

RESOLUTION

No. 2011 / 04 / 01

To the HONORABLE MELVILLE BAILEY, Chairman, and Members of the Hawkins County Board of Commission in Regular Session, met this 25th day of April, 2011.

RESOLUTION IN REF: CONFIRMATION OF APPOINTMENT OF (2) TWO BOARD MEMBERS FOR THE HAWKINS COUNTY E-911 BOARD APPOINTED BY THE COUNTY MAYOR

WHEREAS, TN Code Anno 7-86-105 states that the local board is to be appointed by the County Mayor and confirmed by the County Commission; and

WHEREAS the members and terms of this board being appointed or re-appointed are as follows:

For Appointment are:

Table with 4 columns: Representative, Name, Term, Term. Includes entries for Gary Lawson (County Representative) and Dennis Deal (County Citizen) with explanatory text for each.

WHEREAS, other member and terms already appointed are as follows:

Table listing existing board members: County Citizen (Tammy Davis, Andrew Bradley), Fireman's Association (Jim Klepper), Emergency Medical (Johnny Gulley), EMA Director (Gary Murrell), Law Enforcement-Sheriff (Ronnie Lawson), County Commissioner (Bob Palmer), and Ex-Officio Member (County Mayor Melville Bailey).

NOW THEREFORE BE IT RESOLVED that the above names be confirmed for appointment to serve on the Hawkins County E-911 Board of Directors for the specified terms.

Introduced By Esq. Charlie Freeman

Seconded By Esq. _____

Date Submitted 4-11-11

Signature of A. Carroll Jenkins, County Clerk

By: _____

Signature of Melville Bailey, Chairman

ACTION: AYE NAY PASSED

Roll Call _____

Voice Vote _____

Absent _____

COMMITTEE ACTION

RESOLUTION

No. 2011 / 04 / 02

To the HONORABLE MELVILLE BAILEY, Chairman, and Members of the Hawkins County Board of Commission in Regular Session, met this 25th day of April, 2011.

RESOLUTION IN REF: APPROVAL OF A DRUG-FREE WORKPLACE SUBSTANCE ABUSE POLICY FOR HAWKINS COUNTY GOVERNMENT.

WHEREAS, it has been recommended that Hawkins County Government adopt a Drug-Free Workplace Substance Abuse Policy; and

WHEREAS, adopting such policy will qualify Hawkins County for some savings on annual workers compensation insurance premiums; and

WHEREAS, the Occupational Health & Safety Committee of Hawkins County has spent considerable time over the last few months working to recommend such a policy to the Hawkins County Commission; and

WHEREAS, the Occupational Health & Safety Committee is now prepared to recommend this policy to the full County Commission for its consideration, a copy of the proposed policy being attached hereto;

THEREFORE, BE IT RESOLVED THAT by the Board of County Commissioners of Hawkins County, Tennessee, that the attached "Drug-Free Workplace Substance Abuse Policy" for Hawkins County Government be, and is hereby, adopted effective July 1, 2011.

Introduced By Esq. Gary Hicks, Chrmn Budget Comm

ACTION: AYE NAY PASSED

Seconded By Esq. _____

Roll Call _____

Date Submitted 4-11-11

Voice Vote _____

A. Carroll Jenkins
County Clerk

Absent
COMMITTEE ACTION

By: _____

Chairman Melville Bailey

HAWKINS COUNTY GOVERNMENT

DRUG FREE WORKPLACE SUBSTANCE ABUSE POLICY

It has been estimated that American companies spend over One Hundred Billion Dollars each year on the consequences of substance abuse in the workplace. Costs incurred may include absenteeism, accidents, equipment damage, and increased medical costs and insurance premiums.

Research indicates that health insurance costs for employees with alcohol problems are approximately twice those of other employees. It has also been estimated that employees who abuse alcohol or drugs have two times as many accidents, three times as many vehicular accidents, and use three times as much sick leave as those who do not.

Each person reacts differently to drugs and alcohol, but one thing is clear --- these substances affect our judgment and our ability to perform. Their abuse places employees of Hawkins County Government, coworkers and the community at risk.

To maintain a drug free work force and to eliminate the safety risks, lost time, and reduced productivity that results from the use and the influence of alcohol and/or drugs in the workplace, Hawkins County Government has adopted a substance abuse policy in accordance with the Tennessee Worker's Compensation Reform Act of 1996. The intention of this policy is to make Hawkins County Government a safer and better place to work.

POLICY STATEMENT

Hawkins County Government is committed to providing a safe work environment and to fostering the well being and health of its employees. This commitment is jeopardized when any Hawkins County Government employee illegally uses drugs on or off the job, comes to work under the influence, possesses, distributes, or sells drugs in the workplace, or abuses alcohol on the job. Therefore, Hawkins County Government has established the following policy pursuant to Tennessee Code Annotated Section 50-9-100 et. Seq.:

1. It is a violation of Hawkins County Government policy for any employee to use, possess, sell, trade, offer for sale or offer to buy illegal drugs or otherwise engage in the illegal use of drugs on or off the job.
2. It is a violation of Hawkins County government policy for an employee to report to work under the influence of or while possessing illegal drugs in his or her body, blood or urine in any detectable amount.

3. It is a violation of Hawkins County Government policy for any employee to report to work under the influence or impaired by alcohol or to engage in the use of alcohol during work hours.
4. It is a violation of Hawkins County Government policy for any employee to use prescription drugs illegally, i.e. to use prescription drugs that have not been legally obtained or in a manner or for a purpose other than prescribed. *Note that this policy in no way precludes the appropriate use of legally prescribed medications.*
5. Violations of this policy are subject to disciplinary action up to and including termination.
6. As a condition of employment, employees must abide by the terms of this policy and must notify Hawkins County Government in writing of any conviction of a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

SCOPE

EMPLOYEES SUBJECT TO TESTING:

All employees of Hawkins County Government will be subject to testing for the use of alcohol and illegal drugs.

ALCOHOL:

Alcohol is defined as the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohol including but not limited to methyl and isopropyl alcohol.

No employee shall report to work or remain at work while having an alcohol concentration of 0.04 or greater. Possession of alcoholic beverages at the worksite is prohibited.

No employee shall be on duty or operate a commercial motor vehicle while possessing alcohol, unless the alcohol is manifested and transported as part of a shipment. Employees shall not operate a vehicle in the performance of work duties while having an alcohol concentration of 0.04 or greater.

No employee required to take a post accident test shall consume alcohol for four (4) hours following the accident or until he/she undergoes a post-accident alcohol test, whichever occurs first. An employee is required to take a post-accident alcohol test immediately provided there is not some reason beyond the employee's control that such testing cannot timely occur. In no case shall more than four (4) hours elapse before the test is administered.

CONTROLLED SUBSTANCES:

The Tennessee Worker's Compensation Reform Act of 1996 allows for controlled substance testing pursuant to drug testing regulations adopted by the United States Department of Transportation, which includes testing for amphetamines, barbiturates, benzodiazepines, cannabinoids, cocaine, opiates, and phencyclidine.

No employee shall report to work or remain at work while using or under the influence of any controlled substance, except when the use is pursuant to the instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to safely perform his or her work functions.

No employee shall report to work or remain at work if the employee tests positive for controlled substances.

**PRESCRIBED MEDICATIONS OR
NON-PRESCRIBED OVER-THE-COUNTER MEDICATIONS:**

All employees taking prescribed medications or non-prescribed over-the-counter medications that could impair their ability to safely perform their work functions must report this to their immediate supervisor prior to engaging in work related activities and as otherwise indicated in this policy.

DEFINITIONS

"ALCOHOL" as used in these rules shall have the same meaning as in the federal regulations describing procedures for the testing of alcohol by programs operating pursuant to the authority of the United States Department of Transportation as currently complied at 49 Code of Federal Regulations (C.F.R.) Part 40. This definition shall be changed to conform to any future revision of the Department of Transportation's regulations.

"ALCOHOL TEST" means an analysis of blood, or any other analysis, which determines the presence or level of alcohol as authorized by the relevant regulations of this policy.

"CERTIFIED LABORATORY" means any facility equipped to perform the procedures prescribed in this chapter, in accordance with the standards of the United States Department of Health and Human Services (DHHS), Substance Abuse and Mental Health Services Administration (SAMHSA), or the College of American Pathologists-Forensic Urine Drug Testing (CAP-FUDT).

"CHAIN OF CUSTODY" refers to the methodology of tracking specified materials or substances for the purpose of maintaining control and accountability from initial collection to final disposition for all

such materials or substances and providing accountability at each stage in handling, testing, and storing specimens and reporting test results.

“CONFIRMATION TEST”, “CONFIRMED TEST”, OR “CONFIRMED DRUG TEST” means a second analytical procedure used to identify the presence of a specific drug, or alcohol, or metabolite in a specimen, which test must be different in scientific principle from that of the initial test procedure and must be capable of providing requisite specificity, sensitivity, and quantitative accuracy.

