THE 2012 MONTHLY REGULAR COUNTY COMMISSION MEETINGS

WHEREAS, the Hawkins County Commission meets monthly and each year sets the time, date and place for the next calendar year's monthly meetings.

THEREFORE, BE IT RESOLVED that the following schedule be adopted for the calendar year 2012.

January	23,	9:00 a.m.	Board Room /Training Center- Hawkins Co BOE
February	27,	7:00 p.m.	Board Room /Training Center- Hawkins Co BOE
March	26,	7:00 p.m.	Board Room /Training Center- Hawkins Co BOE
April	23,	9:00 a.m.	Board Room /Training Center- Hawkins Co BOE
May	21,	7:00 p.m.	Board Room /Training Center- Hawkins Co BOE
June	25,	7:00 p.m.	Board Room /Training Center- Hawkins Co BOE
July	23,	9:00 a.m.	Board Room /Training Center- Hawkins Co BOE
August	27,	7:00 p.m.	Board Room /Training Center- Hawkins Co BOE
September	24,	7:00 p.m.	Board Room /Training Center- Hawkins Co BOE
October	22,	9:00 a.m.	Board Room /Training Center- Hawkins Co BOE
November	26,	7:00 p.m.	Board Room /Training Center- Hawkins Co BOE
*December	17,	7:00 p.m.	Board Room /Training Center- Hawkins Co BOE

FURTHER, that Special Called Meetings may be held with proper notice and Regular Scheduled meeting may be changed with proper notice.

\* The fourth Monday in May and December are within the holiday schedule. These months the meeting will be on the third Monday.

Note: The location of meetings could change during the 2012 calendar year due to completion of the renovation of the Courthouse . Meeting location change will be announced when this occurs.

Introduced By Esq. Virgil Mallet

Seconded By Esq. \_\_\_\_\_

Date Submitted 12/05/2011

A. Carroll Jenkins  
County Clerk

By: \_\_\_\_\_

Chairman Melville Bailey

ACTION: AYE NAY PASSED

Roll Call \_\_\_\_\_

Voice Vote \_\_\_\_\_

Absent \_\_\_\_\_

COMMITTEE ACTION

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

**RESOLUTION**

No. 2011 / 12 / 05

To the HONORABLE MELVILLE BAILEY, Chairman, and Members of the Hawkins County Board of Commission in Regular Session, met this 19th day of December, 2011.

**RESOLUTION IN REF:** APPROVAL TO RENEWAL A FIVE YEAR CONTRACT WITH MARK FINLEY AS THE FIXED BASE OPERATOR AND MANAGER AT THE HAWKINS COUNTY AIRPORT

WHEREAS, Mark Finley is Manager/Fixed Base Operator at the Hawkins County Airport and his contract is due for renewal

WHEREAS, the contract for Mr. Mark Finley is attached.

THEREFORE, BE IT RESOLVED THAT approval be given for the renewal of a five year contract for Mr. Mark Finley as the Fixed Base Operator and Manager of the Hawkins County Airport ending August 7, 2016.

See Attachment

Introduced By Esq. Stacy Vaughan, Chrmn Airport Comm.

Seconded By Esq. \_\_\_\_\_

Date Submitted 12/05/2011

A. Carroll Jenkins  
County Clerk

By: \_\_\_\_\_

Chairman Melville Bailey

ACTION: AYE NAY PASSED

Roll Call \_\_\_\_\_

Voice Vote \_\_\_\_\_

Absent \_\_\_\_\_

COMMITTEE ACTION

\_\_\_\_\_

\_\_\_\_\_

**CONTRACT FOR MANAGEMENT OF HAWKINS COUNTY AIRPORT**  
**(Attachment to Resolution No. \_\_\_\_\_)**

1. Manager agrees to keep the property of Hawkins County Airport in a neat and orderly manner; free of offensive and dangerous material or conditions.
2. Manager shall insure the maintenance of all grounds of Hawkins County Airport not under contract or control of other parties or fixed base operators or not otherwise contracted out for hire by Hawkins County, Tennessee. These duties shall include mowing, routine repairs to lights, beacons, including non-directional beacons, radios, revolving location lights, runway lights, obstruction lights, whether located on or off Hawkins County Airport property, and any and all other reasonably necessary routine maintenance of Hawkins County Airport property. The cost of any replacement items, pursuant to repairs, etc. shall be borne by Hawkins County, Tennessee. The manager shall not be required to repair off premises obstruction lights.
3. Manager shall not permit any noxious or offensive activity at Hawkins County Airport and shall be subject at all times to any and all rules, regulations or laws of Hawkins County, Tennessee, the State of Tennessee, the Federal Aviation Administration or any other applicable rules, laws or regulations.
4. If manager is also the fixed-base operator of the main hanger of Hawkins County Airport pursuant to contractual authorization by Hawkins County, Tennessee, then, as consideration for this management contract, Hawkins County, Tennessee, will pay any and all utilities which the fixed-base operator of the main hanger would otherwise be obligated to pay. Further, as additional consideration, manager shall receive any and all maintenance fees paid by other fixed-base operators. Further, the manager if also the fixed-base operator shall be required to have at all times the proper

or sufficient aviation fuel in stock for sale at the Hawkins County Airport.

