

## RULES & BY LAWS COMMITTEES

March 5, 2019

6:00 P.M.

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PRESENT: Robert Acuff, Mike Hill, Brad Johnson, Layla Ward, Randall Jenkins, Aaron Frazier and Rick Richardson

ABSENT: Jerry Proffitt

CALL TO ORDER: Randall Jenkins, Chairman

ROLL CALL: Quorum Present

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- Approval of Agenda: Chairman Jenkins corrected the date on the copy of the agenda and added the Indigent Burial Policy under New Business. Motion was made by Mike Hill, seconded by Layla Ward to approve the agenda with the correction and addition. By voice roll call vote, motion carried.
- Approval of Minutes: Motion was made by Mike Hill, seconded by Aaron Frazier to approve the minutes of the January meeting as presented. By voice roll call vote, motion carried. Motion was made by Mike Hill, seconded by Aaron Frazier to approve the minutes of the February meeting as presented. By voice roll call vote, motion carried.
- Public Comments: None
- New Business: As the present Indigent Burial Policy had some vague language, Abby Frye presented a new policy for the committee's consideration. She explained the county presently has an arrangement with three (3) local funeral homes and the service they provide is direct cremation for a cost of \$600. This service is to be done on a rotational basis and kept up with by Carter County Dispatch. She explained what the revisions were and the reasons for them. Ms. Frye stated the revised policy had been reviewed by the County Attorney, Mayor and 911. Motion was made by Mike Hill, seconded by Layla Ward to approve the revised Indigent Burial Policy as presented. By voice roll call vote, motion carried.

Ms. Frye also informed the committee the Mayor had met with the Joint Economic Community Development Board this past week and they voted to pursue the option of merging and dissolving Carter County Tomorrow. The County Attorney was directed to see what changes needed to be made to and by-laws and make the board aware of the steps that need to be taken and how to get there. This merge would give the county control once again of the Workforce Development Complex. She stated they would be meeting with Carter County Tomorrow next month.

- Old Business: Chairman Jenkins stated the cost for the individual e-mail addresses for the commissioners would be presented to the Budget Committee for approval.

Respectfully submitted,

Suzi Wallace

Approved for entry:

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Randall Jenkins, Chairman

# Carter County, Tennessee, Indigent Burial Policy

## I. **Statutory Reference and Statement of Policy**

Carter County will provide burial for indigent persons residing in Carter County, in accordance with Tennessee Statutory and Common laws when such person is the financial burden of the County. The statutory authority for the County to provide this service is located at TENN. CODE ANN. § 5-9-101(4) which states, "The county legislative body may appropriate moneys as follows... (4) For the burial or cremation expenses of any poor person dying in the county, leaving no means to pay for the same."

## II. **Eligibility**

The deceased must meet all of the following eligibility criteria:

- Was a resident of Carter County who died without means to provide for burial. A resident, for this policy, is defined as someone who prior to their death lived in Carter County;
- Does not exceed the monthly allowable income as stated in the U.S. Department of Health and Human Services (HHS) most current Poverty Income Guidelines – 100% Poverty Level;
- Did not leave sufficient assets, or a life insurance policy sufficient to cover the cost of burial expenses;
- Did not die in a state or federal institution or in state or federal custody.

## III. **Procedures for Healthcare Provider / County Coroner / Medical Examiner**

If an indigent individual who is a resident of Carter County dies the entity which has control of the deceased's remains shall contact Carter County 911 Dispatch at 423-543-5758. Carter County 911 Dispatch will contact a previously approved funeral provider on a rotational basis and track the rotation. The entity which has control of the deceased's remains shall NOT contact a funeral provider directly, NOR shall they contact any county office regarding application for indigent burial services. The controlling entity is NOT to try and assess or communicate with the family of the deceased for the reason of discovering any means the deceased may have left. It is the duty of the funeral provider to assess and process any means of the deceased and the duty of the Office of the County Mayor to verify any means of the deceased for determining eligibility for services.

## IV. **County Policy and Procedures**

### **Interment of Paupers:**

The County will pay for the interment of indigent county residents as follows:

**Interment by Cremation:** The County will use cremation as the primary means to handle the remains of an indigent county resident. If the deceased indigent has family that requests the County to cover the cost of interment, the County will pay the funeral provider only. The service offered will be direct cremation, and the funeral provider shall receive a payment of \$600 for the service.

**Interment by Burial:** If the family member who is in charge of handling the deceased indigent's arrangements objects to cremation of his/her relative, the County will allow for interment by burial in a burial plot owned by the family and the family must pay the funeral

provider the cost of opening and closing the grave site. The interment burial service paid for by the County and provided by the funeral provider will only include immediate burial without a ceremony, rites, or rituals. Any family member demanding interment by burial must be verified as being unable to pay for the burial himself. If the demanding family member is deemed to have the funds to pay for an interment burial then the County will recuse itself from any further action.

**Veterans:**

United States Veterans who are eligible for burial in the U.S. National Cemetery are permitted ground burial therein.

**Minors:**

Minors are eligible for interment by burial. Payments will not be made to funeral providers that do not charge for child services.

**NOTE:** Funeral Provider shall be responsible for submitting a completed Indigent (Pauper) Burial Application and Pauper Burial Authorization Form to the Office of the County Mayor. The Office of the County Mayor will review the application and the County Mayor will make the final determination on approval of the application.

**Financial Research Upon Application:**

The County shall have a right to investigate any and all possible assets of the indigent, including but not limited to:

1. Bank Accounts
2. Real Estate Records
3. Car Registration
4. Tax Records
5. Court Records
6. Savings
7. Any other asset the County deems reasonable to cover funeral costs.

**Refusal by Funeral Provider to Recover Remains:**

A funeral provider who refused to recover remains and is assigned to do so on a rotation basis may lose County indigent funding assistance in the future. Funeral providers may not delay recovery by waiting for pre-approval. For the purpose of this section, all funeral providers participating in the County indigent funding assistance program are considered pre-approved to provide indigent burial services.