“COVERED EMPLOYEE” means a person or entity that employs a person is covered by the Worker’s Compensation Law, maintains a drug-free workplace pursuant to these rules, and also includes on the posting required by T.C.A. Section 50-9-105 a specific statement that the policy is being implemented pursuant to the provisions of these rules. These rules shall have no effect on employers who do not meet this definition.

“DRUG” means any drug subject to testing pursuant to drug testing regulations adopted by the United States Department of Transportation. A covered employer may test an individual for any or all of such drugs.

“DRUG REHABILITATION PROGRAM” means a service provider that provides confidential, timely, and expert identification, assessment and resolution of employee drug or alcohol abuse.

“DRUG TEST” OR “TEST” means any chemical, biological, or physical instrumental analysis administered by a certified laboratory for the purpose of determining the presence or absence of a drug or its metabolites or alcohol pursuant to regulations governing drug or alcohol testing adopted by the United States Department of Transportation or such other recognized authority approved by rule by the commissioner of labor.

“EMPLOYEE” means any person who works for a salary, wages, or other remuneration for a covered employer.

“EMPLOYEE ASSISTANCE PROGRAM” means an established program capable of providing expert assessment of employee personal concerns; confidential and timely identification services with regard to employee drug or alcohol abuse; referrals of employees for appropriate diagnosis, treatment and assistance; and follow-up services for employees who participate in the program or require monitoring after returning to work. If, in addition to the above activities, an employee assistance program provides diagnostic and treatment services, these services shall in all cases be provided by the program.

“EMPLOYER” means a person or entity that employs a person and is covered by the Worker’s Compensation Law.

“INJURY” means a harm or damage to any employee occurring in the workplace or in the scope of employment which must be recorded in accordance with Occupational Safety and Health Administration (OSHA) reporting guidelines in covered employer’s OSHA 200 Log.

“INITIAL DRUG TEST” means a procedure that qualifies as a “screening test” or “initial test” pursuant to regulations governing drug or alcohol testing adopted by the United States Department of Transportation or such other recognized authority approved by rule by the Commissioner of Labor.

“JOB APPLICANT” means a person who has applied for a position with a covered employer and has been offered employment conditioned upon successfully passing a drug or alcohol test, and may have begun work pending the results of the drug or alcohol test.

“MEDICAL REVIEW OFFICER” OR “MRO” means a licensed physician, employed with or contracted with a covered employer, who has knowledge of substance abuse disorders, laboratory testing procedures and chain of custody collection procedures; who verifies positive, confirmed test results; and who has the necessary medical training to interpret and evaluate an employee’s positive test result in relation to the employee’s medical history or any other relevant biomedical information.

“REASONABLE SUSPICION DRUG TESTING” means drug testing based on a belief that an employee is using or has used drugs or alcohol in violation of the covered employer’s policy drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience. Among other things, such facts and inferences may be based upon:

- a) Observable phenomena while at work, such as direct observation of drug or alcohol use or of the physical symptoms or manifestations of being under the influence of a drug or alcohol;
- b) Abnormal conduct or erratic behavior while at work or a significant deterioration in workplace performance;
- c) A report of drug or alcohol abuse, provided by a reliable and credible source;
- d) Evidence that an individual has tampered with a drug or alcohol test during his employment with his/her current covered employer;
- e) Information that an employee has caused, contributed to, or been involved in an accident at work; or
- f) Evidence that an employee has used, possessed, sold, or transferred drugs or alcohol while working or while covered employer’s premises or while operating the covered employer’s vehicles, machinery, or equipment.

“SAFETY SENSITIVE POSITIONS” means a position involving a safety sensitive function pursuant to regulations governing drug testing adopted by the United States Department of Transportation. For drug free workplaces, the commissioner is authorized, with the approval of the advisory Council on Worker’s Compensation, to promulgate rules expanding the scope of safety-sensitive positions to cases where impairment may present a clear and present risk to co-workers or other persons. “Safety Sensitive Position” means, with respect to a public employer, a position in which a drug impairment constitutes an immediate and direct threat to public health or safety, such as a position that requires the employee to carry a firearm, perform life-threatening procedures, work with confidential information or documents pertaining to criminal investigations or work with controlled substances, or a position in which momentary lapse in attention could result in injury or death to another person.

“SPECIMEN” means tissue, fluid, or a product of the human body capable of revealing the presence of alcohol, drugs or their metabolites.

“SPLIT SPECIMEN” means the procedure by which each urine specimen is divided in two and put into a primary specimen container and secondary or “split” specimen container. Only the primary specimen is opened and used for the initial screening and confirmation test. The split specimen container remains sealed and is stored at the testing laboratory.

“THRESHOLD DETECTION LEVEL” means the level at which the presence of a drug or alcohol can be reasonably expected to be detected by an initial and a confirmatory test performed by a certified laboratory. The threshold detection level indicates the level at which a valid conclusion can be drawn that the drug or alcohol is present in the employee or job applicant’s sample.

QUALIFICATIONS FOR EMPLOYMENT AND PROHIBITED CONDUCT

PROHIBITED CONDUCT

ALCOHOL:

1. Use and/or possession are prohibited during working hours.
2. Reporting for work or remaining at work with an alcohol concentration of 0.04 or greater is prohibited.
3. Operating a vehicle in the performance of work duties with an alcohol concentration of 0.04 or greater is prohibited.
4. Possession of alcohol in an open container on County property or in a County vehicle or during regular work hours is prohibited.
5. Use during the eight hours following an accident or until the employee undergoes a post-accident test is prohibited.
6. Refusal to take a required alcohol test is interpreted as a positive alcohol test result.
7. Driving a County vehicle while under the influence of drugs or alcohol is strictly prohibited.

CONTROLLED SUBSTANCE:

1. Use of any illegal drug is prohibited during working hours, except by a doctor’s prescription written for that individual, and then, only if the doctor has advised the employee that the drug will not adversely affect the employee’s ability to safely perform his or her job functions.
2. Possession of any illegal drug is prohibited any time an employee is on the job unless it is in the performance of his/her work duties.
3. Employee is required to advise his/her supervisor of the use of any prescription medication, over-the-counter medication, or other substance which displays a warning advising the user of a danger of drowsiness or any possible impairment of mental ability or physical dexterity.
4. Refusal to take a required test is interpreted as a positive controlled substance test result.

CONSEQUENCES AND DISQUALIFICATIONS:

1. The employee shall not perform or be permitted to perform a work function if any of the above listed conditions is violated.
2. Any employee reporting to work visibly impaired will be deemed unable to perform required duties and will not be allowed to work. If possible the employee's supervisor will first seek another supervisor's opinion to confirm the employee's status. Next, the supervisor will consult privately with the employee to determine the cause of the observation, including whether the substance abuse has occurred. If, in the opinion of the supervisor, the employee is considered impaired, the employee will then be sent home or to a drug and alcohol testing facility by taxi or other safe transportation – depending on the determination of the observed impairment – and accompanied by the supervisor or another employee if necessary.

OPPORTUNITY TO CONSENT OR EXPLAIN TEST RESULTS:

Employees and job applicants who have a positive confirmed drug or alcohol test result may explain or contest the result to the medical review officer within five (5) working days after receiving written notification of the test result from the medical review officer. If an employee's or job applicant's explanation or challenge is unsatisfactory to the medical review officer, the medical review officer shall report a positive test result back to the County. A person may contest the drug test result pursuant to rules adopted by the Tennessee Department of Labor.

CONFIDENTIALITY:

The confidentiality of any information received by the employer through a substance abuse testing program shall be maintained except as otherwise prohibited by law.

TESTING CIRCUMSTANCES

PRE-EMPLOYMENT TESTING:

All job applicants at Hawkins County Government, for safety sensitive positions, will undergo testing for substance abuse as a condition of employment prior to beginning official work duties. A confirmed positive result will result in the revocation of the conditional employment.

Such applicants will be required to submit voluntarily to a urinalysis test at a collection site and conducted by a laboratory chosen by the Hawkins County Government and by signing consent agreement will release Hawkins County Government from liability.

If the physician, collection site personnel, or lab has a reasonable suspicion to believe that the job applicant has tampered with the specimen, the applicant will not be considered for employment.

Hawkins County Government will not discriminate against applicants for employment because of a past history of drug or alcohol abuse. It is the current illegal use of drugs and/or alcohol which is of concern. Note that the applicant may be excluded from eligibility for employment through other policies prohibiting the employment of a person with a criminal record which may have resulted from alcohol and/or drug abuse. A past history of drug or alcohol abuse in itself is not an adequate reason for exclusion from employment eligibility.

POST-ACCIDENT TESTING:

Any employee involved in a work-related accident which causes an injury to himself/herself or another person sufficient to require treatment for the injury or which disables a vehicle or equipment while carrying out official duties will be required to submit to an alcohol and controlled substance test. Testing will be administered immediately following the accident or as soon as medically and legally possible. In no case shall more than four (4) hours elapse before the test is administered. It is the employee's responsibility to notify Hawkins County Government immediately to ensure actions are taken to meet the testing requirements.