5. This management contract shall remain in full force and effect unless terminated by either party by the giving of at least ninety days written notice to so terminate and may not be assigned by manager without written consent of Hawkins County, Tennessee.

6. Manager shall perform his duties at Hawkins County Airport which shall include, unless Hawkins County, Tennessee, has contracted out for others to perform, repairs of obstruction lights located off the premises of Hawkins County Airport, at all such times as are reasonably necessary to accomplish contractual obligations. Manager shall perform any and all maintenance unless contracted out to others or unless he has not properly licensed or qualified to perform. Manager shall report any and all problems arising at the Hawkins County Airport to the Chairman of the Airport Committee and the County Executive at once or as soon as possible.

7. The effective date of this Contract shall be August 7, 2011.

HAWKINS COUNTY, TENNESSEE

By: \_\_\_\_\_  
MELVILLE BAILEY  
County Mayor

By: \_\_\_\_\_  
MARK FINLEY  
Fixed-Based Operator

STATE OF TENNESSEE  
COUNTY OF HAWKINS

Before me, a Notary Public in and for the state and county aforesaid, personally appeared MELVILLE BAILEY, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be County Mayor of HAWKINS COUNTY, TENNESSEE, the within named bargainor, and that he, as such County

Mayor, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of Hawkins County, Tennessee, by himself as County Mayor.

WITNESS my hand official seal at office, this \_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

STATE OF TENNESSEE  
COUNTY OF HAWKINS

Personally appeared before me, the undersigned Notary Public in and for said state and county, the within named bargainer, MARK FINLEY, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal at office, this \_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_



**CONTRACT AND MINIMUM STANDARDS FOR FIXED-BASE  
OPERATORS AT THE HAWKINS COUNTY AIRPORT  
(Attachment to Resolution No. \_\_\_\_\_)**

1. Operator must have use and possession of a private hanger or other authorized space from which to maintain and operate his business or services.
2. Operator must engage in a minimum of two aeronautical activities or services at Hawkins County Airport. Said services may consist of but not necessarily limited to the following:  
(a) airport sales, (b) aircraft rental, (c) hanger rental, (d) fuel or oil sales, (e) maintenance services, (f) parts or equipment, (g) radio services, (h) tie-down fees.
3. Any aircraft maintenance services must be preformed by FAA-certified mechanics at all times.
4. Operator must have a publicly listed telephone located on his business site at the Hawkins County Airport and maintain and offer public rest room facilities as approved by the Department of Public Health at said site.
5. Operator must maintain general liability insurance in the minimum amount of \$500,000.00. Operator agrees to hold Hawkins County, Tennessee, harmless and/or fully indemnify same from any and all causes of action which arise, either directly or indirectly, as a result of operator's operation of business and/or presence on the Hawkins County Airport property - a copy of said general liability insurance to be filed with the Hawkins County Executive's Office prior to the commencement of any services rendered by operator, and the county executive must be advised at least thirty days prior to any changes in said coverage and shall determine if said changes are sufficient to meet this standard.
6. Operator shall pay all utilities which he generates as a result of performing services on airport

property, including cost of metering and determining the amount of said utilities. If operator conducts his operation from the Hawkins County main hanger, pursuant to written authorization, then, as a part and portion of the consideration to so operate, operator agrees to pay any and all utilities incurred at the Hawkins County Airport, excepting those utilities to be paid by operators of private hangers as set out aforesaid.

7. Operator shall pay the sum of twenty-five (\$25.00) dollars per month for general maintenance of the Hawkins County Airport into an *airport maintenance fund* which shall be under the control of the airport manager or, if there is no airport manager, Hawkins County, Tennessee. This fee shall be operator's share for general upkeep and maintenance of the Hawkins County Airport property, excepting that portion of said property which is under contract to fixed-base operators, who shall maintain their properties in a clean and orderly manner at all times.
8. The minimum hours of operation shall be from 8:00 a.m. to 6:00 p.m. seven (7) days per week.
9. The property under the control or use and possession of the fixed-base operator is as described per attached addendum or exhibit.
10. This contract and minimum standards shall be in effect at all times until users of private hangers either cease operation of their businesses at Hawkins County Airport or the ownership of said private hanger(s) reverts to Hawkins County, Tennessee, per resolution of the Hawkins County Legislative Body. As to the user of the main hanger at Hawkins County Airport, said standards shall remain in effect until user's contractual term has expired or user terminates his service pursuant to main hanger with written consent of Hawkins County, Tennessee.