The employee must refrain from consuming alcohol for eight hours following the accident or until he/she submits to an alcohol test, whichever comes first.

The drug test must be administered within four (4) hours following the accident. The employee must remain available for testing or Hawkins County Government will consider the employee to have refused to submit to testing. If an injured employee refuses to submit to a test for alcohol and/or illegal drugs, the employee forfeits eligibility for worker's compensation benefits.

In case of non-emergency injuries reported after the fact, the injured employee must submit to testing at the time the injury is entered into the OSHA 200 log or any authorized replacement for the OSHA 200 log.

NOTE: Nothing in this requirement should be construed to require the delay of necessary medical attention for injured persons following an accident.

RANDOM TESTING:

Employees of Hawkins County Government, who are under the CDL guidelines or in a safety sensitive position, will be subject to random testing for controlled substances and alcohol. Random testing will be conducted on a percentage basis in a fair and equitable manner.

Safety sensitive positions are defined as following but not limited to:

- EMT's
- Paramedics
- Volunteer Firefighters/Rescue Personnel
- Dispatchers
- Law Enforcement/Corrections Officers
- Any Person That Operates Machinery or Power Tools
- Any person who drives a county vehicle

Drug and alcohol testing may be conducted at any time the employee is at work for Hawkins County Government.

The selection of employees for random drug testing will be based on a computer generated random number that is administered by an outside source contracted by the Hawkins County Government.

Each time a random selection is made, every employee will have an equal chance of being selected. Random tests will be unannounced and spread reasonably throughout the year. When notified that they have been selected for random testing, employees will proceed immediately to the collection site, which may be on the work site.

REASONABLE SUSPICION TESTING:

When there is a reasonable suspicion to believe that an employee is illegally using drugs or abusing alcohol reasonable suspicion testing may be required. Reasonable suspicion is based on a belief that an employee is using or has used drugs or alcohol in violation of Hawkins County Government's policy drawn from specific objective and explainable facts and reasonable inferences drawn from those facts in light of experience and/or training.

It shall be a condition of employment for all employees to submit to reasonable suspicion substance abuse testing including but not limited to the following circumstances:

1. Observable phenomena while at work such as direct observation of substance abuse or of the physical symptoms or manifestations of being impaired due to substance abuse.
2. Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.
3. A report of substance abuse provided by a reliable and credible source.
4. Evidence that an individual has tampered with any substance test during his or her employment with the Hawkins County Government.
5. Information that an employee has used, possessed, sold, solicited, or transferred drugs while on Hawkins County Government's property or while operating Hawkins County Government's vehicle, machinery, or equipment.
6. Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while on Hawkins County Government's property or while operating Hawkins County Government's vehicle, machinery, or equipment.

RETURN TO DUTY TESTING:

Any employee who is allowed to return to duty, based on Hawkins County Government's approval, following referral, evaluation, and treatment as a result of positive alcohol or drug test will be required to submit to a return-to-duty alcohol and/or controlled substance test. An alcohol

concentration of less than 0.04 and a negative drug test will be required before a return-to-duty decision is made.

FOLLOW-UP TESTING:

In the event the employee is allowed to return to duty following referral, evaluation and treatment, a minimum of four (4) unannounced alcohol and/or drugs tests will be required during the next 24 months of employment all at the employee's expense.

Alcohol and controlled substance testing may be performed at any time the employee is at work for the Hawkins County Government.

ALCOHOL TESTING METHODOLOGY

Alcohol testing will only be performed by the drawing of blood by trained medical personnel and tested by a laboratory certified by the Department of Health and Human Services. All alcohol testing will be conducted in a location that affords visual and aural privacy to the individual being tested. Unauthorized persons will not be permitted access to the testing location when a test is in progress.

ALCOHOL TESTING PROCEDURES

When the result is less than 0.04 no further testing is authorized and the result will be transmitted to Hawkins County Government in a confidential manner and will be stored to ensure confidentiality is maintained.

When the results are 0.04 or greater a confirmation test must be performed to verify the initial test. The confirmation test will be conducted no less than 15 minutes and no more than 20 minutes after the initial test. In the event the initial and confirmation test results are different, the confirmation test is deemed to be the final result upon which any action under the terms of this policy shall be based.

Following the completion of the test, a form will be signed to certify the results. The employee will sign the certification and fill in the date on the form. This ensures that each employee is attesting to the fact that the reported result is specific to the employee.

Refusal to submit to testing will be treated the same as if the result is 0.04 or greater. Hawkins County Government will maintain alcohol and drug tests in a secure and confidential manner so that disclosure of information to unauthorized persons does not occur. Employee information shall only be released as required by law or as expressly authorized.

An employee shall have access to any of his/her alcohol and drug testing records upon written request. When requested, Hawkins County Government shall disclose post-accident testing information to the National Transportation Safety Board as part of an accident investigation.

Hawkins County Government will make records available to a subsequent or prospective employer upon receipt of a written request from the tested employee. Hawkins County Government may disclose information to the employee or the decision-maker in a lawsuit, grievance, or other proceeding initiated by or on behalf of the individual or in defense of Hawkins County Government.

SPECIMEN COLLECTION PROCEDURES

Specific guidelines provided by the U. S. Department of Transportation will be followed in urine specimen collections for the purpose of drug testing. In accordance with the Department of Health and Human Services (DHHS) guidelines, a clear and well-documented procedure for the collection, shipment, and accession of the urine specimens from Hawkins County Government to the laboratory has been established. Procedures will account for the integrity of each urine specimen by tracking its handling and storage from point of specimen collection to final disposition of the specimen.

Collection facilities chosen by the Hawkins County Government must meet security requirements as specified by DHHS guidelines. The collection site will be a secure location to allow for privacy, which includes a toilet for completion of urination and a source of water for washing hands excluded from the area provided for urination.

When reporting to a collection site for specimen collection, each employee will be required to provide a photo I.D. Employees will be asked to remove all unnecessary outer garments (i.e., coat or jacket) and secure all personal belongings (individual may retain his/her wallet).

Employee will be required to wash his/her hands prior to providing specimen.

Employee will be allowed to provide his/her specimen in the privacy of a stall or individual restroom.

Specimen cup is equipped with a temperature strip which must read between 90° and 100° F. Specimen out of temperature is unacceptable. Employee's temperature may be taken to ensure that body temperature is within normal range. If body temperature is consistent with sample, results will be noted and reported to lab and Medical Review Officer. If body temperature is not within range a second sample will be collected and both temperatures reported to lab and Medical Review Officer.

In all cases the employee and the collection site personnel shall keep the specimen in view at all times prior to being sealed and labeled. The specimen will be labeled with tamper proof seals and the employee will sign appropriate places on the Chain of Custody form and initial the seal on the bottle attesting to the fact that the specimen is specific to the person providing the sample. A failure of

the employee to cooperate will be considered a refusal to test which is considered a verified positive test result. The terms of this policy will then be administered.

TESTING METHODOLOGY

Only laboratories certified by the Department of Health and Human Services (DHHS) will be used for drug urinalysis.

Every specimen is required to undergo initial screen followed by confirmation of all positive screen results. This screen confirmation process utilizes highly sophisticated techniques to detect minute levels of prohibited substances in urine.

REPORTING OF RESULTS:

The laboratory is required to report the test results to the Medical Review Officer within five (5) working days. The report shall indicate the drug/metabolites tested for, whether the results are positive or negative, the specimen number assigned by the collection site, and the drug testing laboratory identification number. As with alcohol testing, every reasonable precaution will be taken to maintain the confidentiality of the test results.

The Medical Review Officer (MRO) is a licensed physician and possesses knowledge of drug abuse disorders. The MRO may be an employee of Hawkins County Government or one contracted to provide the services required. The MRO will review and interpret results obtained from the laboratory. The MRO through a verification process will assess and determine whether alternate medical explanations could account for the positive test results.

The MRO may conduct medical interviews of the employee, review the employee's medical history, and review any other relevant bio-medical factors. Additionally, the MRO will examine all medical records and data made available by the tested individual, such as evidence of prescribed medications.

The MRO will give an individual testing positive an opportunity to discuss the test results prior to making a final decision. After the final decision is made, the MRO will notify the Employee Benefits Coordinator or the Finance Director in the absence of the Employee Benefits Coordinator as prescribed below.

If during the course of an interview with the individual who has tested positive, the MRO learns of a medical condition, which could, in the MRO's reasonable medical judgment, pose a risk to safety, the MRO may report that information to Hawkins County Government. An employee or applicant should report his/her use of prescription drugs to the MRO prior to taking a drug or alcohol test, or, in any event, no later than the time of the MRO's post-test review of the results with the individual. The individual's disclosure to the MRO of the use of prescription or non-prescription drugs will be kept confidential.

The MRO will notify each employee or applicant who has a confirmed positive test that the individual has 72 hours in which to request a split specimen. If the individual makes such a request, the MRO will direct, in writing, the laboratory to provide a specimen to another certified laboratory for analysis. If the analysis of the specimen fails to reconfirm the presence of the drug(s) or metabolite(s) found in the primary specimen, or if the specimen is unavailable or inadequate for testing, the MRO will cancel the test, report the cancellation and the reasons for it to the employee and Hawkins County Government. A request for re-testing of the sample and associated costs are the responsibility of the individual. Hawkins County Government will comply with any additional rules promulgated by the Tennessee Department of Labor regarding the contesting of the drug test results.

If the MRO, after making and documenting all reasonable efforts, is unable to contact the testing person, the MRO will contact a designated management official of Hawkins County Government. He/She will arrange for the tested person to contact the MRO. If the person does not do so, the MRO will verify the test as positive and report it to the appropriate person.

An employee or applicant may have certain appeal rights to the courts under Worker's Compensation Reform Act of 1996. It is the employee's or applicant's responsibility to notify the testing laboratory of any administrative or civil action brought pursuant to the Act.

DISCIPLINE AND CONSEQUENCES

PRE-EMPLOYMENT:

An applicant for employment with a verified positive controlled substance test will be denied employment. If the individual has been allowed to begin performing duties, the person will be compensated for the time worked and terminated.

REASONABLE CAUSE:

Any employee of Hawkins County Government subject to the terms of this policy, as a result of reasonable cause testing, with a verified positive controlled substance test result and/or a blood alcohol confirmed test result of 0.04 or greater (vehicular or workplace accident) will be subject to disciplinary action up to and including termination. Whether or not he/she is terminated, the employee will be referred to a list of qualified substance abuse professionals.

POST-ACCIDENT:

Any employee of Hawkins County Government subject to the terms of this policy as a result of a post-accident test with a verified positive controlled substance test result and/or a confirmed blood alcohol test result of 0.04 or greater (vehicular or workplace accident) will be subject to disciplinary action up to and including termination. Whether or not he/she is terminated, the employee will be referred to a list of qualified substance abuse professionals.

RANDOM:

Any employee of Hawkins County Government subject to the terms of this policy as a result of a random test with a verified positive controlled substance test result and/or a blood alcohol test with a confirmed test result of 0.04 or greater will be subject to disciplinary action up to and including termination. Whether or not he/she is terminated, the employee will be referred to a list of qualified substance abuse professionals.

RETURN-TO-DUTY:

Any employee of Hawkins County Government with a verified positive controlled substance test result and/or a confirmed blood alcohol test of 0.04 or greater as the results of a return-to-duty test will be terminated and referred to a list of substance abuse professionals for evaluation, referral, and treatment. The employee is responsible for any expense incurred under such treatment or rehabilitation.

FOLLOW-UP:

Any employee returning to duty after a positive test and a negative return-to-duty test must be tested four (4) times within a 24-month work period. Any employee with a verified positive controlled substance test or blood alcohol test of 0.04 or greater during this period will be subject to disciplinary action up to and including termination.

OTHER CONSIDERATIONS

In all cases a refusal to submit to a test will be treated as a “positive” test result for purposes of discipline and decision making.

Supervisory and employee training as required under the guidelines of the Tennessee Drug-Free Workplace initiative will be provided.

Should an employee voluntarily approach Hawkins County Government administrative personnel for assistance through rehabilitation for drug abuse or alcohol prior to a testing request by Hawkins County Government, all possible and positive consideration for a medical leave of absence for treatment and/or counseling will be pursued. The employee will not be discharged or otherwise discriminated against because he/she voluntarily sought treatment, if he/she has not previously tested “positive” for alcohol or illegal drug use or entered an alcohol or drug rehabilitation program. If an employee’s employment is terminated, however, Hawkins County Government will not be obligated to provide assistance beyond the last day of employment.

Hawkins County Government offers resource information on various means of employee assistance in our community, including but not limited to drug and alcohol abuse programs.

Employees are encouraged to use this resource file at the end of this policy statement. In addition we will distribute this information to employees for their confidential use.

Substance abuse testing for job applicants and employees will include a urinalysis screen and/or blood alcohol test (not required for job applicant testing) for the following drugs:

Alcohol (Not required for job applicant testing): Any “alcoholic beverage”, all liquid medications containing ethyl alcohol (ethanol) or other low molecular weight alcohol including but not limited to methyl and isopropyl alcohol. Please read label for content. For example: Vicks Nyquil is 25% ethyl alcohol, Comtrex is 20%, Contac Severe Cold Formula Night Strength is 25%, and Listerine is 26.9%.

Amphetamines: “Speed”, “uppers”, etc.

Barbiturates: Secobarbital, amobarbital, butabarbital, butalbital

Cannabinoids: THC, marijuana, hashish, “pot”, “grass”, “hash”, etc.

Cocaine: “Coke”, “crack”, etc.

Phencyclidine: PCP, “angel dust”

Opiates: Narcotics, Heroin, Codeine, Morphine, “smack”, “dope”, etc.

HAWKINS COUNTY GOVERNMENT

I do hereby certify that I have received and read the Hawkins County Government substance abuse and testing policy and have had the drug-free workplace program explained to me. I understand that if my performance indicates it is necessary or that if I am selected at random, I will submit to a drug and/or alcohol test. I also understand that failure to comply with a drug and/or alcohol testing request or a positive result for the illegal use of drugs and/or alcohol abuse as defined in the policy may lead to discipline up to and including termination and/or loss of worker's compensation benefits pursuant to T.C.A. Section 50-9-100 et. Seq.

Name of Employee (Please Print)

Employee's Signature

Date

RESOLUTION

No. 2011 / 04 / 03

To the HONORABLE MELVILLE BAILEY, Chairman, and Members of the Hawkins County Board of Commission in Regular Session, met this 25th day of April, 2011.

RESOLUTION IN REF: APPROVAL OF COUNTY ROAD NAME LIST FOR HAWKINS COUNTY, TENNESSEE FOR THE YEAR 2011

WHEREAS, Tennessee Code Annotated requires that the county road superintendent prepare a list of county roads beginning of each year. This list is to be approved by the Legislative Body; and

WHEREAS, the attached list classifies roads by name, location, type, width, length and right of way with a list of newly accepted roads and changes listed in front.

THEREFORE BE IT RESOLVED THAT the Legislative Body approve the road list as the official list of roads in Hawkins County.

Introduced By Esq. Danny Alvis, Chrmn Rd Comm

Seconded By Esq. _____

Date Submitted 4-11-11

A. Carroll Jenkins
County Clerk

By: _____

Chairman Melville Bailey

ACTION: AYE NAY PASSED

Roll Call _____

Voice Vote _____

Absent _____

COMMITTEE ACTION

RESOLUTION

No. 2011 / 04 / 04

To the HONORABLE MELVILLE BAILEY, Chairman, and Members of the Hawkins County Board of Commission in Regular Session, met this 25 day of April, 2011.

RESOLUTION IN REF: APPROVAL TO PARTICIPATE IN THE THREE-STAR PROGRAM

WHEREAS, the Tennessee Department of Economic and Community Development is committed to assist the communities it serves in creating opportunities for sustained economic growth through the Three-Star Program; and

WHEREAS, participation in the Three-Star Program affords certified communities the opportunity to develop and implement programs affecting the economic appeal and viability considered by business and industry in making investment decisions; and

WHEREAS, certification as a Three-Star community in the Three-Star Program involves a cooperative effort by numerous local entities;

WHEREAS, Nancy Barker is the designated contact for the Three-Star Program.

NOW, THEREFORE, BE IT RESOLVED, by the county legislative body of Hawkins County, Tennessee, meeting in regular session on this 25h day of April, 2011 in Rogersville, Hawkins County, Tennessee, that Hawkins County will participate in the Three-Star Program.

Introduced By Esq. John Metz

Seconded By Esq. _____

Date Submitted 4-11-11

D. Carroll Jenkins
County Clerk

By: _____

Chairman *Melville Bailey*

ACTION: AYE NAY PASSED

Roll Call _____

Voice Vote _____

Absent _____

COMMITTEE ACTION

RESOLUTION

No. 2011 / 04 / 05

To the HONORABLE MELVILLE BAILEY, Chairman, and Members of the Hawkins County Board of Commission in Regular Session, met this 25th day of April, 2011.

RESOLUTION IN REF: APPROVAL OF 2011-2012 ANNUAL PRIORITY UPDATES BEING ADDED TO THE FIVE YEAR STRATEGIC ECONOMIC DEVELOPMENT PLAN

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

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

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

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

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

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

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

Introduced By Esq. John Metz

Seconded By Esq. _____

Date Submitted 4-11-11

A. Canell Jenkins
County Clerk

By: _____

Chairman Melville Bailey

ACTION: **AYE** **NAY** **PASSED**

Roll Call _____

Voice Vote _____

Absent _____

COMMITTEE ACTION

RESOLUTION

No. 2011 / 04 / 06

To the HONORABLE MELVILLE BAILEY, Chairman, and Members of the Hawkins County Board of Commission in Regular Session, met this 25th day of April, 2011.