11. It is specifically agreed that this contract for fixed-base operators is non-exclusive in nature, and other fixed-base operators may perform, provided they meet minimum standards, the same or similar services. All fees generated by fixed-based operators, except as may be provided aforesaid, shall be the property of said operators. Fixed-base operator hereby agrees to abide, at all times, by all rules, regulations and laws of Hawkins County, Tennessee, the State of Tennessee, the Federal Aviation Administration or any other applicable rules, laws and regulations.
12. No assignment may be made of this contract without the written consent of Hawkins County, Tennessee.
13. Fixed-base operator agrees that he will allow reasonable ingress and egress or access to his authorized premises by other fixed-base operators as is reasonably necessary but may enact reasonable rules and regulations with respect thereto.
14. This contract is for a five year period beginning August 7, 2016 subject to fixed-base operator complying with the aforesaid standards at all times. This Contract may be renewed for an additional five years if agreed by both parties.

HAWKINS COUNTY, TENNESSEE

By: \_\_\_\_\_  
Melville Bailey  
County Mayor

\_\_\_\_\_  
Mark Finley, Fixed-base Operator

STATE OF TENNESSEE  
COUNTY OF HAWKINS

Before me, a Notary Public in and for the state and county aforesaid, personally appeared MELVILLE BAILEY, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be County Mayor of HAWKINS COUNTY, TENNESSEE, the within named bargainor, and that he, as such County Mayor, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of Hawkins County, Tennessee, by himself as County Mayor.

WITNESS my hand official seal at office, this \_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

STATE OF TENNESSEE  
COUNTY OF HAWKINS

Personally appeared before me, the undersigned Notary Public in and for said state and county, the within named bargainor, MARK FINLEY, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal at office, this \_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

RESOLUTION

No. 2011 / 12 / 06

To the HONORABLE MELVILLE BAILEY, Chairman, and Members of the Hawkins County Board of Commission in Regular Session, met this 19 December 2011.

RESOLUTION IN REF: APPROVAL OF THIRD DISTRICT CONSTABLE BOND

WHEREAS, Jerry L. Matlock was appointed to fill the vacant constable seat in the third district as a result of the resignation of Kevin Johnson; and

WHEREAS, as required by Tennessee Code Annotated, the statutory bond must be approved by County Commission and must be between \$4000- \$8000 with term ending August 30, 2012; and

WHEREAS, the attached bond is for the following:

Constable – Third District - Jerry L. Matlock \$8,000  
Bond effective dates - November 30, 2011- November 30<sup>th</sup> 2012.  
(Bond reflects November 30 2012 as ending date, which is beyond the term of the seat.)

THEREFORE BE IT RESOLVED THAT THE aforementioned bond be approved by Hawkins County Board of Commissioners.

Introduced By Esq. Gary Hicks

Seconded By Esq. \_\_\_\_\_

Date Submitted 12/05/2011

A. Carroll Jenkins  
County Clerk

By: \_\_\_\_\_

Chairman Melville Bailey

ACTION:	AYE	NAY	PASSED
	_____	_____	_____
	Roll Call	_____	_____
		_____	_____
	Voice Vote	_____	_____
		_____	_____
	Absent	_____	_____
		_____	_____
COMMITTEE ACTION			

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

STATE OF TENNESSEE  
COUNTY OF Hawkins  
OFFICIAL STATUTORY BOND  
FOR  
COUNTY PUBLIC OFFICIALS  
OFFICE OF Constable

KNOW ALL MEN BY THESE PRESENTS:

That Jerry L. Matlock  
of Surgoinsville (City or Town), County  
of Hawkins Tennessee, as Principal, and WESTERN SURETY COMPANY

as Surety, are held and firmly bound unto THE STATE OF TENNESSEE in the full amount of Eight Thousand and 00/100 Dollars (\$ 8,000.00 )  
lawful money of the United States of America for the full and prompt payment whereof we bind ourselves, our representatives,  
successors and assigns, each jointly and severally, firmly and unequivocally by these presents.

WHEREAS, The said Principal was duly \_\_\_\_\_ elected  appointed to the office of Constable  
of and for Hawkins County for the ( 1 ) year term beginning on the 30th day of  
November, 2011 and ending on the 30th day of November, 2012.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH:

That if the said Jerry L. Matlock, Principal, shall:

1. Faithfully perform the duties of the office of Constable of Hawkins County during his term of office or his continuance therein; and
2. Pay over to the persons authorized by law to receive them, all monies, properties, or things of value that may come into his hands during his term of office or his continuance therein without fraud or delay, and shall faithfully and safely keep all records required of him in his official capacity, and at the expiration of his term, or in case of his resignation or removal from office, shall turn over to his successor all records and property which have come into his hands, then this obligation shall be null and void; otherwise to remain in full force and effect.

WITNESS our hands and seals this 30th day of November, 2011.