RESOLUTION IN REF: AFFIRM COMPLIANCE WITH FEDERAL TITLE VI REGULATIONS

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

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

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

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

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

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

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

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

Introduced By Esq. John Metz

ACTION: AYE NAY PASSED

Seconded By Esq. _____

Roll Call _____

Date Submitted 4-11-11

Voice Vote _____

A. Conroy Jenkins
County Clerk

Absent _____

COMMITTEE ACTION

By: _____

Chairman Melville Bailey

RESOLUTION

No. 2011/ 04 / 07

To the HONORABLE MELVILLE BAILEY, Chairman, and Members of the Hawkins County Board of Commission in Regular Session, met this 25th day of April, 2011.

RESOLUTION IN REF: APPROVAL TO TRANSFER A YAZOO 48" WALK BEHIND MOWER FROM THE COUNTY BUILDINGS DEPARTMENT TO THE PARKS DEPARTMENT

WHEREAS the Parks Department is in need of another mower to replace one that no longer works; and

WHEREAS, the County Buildings Department has a Yazoo 48" walk behind Model KK4814 mower that was purchased in April 2005 that can be transferred to the Parks Department.

THEREFORE BE IT RESOLVED THAT the approval be given for the aforementioned mower to be transferred from the County Building Department to the Parks Department inventory.

Introduced By Esq. Darrell Gilliam

Seconded By Esq. _____

Date Submitted 4-11-11

County Clerk *A. Carroll Jenkins*

By: _____

Chairman *Melville Bailey*

ACTION: AYE NAY PASSED

Roll Call _____

Voice Vote _____

Absent _____

COMMITTEE ACTION

RESOLUTION NO. 2011 / 04 / 08

TO THE HONORABLE MELVILLE E. BAILEY, CHAIRMAN, AND MEMBERS OF THE HAWKINS COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION, MET THIS 25TH DAY OF APRIL 2011.

RESOLUTION IN REF: GENERAL PURPOSE SCHOOL FUND BUDGET AMENDMENT

WHEREAS, the Hawkins County Board of Education has approved the attached budget amendment to the General Purpose School 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, April 25, 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 4-11-11

Roll Call _____ _____

County Clerk: A. Carroll Jenkins

Voice Vote _____ _____

By: A. Carroll Jenkins

Absent _____ _____

COMMITTEE ACTION:

APPROVED

DISAPPROVED

CHAIRMAN: Melville E. Bailey

Hawkins County Board of Education

FUND: 141 GENERAL PURPOSE SCHOOL FUND
 AMENDMENT NUMBER: 6
 DATE: April 14, 2011

ORIGINAL BUDGET AMOUNT	49,658,029.00
PREVIOUS AMENDMENTS	2,317,190.40
TOTAL	51,975,219.40
REQUESTED AMENDMENT	7,500.00
TOTAL	51,982,719.40

ACCOUNT NO	DESCRIPTION	CURRENT BUDGET	INCREASE	DECREASE	AMENDED BUDGET
	EXPENDITURES				
	71600 ADULT EDUCATION PROGRAM - INSTRUCTION				
71600-429	Instruction Supplies & Materials	13,500.00	7,500.00		21,000.00
	72110 ATTENDANCE				
72110-355	Travel	8,000.00	1,000.00		9,000.00
72110-399	Other Contracted Services	1,000.00		1,000.00	0.00
	Subtotal	9,000.00	1,000.00	1,000.00	9,000.00
	72120 HEALTH SERVICES				
72120-348	Postal Charges	225.00		225.00	0.00
72120-355	Travel	10,000.00		3,000.00	7,000.00
72120-399	Other Contracted Services	14,442.00		14,000.00	442.00
72120-413	Drugs & Medical Supplies	10,513.00	6,000.00		16,513.00
72120-499	Other Supplies & Materials	26,107.00	5,925.00		32,032.00
72120-599	Other Charges	15,093.00		5,200.00	9,893.00
72120-735	Health Equipment	1,500.00	10,500.00		12,000.00
	Subtotal	77,880.00	22,425.00	22,425.00	77,880.00
	TOTAL	100,380.00	30,925.00	23,425.00	107,880.00
	REVENUES				
46590	Other State Education Funds	31,073.00	1,875.00		32,948.00
47120	Adult Education State Grant Program	93,218.00	5,625.00		98,843.00
46592	Internet Connectivity - ARRA	0.00	22,064.77		22,064.77
46593	Professional Development - ARRA	0.00			0.00
46595 SSMS	Statewide Student Management System (SSMS) - ARRA	18,427.00			18,427.00
48130	Contributions	0.00			0.00
	TOTAL	142,718.00	29,564.77	0.00	172,282.77
	RESERVES & FUND BALANCE				
39000	Undesignated Fund Balance	7,951,311.82	22,064.77		7,973,376.59

Hawkins County Board of Education

The amendment budgets additional funds received in Adult Education to increase the Maximum Liability of Contract for Non-personnel as approved by the State Department of Education and budgets the Internet Connectivity funds originally budgeted from Undesignated Fund Balance.					
The amendment increases underestimated line items and decreases overestimated line items in 72110 and 72120 to allow for the completion of the fiscal year.					

RESOLUTION NO. 2011/04/09

TO THE HONORABLE MELVILLE E. BAILEY, CHAIRMAN, AND MEMBERS OF THE HAWKINS COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION, MET THIS 25TH DAY OF APRIL 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, April 25, 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 4-11-11

Roll Call _____ _____

County Clerk: A. Carroll Jenkins

Voice Vote _____ _____

By: A. Carroll Jenkins

Absent _____ _____

COMMITTEE ACTION:

APPROVED

DISAPPROVED

CHAIRMAN: Melville E. Bailey

HAWKINS COUNTY BOARD OF EDUCATION

FUND: 142 FEDERAL PROJECTS FUND
 AMENDMENT NUMBER: 7
 DATE: April 14, 2011

ORIGINAL BUDGET AMOUNT	6,312,322.00
PREVIOUS AMENDMENTS	3,009,441.49
TOTAL	9,321,763.49
REQUESTED AMENDMENT	23,950.00
TOTAL	9,345,713.49

ACCOUNT NO	DESCRIPTION	CURRENT BUDGET	INCREASE	DECREASE	AMENDED BUDGET
	EXPENDITURES				
	72210 REGULAR INSTRUCTION PROGRAM - SUPPORT				
72210-524	Other Charges	937,440.11		10,000.00	927,440.11
72210-790	Other Equipment	107,025.46	10,000.00		117,025.46
	Subtotal	1,044,465.57	10,000.00	10,000.00	1,044,465.57
	72220 SPECIAL EDUCATION PROGRAM - SUPPORT				
72220-790	Special Education Equipment	159,793.11	23,950.00		183,743.11
	TOTAL	1,204,258.68	33,950.00	10,000.00	1,228,208.68
	REVENUES				
47143	Special Education Grants to the States - IDEA	2,946,447.43	23,950.00		2,970,397.43
The above amendment increases underestimated line items and decreases overestimated line items to allow for proper recording of expenditures in the First To The Top federal project.					
The above amendment budgets an Annual Yearly Performance Improvement Grant for Cherokee High School to purchase ipads for students with disabilities.					

RESOLUTION NO. 2011 / 04 / 10

TO THE HONORABLE MELVILLE E. BAILEY, CHAIRMAN, AND MEMBERS OF THE HAWKINS COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION, MET THIS 25TH DAY OF APRIL 2011.

RESOLUTION IN REF: FOOD SERVICE FUND BUDGET AMENDMENT

WHEREAS, the Hawkins County Board of Education has approved the attached budget amendment to the Food Service 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, April 25, 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 <u>4-11-11</u>
Roll Call _____	County Clerk: A. Carroll Jenkins
Voice Vote _____	By: <u>A. Carroll Jenkins</u>
Absent _____	

COMMITTEE ACTION:	APPROVED	DISAPPROVED
_____	_____	_____

CHAIRMAN: Melville E. Bailey

HAWKINS COUNTY BOARD OF EDUCATION					
FUND: 143	FOOD SERVICE		ORIGINAL BUDGET		\$ 3,576,162.00
AMENDMENT #	1		PREVIOUS AMENDMENTS:		
SCHOOL YEAR	2010-2011		TOTAL		\$ 3,576,162.00
PAGE NUMBER	1 OF 3		REQUESTED AMENDMENT		\$ -
DATE	4/11/2011		TOTAL:		\$ 3,576,162.00
ACCOUNT NUMBER	DESCRIPTION	CURRENT BUDGET	INCREASE	DECREASE	AMENDED BUDGET
REVENUE	CHARGES FOR CURRENT SERVICE 4300				
43521	LUNCH PAYMENTS - CHILDREN	\$ 771,635.00	\$ -	\$ -	\$ 771,635.00
43522	LUNCH PAYMENTS - ADULTS	\$ 100,000.00	\$ -	\$ -	\$ 100,000.00
43523	INCOME FROM BREAKFAST	\$ 225,000.00	\$ -	\$ -	\$ 225,000.00
43525	ALA CARTE SALES	\$ 184,124.00	\$ -	\$ -	\$ 184,124.00
43990	OTHER CHARGES FOR SERVICES	\$ 70,000.00	\$ -	\$ -	\$ 70,000.00
	TOTAL CHARGES FOR SERVICES 43000	\$ 1,350,759.00	\$ -	\$ -	\$ 1,350,759.00
REVENUE:	OTHER LOCAL REVENUES 44000				
44110	INVESTMENT INCOME	\$ 10,000.00	\$ -	\$ -	\$ 10,000.00
44170	MISCELLANEOUS REFUNDS				
44990	OTHER LOCAL REVENUE		-	-	-
	TOTAL OTHER LOCAL REVENUES 44000	\$ 10,000.00	\$ -	\$ -	\$ 10,000.00
46520	SCHOOL FOOD SERVICE	\$ 40,653.00	\$ -	\$ -	\$ 40,653.00
	TOTAL STATE EDUCATION FUNDS 46500	\$ 40,653.00	\$ -	\$ -	\$ 40,653.00
REVENUE	FEDERAL THRU STATE 47100				
47111	USDA SCHOOL LUNCH	\$ 1,636,750.00	\$ -	\$ -	\$ 1,636,750.00
47113	USDA SCHOOL BREAKFAST	\$ 528,000.00	\$ -	\$ -	\$ 528,000.00
47114	FRUIT & VEGETABLE GRANT	\$ 10,000.00	\$ -	\$ -	\$ 10,000.00
47115	ARRA GRANT	\$ -	\$ -	\$ -	\$ -
	TOTAL FEDERAL THRU STATE 47100	\$ 2,174,750.00	\$ -	\$ -	\$ 2,174,750.00
	GRAND TOTAL REVENUES	\$ 3,576,162.00	\$ -	\$ -	3,576,162.00

FUND: 143	FOOD SERVICE		ORIGINAL BUDGET:		\$ 3,576,162.00
AMENDMENT #	1		PREVIOUS AMENDMENTS:		
SCHOOL YEAR	2010-2011		TOTAL		\$ 3,576,162.00
PAGE NUMBER	2 OF 3		REQUESTED AMENDMENT:		\$ -
DATE	4/11/2011		TOTAL:		\$ 3,576,162.00
ACCOUNT NUMBER	DESCRIPTION	CURRENT BUDGET	INCREASE	DECREASE	AMENDED BUDGET
EXPENDITURES: FOOD SERVICE 73100					
73100 119	ACCOUNTANTS/BOOKKEEPERS	\$ 25,486.00	\$ 572.41	\$ -	\$ 26,058.41
					\$ -
73100 162	CLERICAL PERSONNEL	\$ 61,550.00	\$ 20,000.00	\$ -	\$ 81,550.00
					\$ -
73100 165	CAFETERIA PERSONNEL	\$ 1,142,325.00	\$ 40,000.00	\$ -	\$ 1,182,325.00
		\$ -			\$ -
73100 196	IN SERVICE TRAINING	\$ -	\$ -	\$ -	\$ -
					\$ -
73100 201	SOCIAL SECURITY	\$ 75,000.00	\$ -	\$ -	\$ 75,000.00
					\$ -
73100 204	STATE RETIREMENT	\$ 102,360.00	\$ -	\$ 15,000.00	\$ 87,360.00
					\$ -
73100 206	LIFE INSURANCE	\$ 18,000.00	\$ -	\$ -	\$ 18,000.00
					\$ -
73100 207	MEDICAL INSURANCE	\$ 280,000.00	\$ -	\$ -	\$ 280,000.00
					\$ -
73100 210	UNEMPLOYMENT COM. INSUR.	\$ 18,500.00	\$ -	\$ 17,000.00	\$ 1,500.00
					\$ -
73100 212	MEDICARE	\$ 18,000.00	\$ 1,000.00	\$ -	\$ 19,000.00
					\$ -
73100 307	COMMUNICATION	\$ 18,500.00	\$ -	\$ 2,573.41	\$ 15,926.59
					\$ -
73100 336	MAIN.&REPAIR EQUIPMENT	\$ 58,000.00	\$ -	\$ -	\$ 58,000.00
					\$ -
73100 354	TRANSPORT.(OTHER THAN STUDENTS)	\$ -		\$ -	\$ -
					\$ -
73100 355	TRAVEL	\$ 1,000.00	\$ -	\$ -	\$ 1,000.00
					\$ -
73100 399	OTHER CONTRACTED SRVICES	\$ 212,500.00	\$ -	\$ -	\$ 212,500.00
					\$ -
73100 421	FOOD PREPARATION SUPPLIES	\$ 123,000.00	\$ 10,000.00	\$ -	\$ 133,000.00
					\$ -
73100 422	FOOD SUPPLIES	\$ 1,195,500.00	\$ -	\$ 39,999.00	\$ 1,155,501.00
					\$ -
73100 435	OFFICE SUPPLIES	\$ 44,500.00	\$ 10,000.00	\$ -	\$ 54,500.00
					\$ -
73100 451	UNIFORMS	\$ 4,950.00	\$ -	\$ -	\$ 4,950.00
					\$ -
73100 499	OTHER SUPPLIES & MATERIALS	\$ 6,000.00	\$ -	\$ 4,000.00	\$ 2,000.00
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -

FUND: 143	FOOD SERVICE		ORIGINAL BUDGET	\$	3,576,162.00
AMENDMENT #	1		PREVIOUS AMENDMENTS		
SCHOOL YEAR	2010-2011		TOTAL	\$	3,576,162.00
PAGE NUMBER	3 OF 3		REQUESTED AMENDMENT	\$	-
DATE	4/11/2011		TOTAL:	\$	3,576,162.00
ACCOUNT NUMBER	DESCRIPTION	CURRENT BUDGET	INCREASE	DECREASE	AMENDED BUDGET
73100 524	INSERVICE/STAFF DEVELOPMENT	\$ 500.00	\$ -	\$ 500.00	\$ -
73100 599	OTHER CHARGES	\$ 4,000.00	\$ -	\$ 2,500.00	\$ 6,500.00
73100 710	EQUIPMENT	\$ 166,491.00	\$ -	\$ -	\$ 166,491.00
	TOTAL EXPENDITURES FOR FOOD SERVICE 73100				
	TOTAL	\$ 3,576,162.00	\$ 81,572.41	\$ 81,572.41	3,576,162.00
34230	FUND BALANCE (RESERVE)	\$ -	\$ -	\$ -	\$ -
JUSTIFICATION	move funds from over budgeted account to under budgeted account				

TO THE HONORABLE MELVILLE BAILEY, CHAIRMAN, AND MEMBERS OF THE HAWKINS COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION, MET THIS 25TH DAY OF APRIL, 2011.

RESOLUTION IN REFERENCE: BUDGET AMENDMENT - DRUG CONTROL FUND

The following budget amendments are being requested as listed below:

Account Number	Description	Current Budget	Increase	Decrease	Amended Budget
DRUG ENFORCEMENT					
Increase Expenditures			Increase		
54150-338	Maintenance & Repair Serv-Vehicles	5,000.00	1,500.00		6,500.00
Decrease Expenditures				Decrease	
54150-716	Law Enforcement Equipment	43,625.00		(1,500.00)	42,125.00
Sub-total		\$ 48,625.00	\$ 1,500.00	\$ (1,500.00)	\$ 48,625.00
The increase in Maintenance and Repair Services of Vehicles is needed to make sufficient appropriations for repairs of the vehicles used by the Drug Control Officers.					
Funding will come from transfers within the Drug Control Fund budget.					
		Current Budget	Increase	Decrease	Amended Budget
Page Total - Expenditures and Undesignated Fund Balance		\$ 48,625.00	\$ 1,500.00	\$ (1,500.00)	\$ 48,625.00
		\$	\$	\$	\$

INTRODUCED BY: Gary Hicks, Chairman
Budget Committee

ESTIMATED COST _____

SECONDED BY: _____

PAID FROM _____ FUND _____

ACTION: AYE NAY

DATE SUBMITTED 4-11-11

ROLL CALL _____

COUNTY CLERK: A. CARROLL JENKINS

VOICE VOTE _____

BY: A. Carroll Jenkins

ABSENT _____

COMMITTEE ACTION: _____

APPROVED _____ DISAPPROVED _____

CHAIRMAN:

Melville Bailey
 MELVILLE BAILEY

TO THE HONORABLE MELVILLE BAILEY, CHAIRMAN, AND MEMBERS OF THE HAWKINS COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION, MET THIS 25TH DAY OF APRIL, 2011.