WITNESS — ATTEST:

Lisa C. Manns

PRINCIPAL:

Jerry L. Matlock

SURETY:

WESTERN SURETY COMPANY  
Paul T. Bruflat

COUNTERSIGNED BY:

NOT NEEDED  
Tennessee Resident Agent

by:

Paul T. Bruflat, Senior Vice President  
(Attach evidence of authority to execute bond)

ACKNOWLEDGMENT OF PRINCIPAL

STATE OF TENNESSEE

COUNTY OF Hawkins

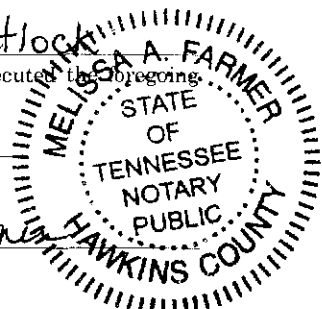
Before me, a Notary Public, of the State and County aforesaid, personally appeared Jerry L. Matlock with whom I am personally acquainted and who, upon oath, acknowledged himself to be the individual who executed the foregoing bond, and he acknowledged to me that he executed the same.

WITNESS my hand and seal this 30th day of November, 2011

My Commission Expires:

March 28, 2012

Melissa A. Farmer  
Notary Public



ACKNOWLEDGMENT OF SURETY

STATE OF South Dakota

COUNTY OF Minnehaha

Before me, a Notary Public, of the State and County aforesaid, personally appeared Paul T. Bruflat with whom I am personally acquainted and, who, upon oath, acknowledged himself to be the individual who executed the foregoing bond on behalf of WESTERN SURETY COMPANY, the within named Surety, a corporation duly licensed to do business in the State of Tennessee, and that he as such individual being authorized so to do, executed the foregoing bond, by signing the name of the corporation by himself as such individual.

WITNESS my hand and seal this 30th day of November 2011 My Commission Expires:

February 12, 2015



[Signature] Notary Public

Form Prescribed by the Comptroller of the Treasury, State of Tennessee Form Approved by the Attorney General, State of Tennessee

APPROVAL AND CERTIFICATION

SECTION I. (Applicable to all County Officials except Clerks of Chancery and Circuit Courts)

Bond and Sureties approved by \_\_\_\_\_, County Executive of \_\_\_\_\_ County, on this \_\_\_\_\_ day of \_\_\_\_\_,

Signed:

County Executive

CERTIFICATION:

I, \_\_\_\_\_, County Clerk of \_\_\_\_\_ County, hereby certify that the foregoing bond was approved by the Legislative Body of said county, in open session on the \_\_\_\_\_ day of \_\_\_\_\_, and entered upon the minutes thereof.

Signed:

County Clerk

SECTION II. (Applicable only to Clerks of Chancery and Circuit Courts)

CERTIFICATION:

This is to certify that I have examined the foregoing bond and found the same to be sufficient and in conformity to law, that the sureties on the same are good and worth the penalty thereof and that the same has been entered upon the minutes of said court.

Signed:

Judge of the \_\_\_\_\_ Chancery \_\_\_\_\_ Circuit Court of and for said County on this \_\_\_\_\_ day of \_\_\_\_\_,

SECTION III. (Applicable to all County Officials' Bonds)

INDORSEMENT:

Filed with the Comptroller of the Treasury, State of Tennessee, this \_\_\_\_\_ day of \_\_\_\_\_,

Comptroller of the Treasury

SECTION IV. (Applicable to all County Officials' Bonds)

FOR USE BY REGISTER OF DEEDS

WESTERN SURETY COMPANY 101 South Phillips Ave. Sioux Falls, SD 57104 605-336-0850

# Western Surety Company

## POWER OF ATTORNEY

### KNOW ALL MEN BY THESE PRESENTS:

That WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, and authorized and licensed to do business in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the United States of America, does hereby make, constitute and appoint

Paul T. Bruflat of Sioux Falls,  
State of South Dakota, its regularly elected Senior Vice President,  
as Attorney-in-Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, the following bond:

One Constable County of Hawkins

bond with bond number 61212547

for Jerry L. Matlock  
as Principal in the penalty amount not to exceed: \$ 8,000.00

Western Surety Company further certifies that the following is a true and exact copy of Section 7 of the by-laws of Western Surety Company duly adopted and now in force, to-wit:

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys-in-Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by its Senior Vice President with the corporate seal affixed this 30th day of November, 2011

ATTEST

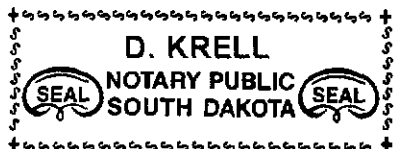
L. Nelson  
L. Nelson, Assistant Secretary

WESTERN SURETY COMPANY

By Paul T. Bruflat  
Paul T. Bruflat, Senior Vice President

STATE OF SOUTH DAKOTA }  
COUNTY OF MINNEHAHA } ss

On this 30th day of November, 2011, before me, a Notary Public, personally appeared Paul T. Bruflat and L. Nelson who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as Senior Vice President and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the voluntary act and deed of said Corporation.



My Commission Expires November 30, 2012

D. Krell

Notary Public





TO THE HONORABLE MELVILLE BAILEY, CHAIRMAN, AND MEMBERS OF THE HAWKINS COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION, MET THIS 19TH DAY OF DECEMBER, 2011

**RESOLUTION IN REFERENCE: AMENDMENT OF JUNE 30, 2011 ESTIMATED FUND BALANCES AND RESERVES ON APPROVED 2011-12 FY BUDGETS**

WHEREAS, it is recommended that the estimated fund balances and reserves presented to County Commission should reasonably reflect the actual June 30 fund balances and reserves for each fund, and

WHEREAS, the June 30, 2011 audit was released in November 2011, and

WHEREAS, some closing entries and/or adjustments were not included in the approved 2011 - 2012FY, Budget, and

WHEREAS, it has been recommended that County Commission be informed of the actual June 30 fund balance of each fund and that the budget document be amended with such.

<u>Fund</u>	<u>Estimated 6/30/11 Fund Balances and Reserves on the 2011-12 FY Budget Document</u>	<u>Actual 6/30/11 Fund Balances and Reserves after Closing Accounting Records for the 2010-2011 FY</u>	<u>Difference</u>
General	\$ 3,772,837	\$ 3,814,405	\$ 41,568
Solid Waste	359,692	357,873	\$ (1,819)
Drug Control	180,872	179,662	\$ (1,210)
Highway	2,320,960	2,026,882	\$ (294,078)
General Debt Service	4,101,784	4,105,443	\$ 3,659
Highway Debt Service	1,429,964	1,429,926	\$ (38)
Education Debt Service	9,591,846	9,608,116	\$ 16,270

NOW THEREFORE BE IT RESOLVED THAT the above actual June 30, 2011 fund balances and reserves be recognized and amended for the approved 2011 - 12 budgets for the purpose of meeting audit requirements. No general ledger entries for any fund will be required from this resolution.

INTRODUCED BY: Gary W. Hicks, Jr., Chairman  
Budget Committee

ESTIMATED COST \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

PAID FROM \_\_\_\_\_ FUND \_\_\_\_\_

ACTION: AYE \_\_\_\_\_ NAY \_\_\_\_\_

DATE SUBMITTED 12/05/2011

ROLL CALL \_\_\_\_\_

COUNTY CLERK: A. CARROLL JENKINS

VOICE VOTE \_\_\_\_\_

BY: A. Carroll Jenkins

ABSENT \_\_\_\_\_

COMMITTEE ACTION: \_\_\_\_\_

APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_

CHAIRMAN:

Melville Bailey  
MELVILLE BAILEY

RESOLUTION

No. 2011 / 12 / 08

To the HONORABLE MELVILLE BAILEY, Chairman, and Members of the Hawkins County Board of Commission in Regular Session, met this 19th day of December, 2011.

RESOLUTION IN REF: GUARANTOR FOR THE HAWKINS COUNTY INDUSTRIAL BOARD AT PHIPPS BEND INDUSTRIAL PARK SPEC BUILDING APPROVAL TO EXTEND LOAN FOR TWELVE (12) MONTHS UNTIL JANUARY 16, 2013

WHEREAS, Resolution 2009-03-06 approved by Hawkins County Board of Commissioners, on March 23, 2009 for the Hawkins County Industrial Board to secure financing for a spec building to be built in the Phipps bend industrial Park, and;

WHEREAS, Resolution 2011-06-07 approved by Hawkins County Board of Commissioners, on June 27, 2011 allowed for the loan for said building to be extended for a six (6) month period until January 16, 2012, and;

WHEREAS, the Board has already secured a \$600,000.00 grant toward this purpose and has received a proposal from U.S. Bank to secure the remaining funds necessary for the construction in the approximate amount of \$700,000.00. This proposal provides, among other things, that Hawkins County, Tennessee, must be a 100% Guarantor of this loan, and that the loan will be secured by lien of deed of trust on the premises upon which the building is to be erected. The interest rate will be discounted as a result of borrower being a tax exempt governmental entity. The amount of the loan will be slightly more than one-half (1/2) of the estimated total construction costs of \$1,300,000.00 (the remaining \$600,000.00 being covered by the grant referred to aforesaid). The purpose of this resolution is for the extension of twelve (12) months until January 16, 2013.

THEREFORE, BE IT RESOLVED THAT:

- 1. Hawkins County, Tennessee does hereby approve and consent to be a 100% Guarantor of the aforesaid loan with the principal sum not to exceed \$700,000.00 and extends for twelve months, payment of said loan/interest.
2. Pursuant thereto the Hawkins County Attorney be and hereby is authorized to prepare an Opinion letter to the effect that Hawkins County, Tennessee has lawfully obligated itself to be a 100% Guarantor of the aforesaid loan and an extension of twelve (12) months until January 16, 2013.