RESOLUTION IN REFERENCE: BUDGET AMENDMENT - GENERAL FUND

The following budget amendments are being requested as listed below:

Account Number	Description	Current Budget	Increase	Decrease	Amended Budget
COUNTY COMMISSION					
Increase Expenditures			Increase		
51100-199	Other Per Diem and Fees (Comm Meet)	10,000.00	500.00		10,500.00
51100-355	Travel	10,500.00	3,000.00		13,500.00
Decrease Expenditures				Decrease	
51100-207	Health Insurance	9,700.00		(3,500.00)	6,200.00
Sub-Total Expenditures		\$ 30,200.00	\$ 3,500.00	\$ (3,500.00)	\$ 30,200.00
These increases in Other Per Diem (for Committee Meetings) and Travel are needed to make sufficient appropriations for anticipated expenditures for the remainder of the fiscal year. The need for new Commissioners to attend training seminars will make the 2010-11 FY expenditures in Travel exceed the \$9950 spent in the 2009-10 FY. Funding for these increases will come from a transfer within the County Commission budget.					
BOARD OF EQUALIZATION & OTHER GENERAL ADMINISTRATION					
Increase Expenditures			Increase		
51210-191	Board and Committee Members Fees	6,440.00	1,380.00		7,820.00
51210-201	Social Security	493.00	106.00		599.00
Decrease Expenditures				Decrease	
51900-513	Workers' Compensation Insurance	135,949.00		(1,486.00)	134,463.00
Sub-Total Expenditures		\$ 142,882.00	\$ 1,486.00	\$ (1,486.00)	\$ 142,882.00
The above increases are needed to make sufficient appropriations to pay the Equalization Board for an anticipated 17 days and to make sufficient appropriations for the Social Security match associated with such pay. Funding will come from a transfer from the Other General Administration Budget. Funds are available in the Workers Comp line item due to refunds from grants and other programs.					
		Current Budget	Increase	Decrease	Amended Budget
Page Totals- Expenditures		\$ 173,082.00	\$ 4,986.00	\$ (4,986.00)	\$ 173,082.00

INTRODUCED BY: Gary Hicks, Chrmn Budget Committee

ESTIMATED COST _____

SECONDED BY: _____

PAID FROM _____ FUND _____

ACTION: AYE _____ NAY _____

DATE SUBMITTED 4-11-11

ROLL CALL _____

COUNTY CLERK: A. CARROLL JENKINS

VOICE VOTE _____

BY: A. Carroll Jenkins

ABSENT _____

COMMITTEE ACTION: _____

APPROVED _____

DISAPPROVED _____

CHAIRMAN: _____

Melville Bailey
MELVILLE BAILEY

Account Number	Description				
	COUNTY MAYOR	Current Budget			Amended Budget
	Increase Expenditures		Increase		
51300-709	Data Processing Equipment	3,600.00	470.00		4,070.00
51300-355	Travel	3,500.00	700.00		4,200.00
	Decrease Expenditures			Decrease	
51300-196	In-Service Training	1,800.00		(700.00)	1,100.00
51300-435	Office Supplies	6,700.00		(470.00)	6,230.00
	Sub-Total Expenditures	\$ 15,600.00	\$ 1,170.00	\$ (1,170.00)	\$ 15,600.00
The increase in Travel is needed to meet the anticipated expenditures for the 2010-11 FY. Office personnel other than the County Mayor is also being reimbursed for travel expenses to out-of-town meetings that have been necessary for updates on accounting procedures or on on-going projects. The increase in Data Processing Equipment is needed to make sufficient appropriations for a new accounting server that replaces an outdated one. Funding will come from transfers within the County Mayor's budget.					
	COUNTY BUILDINGS	Current Budget			Amended Budget
	Increase Expenditures		Increase		
51800-328	Janitorial Services	5,000.00	2,100.00		7,100.00
51800-351	Rentals	19,377.00	100.00		19,477.00
51800-335	Maintenance and Repair Services-Bldgs	13,000.00	2,000.00		15,000.00
	Decrease Expenditures			Decrease	
51800-399	Other Contracted Services	58,600.00		(4,200.00)	54,400.00
	Sub-Total Expenditures	\$ 95,977.00	\$ 4,200.00	\$ (4,200.00)	\$ 95,977.00
The increase in Janitorial Services is needed due to under-estimating the number of floor mats needed at the Justice Center and the failure to include the rate increase in the budget for this entire service for other County buildings. The increase in Rentals is needed to pay annual LP tank rental on tanks at the Administration Building, previously paid from a Jail line item. The increase in Maintenance and Repair Services/Buildings is needed because the original budget was under-estimated. Funding will come from transfers within the County Buildings budget.					
	CHANCERY COURT	Current Budget			Amended Budget
	Increase Expenditures		Increase		
53400-210	Unemployment Compensation	361.00	269.00		630.00
	Decrease Expenditures			Decrease	
53400-201	Social Security	10,400.00		(269.00)	10,131.00
	Sub-Total Expenditures	\$ 10,761.00	\$ 269.00	\$ (269.00)	\$ 10,761.00
This increase is needed due to the appointment of a new Clerk and Master and the hiring of a new employee after budget was completed. Funding will come from a transfer within the Chancery Court budget. The previous budget amendment was insufficient to cover the total expenditures for the fiscal year.					
		Current Budget	Increase	Decrease	Amended Budget
	Page Totals - Expenditures	\$ 122,338.00	\$ 5,639.00	\$ (5,639.00)	\$ 122,338.00

Account Number	Description				
	SHERIFF'S DEPARTMENT	Current Budget			Amended Budget
	Increase Expenditures		Increase		
54110-399	Other Contracted Services	0.00	2,700.00		2,700.00
54110-187	Overtime Pay	41,000.00	45,000.00		86,000.00
54110-189	Other Salaries and Wages (Vacation Pay)	10,000.00	3,000.00		13,000.00
54110-709	Data Processing Equipment	2,500.00	2,000.00		4,500.00
	Decrease Expenditures			Decrease	
54110-169	Part-time Personnel	2,000.00		(1,350.00)	650.00
54110-599	Other Charges	1,500.00		(1,350.00)	150.00
54110-109	Captain	41,500.00		(3,000.00)	38,500.00
54110-207	Health Insurance	253,600.00		(45,000.00)	208,600.00
	Decrease Reserves				
34168	Reserved for Automation-Sheriff	7,849.00		(2,000.00)	5,849.00
	Sub-Total Expenditures & Reserves	\$ 359,949.00	\$ 52,700.00	\$ (52,700.00)	\$ 359,949.00
The increase in Other Contracted Services is needed to pay for a meth lab cleanup. The Sheriff's Department may be able to apply for reimbursement of this expenses through the US EPA. The increase in Overtime Pay is needed to pay accumulated overtime wages. The increase in Other Salaries and Wages is needed to pay accumulated vacation days to an employee leaving employment. The increase in Data Processing Equipment is needed to purchase a new server. One-half will be paid from the Sheriff's Department budget and one-half will be paid from the Jail budget. Funding for these increases will come from transfers within the Sheriff's Department budget and from the reserve account for automation of the Sheriff's Department. This reserve account is generated by "data fee" collections as mandated by T.C.A. code.					
	JAIL	Current Budget			Amended Budget
	Increase Expenditures		Increase		
54210-709	Data Processing Equipment	0.00	3,000.00		3,000.00
	Decrease Reserves			Decrease	
34168	Reserved for Automation-Sheriff	5,849.00		(3,000.00)	2,849.00
	Sub-Total Expenditures & Reserves	\$ 5,849.00	\$ 3,000.00	\$ (3,000.00)	\$ 5,849.00
The above increase is needed to purchase a new server and other computers. One-half of the server will be paid from the Jail budget and one-half will be paid from the Sheriff's Department budget. Funding will come from a transfer from the reserve account for automation of the Sheriffs Department/Jail.					
	VETERANS' SERVICES	Current Budget			Amended Budget
	Increase Expenditures		Increase		
58300-355	Travel	4,000.00	300.00		4,300.00
58300-719	Office Equipment	150.00	500.00		650.00
	Decrease Expenditures			Decrease	
58300-207	Health Insurance	9,924.00		(800.00)	9,124.00
	Sub-Total Expenditures	\$ 14,074.00	\$ 800.00	\$ (800.00)	\$ 14,074.00
The increase in Travel is needed for upcoming recertification and training in Murfreesboro. The increase in Office Equipment is needed to purchase a storage cabinet. Funding will come from transfers within the Veterans' Services budget.					
	Page Totals - Expenditures & Reserves	\$ 379,872.00	\$ 56,500.00	\$ (56,500.00)	\$ 379,872.00
	Page Totals - Revenue	\$	\$	\$	\$