Introduced By Esq. John Metz, Chrmn Ind Comm

Seconded By Esq. \_

Date Submitted 12/05/2011

County Clerk [Signature]

By: \_\_\_\_\_

Chairman [Signature]

ACTION: AYE NAY PASSED

Roll Call \_\_\_\_\_

Voice Vote \_\_\_\_\_

Absent \_\_\_\_\_

COMMITTEE ACTION

RESOLUTION NO. 2011 / 12 / 09

TO THE HONORABLE MELVILLE E. BAILEY, CHAIRMAN, AND MEMBERS OF THE HAWKINS COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION, MET THIS 19<sup>th</sup> DAY OF DECEMBER 2011.

**RESOLUTION IN REF: GENERAL PURPOSE FUND BUDGET AMENDMENT**

WHEREAS, the Hawkins County Board of Education has approved the attached budget amendment to the General Purpose Fund, and now requests approval of said amendment by the Hawkins County Board of Commissioners.

NOW THEREFORE BE IT RESOLVED THAT the Hawkins County Board of Commissioners, meeting in regular session, December 19, 2011, go on record as passing this resolution.

Introduced by Esq. Gary Hicks

Estimated Cost: \_\_\_\_\_

Seconded by Esq. \_\_\_\_\_

Paid From \_\_\_\_\_ Fund

ACTION:    Aye    Nay

Date Submitted 12/05/2011

Roll Call    \_\_\_\_\_    \_\_\_\_\_

County Clerk: A. Carroll Jenkins

Voice Vote    \_\_\_\_\_    \_\_\_\_\_

By: A. Carroll Jenkins

Absent    \_\_\_\_\_    \_\_\_\_\_

COMMITTEE ACTION:

APPROVED

DISAPPROVED

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

CHAIRMAN:

  
Melville E. Bailey

FUND: 141 GENERAL PURPOSE SCHOOL FUND  
 AMENDMENT NUMBER: 3  
 DATE: November 21, 2011

ORIGINAL BUDGET AMOUNT	52,375,554.00
PREVIOUS AMENDMENTS	515,515.98
<b>TOTAL</b>	<b>52,891,069.98</b>
REQUESTED AMENDMENT	53,820.00
<b>TOTAL</b>	<b>52,944,889.98</b>

Desc Code	ACCOUNT NO	DESCRIPTION	CURRENT BUDGET	INCREASE	DECREASE	AMENDED BUDGET
		<b>EXPENDITURES</b>				
		<b>71100 REGULAR INSTRUCTION PROGRAM - INSTRUCTION</b>				
3	71100-399	Other Contracted Services	-	6,000.00		6,000.00
3,4	71100-449	Textbooks	772,977.00		10,000.00	762,977.00
		Subtotal	772,977.00	6,000.00	10,000.00	768,977.00
		<b>72410 OFFICE OF THE PRINCIPAL</b>				
2	72410-599	Other Charges	-	4,320.00		4,320.00
		Subtotal	-	4,320.00	-	4,320.00
		<b>72510 FISCAL SERVICES</b>				
4	72510-399	Other Contracted Services	10,000.00	4,000.00		14,000.00
		Subtotal	10,000.00	4,000.00	-	14,000.00
		<b>76100 REGULAR CAPITAL OUTLAY</b>				
1	76100-799	Other Capital Outlay	340,600.00	49,500.00		390,100.00
		Subtotal	340,600.00	49,500.00	-	390,100.00
		TOTAL EXPENDITURES	1,123,577.00	63,820.00	10,000.00	1,177,397.00
		<b>REVENUES</b>				
2	46980	Other State Grants	-	4,320.00		4,320.00
		<b>RESERVES &amp; FUND BALANCE</b>				
1	39000	Budgeted Undesignated Fund Balance	439,069.04	49,500.00	-	488,569.04
		This budget amendment is to budget for the following:				
1		To budget for the magnetic security entry system at each school (This was approved last year, but never budgeted)				
2		To budget for the Art Student Subsidy Grant				
3		To budget money payable to Category 1 Special Purpose Schools for Hawkins County BOE's share of student's BEP				
4		To budget for the Staff Attendance Software to monitor leave balances and substitute activity				

### Fund Balance Analysis

		Beginning Actuals	Budgeted	Budgeted Ending Balance
34560	Restricted for Instruction	1,234,597.12	1,234,597.12	-
34755	Assigned for Education	1,005,771.00	1,005,771.00	-
34775	Assigned for Capital Outlay	68,115.00	68,115.00	-
34785	Assigned for Capital Projects	318,611.00	318,611.00	-
39000	Undesignated Fund Balance	7,588,226.96	488,569.04	7,099,657.92
	<b>TOTAL FUND BALANCE</b>	<b>10,215,321.08</b>	<b>3,115,663.16</b>	<b>7,099,657.92</b>

RESOLUTION NO. 2011 / 12 / 10

TO THE HONORABLE MELVILLE E. BAILEY, CHAIRMAN, AND MEMBERS OF THE HAWKINS COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION, MET THIS 19<sup>th</sup> DAY OF DECEMBER 2011.