Account Number	Description	Current Budget			Amended Budget
	LOCAL HEALTH CENTER				
	Increase Expenditures		Increase		
55110-413	Drugs and Medical Supplies	1,500.00	500.00		2,000.00
55110-499	Other Supplies and Materials	2,000.00	750.00		2,750.00
55110-599	Other Charges	525.00	50.00		575.00
	Decrease Expenditures			Decrease	
55110-335	Maintenance and Repair Serv-Building	4,275.00		(1,300.00)	2,975.00
	Sub-Total Expenditures	\$ 8,300.00	\$ 1,300.00	\$ (1,300.00)	\$ 8,300.00
	The increase in Drug and Medical Supplies is needed for Primary Care Clinic medical supplies in the Church Hill office. The increase in Other Supplies and Materials is needed for batteries and flourescent light bulbs for the Church Hill and Rogersville offices. The increase in Other Charges is needed for Board of Health Meeting expenses. Funding will come from transfers within the Local Health Center's budget.				
	COUNTY TRUSTEE'S OFFICE				
	Increase Expenditures		Increase		
52400-709	Data Processing Equipment	0.00	1,160.00		1,160.00
	Decrease Expenditures			Decrease	
52400-168	Temporary Personnel	26,600.00		(26.00)	26,574.00
52400-207	Health Insurance	4,930.00		(316.00)	4,614.00
52400-332	Legal Notices, Recording and Court Costs	150.00		(598.00)	(448.00)
52400-435	Office Supplies	3,200.00		(220.00)	2,980.00
	Sub-Total Expenditures	\$ 34,880.00	\$ 1,160.00	\$ (1,160.00)	\$ 34,880.00
	The above increase is needed to purchase a new computer for the bookkeeper, to replace the one that crashed, which was least 6 years old. Funding will come from transfers within the County Trustee's Office budget.				
	Page Totals - Expenditures	\$ 43,180.00	\$ 2,460.00	\$ (2,460.00)	\$ 43,180.00
	Page Totals - Revenue	\$	\$	\$	\$

TO THE HONORABLE MELVILLE BAILEY, CHAIRMAN, AND MEMBERS OF THE HAWKINS COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION, MET THIS 25TH DAY OF APRIL, 2011.

RESOLUTION IN REFERENCE: BUDGET AMENDMENT - SOLID WASTE FUND

The following budget amendments are being requested as listed below:

Account Number	Description	Current Budget			Amended Budget
	WASTE PICKUP & CONVENIENCE CENTERS				
	Increase Expenditures		Increase		
55732-307	Communications	5,500.00	450.00		5,950.00
55732-733	Solid Waste Equipment (Bond Funds)	40,600.00	5,016.00		45,616.00
55731-338	Maintenance and Repair Serv-Vehicles	23,000.00	10,000.00		33,000.00
	Decrease Expenditures			Decrease	
55731-718	Motor Vehicles (Bond Funds)	280,000.00		(5,016.00)	274,984.00
55732-513	Workers' Comp. Insurance (Conv. Ctrs)	17,200.00		(2,439.00)	14,761.00
55731-513	Workers' Comp. Insurance (Wst Pickup)	8,800.00		(1,297.00)	7,503.00
55731-450	Tires and Tubes	20,000.00		(2,614.00)	17,386.00
55731-499	Other Supplies and Materials	11,000.00		(2,000.00)	9,000.00
55731-299	Other Fringe Benefits	33,222.00		(2,100.00)	31,122.00
	Sub-total Expenditures	\$ 439,322.00	\$ 15,466.00	\$ (15,466.00)	\$ 439,322.00
The increase in Maintenance and Repair Services-Vehicles is needed to meet anticipated expenditures for the remainder of the fiscal year. The increase in Communications is needed to meet anticipated expenditures for the remainder of the fiscal year. These expenses increased due to a change in AT&T's rates. The increase in Solid Waste Equipment is needed to transfer unused bond funds from Motor Vehicles to be used with other bond funds to purchase trash boxes and/or compactors. All increases will be funded with transfers within the Solid Waste budget.					
		Current Budget	Increase	Decrease	Amended Budget
	Page Totals- Expenditures	\$ 439,322.00	\$ 15,466.00	\$ (15,466.00)	\$ 439,322.00
	Page Totals- Revenues	\$	\$	\$	\$

INTRODUCED BY: Gary Hicks, Chrmn. Budget Committee

ESTIMATED COST _____

SECONDED BY: _____

PAID FROM _____ FUND _____

ACTION: AYE NAY

DATE SUBMITTED 4-11-11

ROLL CALL _____

COUNTY CLERK: A. CARROLL JENKINS

VOICE VOTE _____

BY: A. Carroll Jenkins

ABSENT _____

COMMITTEE ACTION: _____

APPROVED _____ DISAPPROVED _____

CHAIRMAN:

Melville Bailey
MELVILLE BAILEY

**CERTIFICATE OF ELECTION OF NOTARIES PUBLIC
AS CLERK OF THE COUNTY OF HAWKINS, TENNESSEE**

Resolution No. 2011/04/15

NOTARY PUBLIC DURING THE APRIL 25, 2011 MEETING OF THE GOVERNING BODY:

NAME	HOME ADDRESS AND PHONE	BUSINESS
1. BRIAN ARROWOOD	1049 ROTHERWOOD DR. KINGSPORT, TN. 37660 423-247-6856	JOHNSON FUNERAL HOME CHURCH HILL, TN. 37642
2. EMILY P. BALL	410 KAYWOOD AVE. MOUNT CARMEL, TN. 37645 423-723-5358	EASTMAN CREDIT UNION KINGSPORT, TN. 37662
3. FONDA BRICE	2175 CARTERS VALLEY RD. SURGOINSVILLE, TN. 37873 423-345-3243	CHEROKEE PHYSICAL THERAPY INC. ROGERSVILLE, TN. 37857
4. SANDY BRUNER	215 BARTON RD. SURGOINSVILLE, TN. 37873 423-345-0055	THE CITIZENS BANK OF EAST TN ROGERSVILLE, TN. 37857
5. REBECCA J. BURCHETT	101 PAR 5 CIRCLE ROGERSVILLE, TN. 37857 423-272-4885	HAWKINS COUNTY DISTRICT ATTORNEY ROGERSVILLE, TN. 37857
6. DUSTIN LANCE DUGGER	355 CAMERON CT. JONESBOROUGH, TN. 37659 423-483-4408	JOHNSON FUNERAL HOME CHURCH HILL, TN. 37642
7. BECKY L. FORGETY	800 E. MAIN ST. ROGERSVILLE, TN. 37857 423-272-0777	THE MEDICINE SHOPPE ROGERSVILLE, TN. 37857
8. DONNA KAY FORTNER	2857 STANLEY VALLEY RD. SURGOINSVILLE, TN. 37873 423-345-2582	HAWKINS COUNTY SHERIFF'S OFFICE ROGERSVILLE, TN. 37857
9. MANDY HAGA	1653 E. MAIN ST., APT. D ROGERSVILLE, TN. 37857 423-921-2179	ODELLO INDUSTRIES MORRISTOWN, TN. 37813
10. BETTIE A. HUDDLESTON	2547 STANLEY VALLEY RD. SURGOINSVILLE, TN. 37873 678-516-6459	MACO MANAGEMENT CO. INC. CROSSVILLE, TN. 38557
11. H.L. JOHNSON	320 GRANDVIEW ST. CHURCH HILL, TN. 37642 423-248-4650	JOHNSON FUNERAL HOME CHURCH HILL, TN. 37642
12. SONDRAGAIL KIRKPATRICK	312 E. MCKINNEY AVE. ROGERSVILLE, TN. 37857 423-923-8787	THE CITIZENS BANK OF EAST TN ROGERSVILLE, TN. 37857
13. BETTY ANN LASTER	1485 HWY 66 BULLS GAP, TN. 37711 423-235-0106	SEMINOLE GAS BULLS GAP, TN. 37711
14. TINA A. MARSHALL	225 WILLOW ST. MOUNT CARMEL, TN. 37645 423-357-5854	HAWKINS COUNTY BOARD OF EDUCATION MOUNT CARMEL, TN. 37645
15. JOSEPH DAVID MOODY	400 DEERFIELD CIR. CHURCH HILL, TN. 37642 423-357-4981	EASTMAN CHEMICAL COMPANY KINGSPORT, TN. 37662
16. REGINA M. PRICE	7124 HWY 66 N ROGERSVILLE, TN. 37857 423-272-6188	JOE ZOOK, STATE FARM ROGERSVILLE, TN. 37857
17. DEBORA F. SALYERS	1005 ALLANDALE CIR. KINGSPORT, TN. 37660 423-247-8591	KINGSPORT PUBLISHING CORP. KINGSPORT, TN. 37660
18. DRUCILLA G. TRENT	3723 HWY 66 S ROGERSVILLE, TN. 37857 423-272-2776	ROGERSVILLE WATER COMMISSION ROGERSVILLE, TN. 37857

(Seal)

Signature

Clerk of the County of Hawkins, Tennessee

Date