**RESOLUTION IN REF: FEDERAL PROJECTS FUND BUDGET AMENDMENT**

WHEREAS, the Hawkins County Board of Education has approved the attached budget amendment to the Federal Projects Fund, and now requests approval of said amendment by the Hawkins County Board of Commissioners.

NOW THEREFORE BE IT RESOLVED THAT the Hawkins County Board of Commissioners, meeting in regular session, December 19, 2011, go on record as passing this resolution.

Introduced by Esq. Gary Hicks

Estimated Cost: \_\_\_\_\_

Seconded by Esq. \_\_\_\_\_

Paid From \_\_\_\_\_ Fund

ACTION:    Aye    Nay

Date Submitted 12/05/2011

Roll Call    \_\_\_\_\_    \_\_\_\_\_

County Clerk: A. Carroll Jenkins

Voice Vote    \_\_\_\_\_    \_\_\_\_\_

By: A. Carroll Jenkins

Absent    \_\_\_\_\_    \_\_\_\_\_

COMMITTEE ACTION:

APPROVED

DISAPPROVED

\_\_\_\_\_  
CHAIRMAN: Melville E. Bailey

FUND: 142 FEDERAL PROJECTS FUND  
 AMENDMENT NUMBER: 5  
 DATE: December 5, 2011

ORIGINAL BUDGET AMOUNT	6,342,917.00
PREVIOUS AMENDMENTS	925,974.79
TOTAL	7,268,891.79
REQUESTED AMENDMENT	1,220,926.00
TOTAL	8,489,817.79

Desc Code	ACCOUNT	DESCRIPTION	CURRENT BUDGET	INCREASE	DECREASE	AMENDED BUDGET
		<b>EXPENDITURES</b>				
		<b>71100 REGULAR INSTRUCTION PROGRAM</b>				
6	71100-116	Teachers	72,053.00		64.00	71,989.00
6	71100-163	Educational Assistants	300,485.00	21,726.00		322,211.00
6	71100-189	Other Salaries & Wages	38,126.00		4,424.00	33,702.00
6	71100-201	Social Security	28,896.00	-	735.00	28,161.00
6	71100-204	State Retirement	38,312.00	1,696.00		40,008.00
6	71100-206	Life Insurance	3,960.00	72.00		4,032.00
6	71100-207	Medical Insurance	127,474.00	18,303.00		145,777.00
6	71100-210	Unemployment Compensat	1,100.00	100.00		1,200.00
6	71100-212	Employer Medicare	6,577.00	1,293.00		7,870.00
6	71100-336	Maintenance & Repair Serv	-	7,000.00		7,000.00
6	71100-399	Other Contracted Services	23,183.00	27,565.00		50,748.00
6	71100-429	Instructional Supplies & Ma	58,893.00	241,666.15		300,559.15
6	71100-499	Other Supplies & Materials	23,500.00	9,956.00		33,456.00
6	71100-599	Other Charges	197,397.00		38,485.00	158,912.00
6	71100-722	Regular Instruction Equipm	61,460.00	515,872.00		577,332.00
		<b>Subtotal</b>	<b>981,416.00</b>	<b>845,249.15</b>	<b>43,708.00</b>	<b>1,782,957.15</b>
		<b>71200 SPECIAL EDUCATION PROGRAM</b>				
4	71200-163	Educational Assistants	651,193.59	22,295.00		673,488.59
4	71200-201	Social Security	72,003.71	1,383.00		73,386.71
4	71200-204	State Retirement	99,597.05	2,127.00		101,724.05
4	71200-212	Employer Medicare	16,850.37	344.00		17,194.37
4,5	71200-336	Maintenance & Repair Serv	2,400.00	1,000.00		3,400.00
4,5	71200-399	Other Contracted Services	-	18,851.00		18,851.00
1,4,5	71200-429	Instructional Supplies & Ma	3,331.88	32,292.90		35,624.78
4,5	71200-725	Special Education Equipme	1,000.00	24,000.00		25,000.00
		<b>Subtotal</b>	<b>846,376.60</b>	<b>102,292.90</b>	<b>0.00</b>	<b>948,669.50</b>
		<b>72130 OTHER STUDENT SUPPORT</b>				
6	72130-189	Other Salaries & Wages	81,406.00	36,791.00		118,197.00
6	72130-201	Social Security	5,056.00	5,163.00		10,219.00
6	72130-204	State Retirement	7,380.00	2,981.00		10,361.00
6	72130-206	Life Insurance	288.00	72.00		360.00
6	72130-207	Medical Insurance	7,622.00	17,040.00		24,662.00
6	72130-210	Unemployment Compensat	80.00	40.00		120.00
6	72130-212	Employer Medicare	1,207.00	512.00		1,719.00
6	72130-322	Evaluation & testing	7,364.00	7,636.00		15,000.00
6	72130-355	Travel	4,000.00	4,000.00		8,000.00
6	72130-499	Other Supplies & Materials	4,523.00	1,925.00		6,448.00
6	72130-599	Other Charges	80,321.00	13,703.00		94,024.00
6	72130-790	Other Equipment		5,000.00		5,000.00
		<b>Subtotal</b>	<b>199,247.00</b>	<b>94,863.00</b>	<b>0.00</b>	<b>294,110.00</b>

		<b>72210 REGULAR INSTRUCTION - SUPPORT</b>				
6	72210-161	Secretary(s)	16,907.00	675.00		17,582.00
6	72210-189	Other Salaries & Wages	67,024.00	12,831.00		79,855.00
6	72210-201	Social Security	9,434.00	5,408.00		14,842.00
6	72210-204	State Retirement	13,792.00	8,891.00		22,683.00
6	72210-207	Medical Insurance	21,445.00	9,555.00		31,000.00
6	72210-210	Unemployment Compensat	120.00	180.00		300.00
6	72210-212	Employer Medicare	2,215.00	1,263.00		3,478.00
6	72210-336	Maintenance & Repair Serv	1,000.00	5,000.00		6,000.00
6	72210-355	Travel	35,044.00	2,456.00		37,500.00
6	72210-432	Library Books/Media	4,000.00	14,600.00		18,600.00
6	72210-499	Other Supplies & Materials	15,000.00	2,000.00		17,000.00
3,6	72210-524	In Service/Staff Developme	686,001.00	18,054.00		704,055.00
6	72210-599	Other Charges	-	5,000.00	-	5,000.00
6	72210-790	Other Equipment	4,000.00	1,000.00		5,000.00
		<b>Subtotal</b>	<b>875,982.00</b>	<b>86,913.00</b>	<b>0.00</b>	<b>962,895.00</b>
		<b>72220 SPECIAL EDUCATION SUPPORT</b>				
4	72220-135	Assessment Personnel	60,859.00		18,797.00	42,062.00
4	72220-201	Social Security	3,774.01		1,166.16	2,607.85
4	72220-204	State Retirement	5,508.03		1,701.39	3,806.64
4	72220-207	Medical Insurance	-	8,338.90		8,338.90
4	72220-212	Employer Medicare	883.02		273.00	610.02
5	72220-399	Other Contracted Services	3,916.22	15,000.00	-	18,916.22
4,5	72220-499	Other Supplies & Materials	10,141.26	8,000.00		18,141.26
4,5	72220-524	In Service/Staff Developme	42,882.30	46,339.00		89,221.30
4,5	72220-599	Other Charges	6,009.17	5,000.00		11,009.17
1,5	72220-790	Other Equipment	5,704.59	40,148.95	-	45,853.54
		<b>Subtotal</b>	<b>139,677.60</b>	<b>122,826.85</b>	<b>21,937.55</b>	<b>240,566.90</b>
		<b>72710 SUPPORT SERVICES/TRANSPORTATION</b>				
6	72710-146	Bus Drivers		175,000.00		175,000.00
6	72710-201	Social Security		10,850.00		10,850.00
6	72710-204	State Retirement		15,838.00		15,838.00
6	72710-212	Employer Medicare		2,538.00		2,538.00
4,6	72710-313	Contracts w/ Parents	385,662.78		378,861.35	6,801.43
6	72710-412	Diesel Fuel	-	209,062.00	-	209,062.00
		<b>Subtotal</b>	<b>385,662.78</b>	<b>413,288.00</b>	<b>378,861.35</b>	<b>420,089.43</b>
		<b>TOTAL EXPENDITURES</b>	<b>3,428,361.98</b>	<b>1,665,432.90</b>	<b>444,506.90</b>	<b>4,649,287.98</b>
		<b>Revenue</b>				
6	47141	Title I - Grants to Local Education	2,201,887.00	1,034,290.15		3,236,177.15
2,4,5	47143	Special Education Grants to the St	1,744,069.00	243,124.06		1,987,193.06
3	47189	Title II - Eisenhower Professional	831,619.00		15,151.00	816,468.00
		<b>Subtotal</b>	<b>4,777,575.00</b>	<b>1,277,414.21</b>	<b>15,151.00</b>	<b>6,039,838.21</b>
		<b>Reserves and Fund Balance</b>				
2	34430	Reserve for Special Education	41,337.21	-	41,337.21	-
		<b>Subtotal</b>	<b>41,337.21</b>	<b>0.00</b>	<b>41,337.21</b>	<b>0.00</b>





