



**Minutes of:
Health and Welfare Committee
August 7, 2018**

Present:

Willie Campbell
Bradley Johnson
Isaiah Grindstaff
Ray Lyons

Tim Holdren
Cody McQueen - Absent
Nancy Brown
Randall Jenkins

I. Call to Order

The meeting was called to order by Committee Chairman Tim Holdren.

II. Approval of Agenda

The August 2018, agenda was presented for approval. An amendment was made to add the April 2018 minutes. Isaiah Grindstaff made a motion to approve the agenda with the amendment and second by Ray Lyons. Motion was unanimously approved.

III. Approval of Minutes

The April 2018 minutes were presented for approval. Isaiah Grindstaff made a motion to approve the minutes and second by Ray Lyons. Minutes were unanimously approved.

The June 2018 minutes were presented for approval. Isaiah Grindstaff made a motion to approve the minutes and second by Willie Campbell. Minutes were unanimously approved.

IV. Public Comments

Russ Stipelcovich – Mr. Stipelcovich spoke to the committee about the expiration of the franchise lease that the county had with Comcast. Mr. Lyons relayed concerns that have been called to his attention from citizens about lack of coverage and not having providers in their areas. Mr. Grindstaff wants wider access and thinks the county should look at possible multiple providers. Also, what can be done to consolidate multiple servers. Mr. Stipelcovich stated that he does not have service and has worked over the last few months trying to get Comcast to communicate with him, after several attempts at communication Comcast agreed to bring service approximately 700 feet from the other side of the road to his home at a cost to Mr. Stipelcovich of \$20,000. Mr. Stipelcovich suggested that the county not renew the contract and make Comcast go to the state for a certificate. The contract that the county has with Comcast is a much better contract in Comcast favor than what would be given at the state level. There were also questions about the 5% of gross revenue, payment to the county from Comcast, per contract and if that money has been paid. Mr. Jenkins asked when the original contract was entered into and when it expired. He asked if Attorney Hardin would check on this and if the monies have been paid to the county. Attorney Hardin is going to check with the Finance Committee on this. Motion was made by Nancy Brown to make Comcast go to the state to get a franchise certificate. Motion unanimously approved.

V. **Old Business**

Environmental Court – No update

DPC, Direct Primary Care for Local Governments. - No update

Homelessness Study. - No update

VI. **New Business**

Basic Emergency Operations Plan (BEOP) –

Hazard Mitigation Plan - Gary Smith brought both of these issues before the committee. Supplying a copy of a BEOP resolution (attached) that needs to be approved by the county commission. A public meeting is scheduled for August 20, 2018. This resolution has been approved by TEMA and FEMA. Isaiah Grindstaff made a motion to forward it to the full commission. Nancy Brown second the motion. Motion was unanimously approved.

Comcast franchise agreement – Please see Public Comments – Mr. Stipelcovich

VII. **Announcement, Comments, etc.**

None

VIII. **Adjournment**

Adjournment was called by Isaiah Grindstaff, seconded by Randall Jenkins. Adjournment was unanimously approved. Meeting was adjourned.

Respectfully submitted,

Gwen Crowe

Administrative Office Technology Student

West's Tennessee Code Annotated
Title 7. Consolidated Governments and Local Governmental Functions and Entities
Local Government Functions
Chapter 59. Cable Television
Part 3. Competitive Cable and Video Services Act

T. C. A. § 7-59-307

§ 7-59-307. Local franchise

Effective: July 1, 2008

Currentness

- (a) Nothing in this part confers authority upon a municipality or county to require any cable or video service provider to negotiate a local cable or video service franchise agreement with a municipality or county.
- (1) The decision to choose whether to utilize either a state-issued certificate of franchise authority or a local franchise is within the sole discretion of the cable or video service provider.
- (2)(A) In the event an entity or person is providing cable or video service on July 1, 2008, under a local franchise previously granted by a municipality or county that has expired, the entity or person shall, as a condition of continuing to provide cable or video service within the municipality or county, either negotiate a renewal of an expired local franchise agreement or apply for a state-issued certificate of franchise authority.
- (B) In the event that a municipality or county is unable to successfully negotiate a renewal of an expired local franchise with an incumbent provider within one hundred eighty (180) days after July 1, 2008, a municipality or county may require the incumbent provider to seek a state-issued certificate of franchise authority. The submission of an application for a state-issued certificate of franchise authority shall constitute interim authority to continue to provide service pending action by the department.
- (b) Part 1 of this chapter is specifically preserved for providers who seek a local franchise. Parts 1 and 2 of this chapter, including, but not limited to, the provisions prohibiting more favorable terms in § 7-59-203, shall have no application to the state-issued certificate of franchise authority established in this part, and parts 1 and 2 of this chapter shall not apply in any manner or impose restrictions or obligations upon the holder operating under a state-issued certificate of franchise authority.
- (c) No municipality, county, franchising authority, state agency, or political subdivision of the state may impose any additional requirements or request anything of value not provided under this part or any other state law on the provision of cable or video service by any cable or video service provider operating under a state-issued certificate of franchise authority within its jurisdiction, including, but not limited to, any requirement regulating rates charged by the cable or video service provider or any requirement to deploy any facility or equipment.
- (d) No franchising authority, state agency, municipality, county or political subdivision of the state is authorized to regulate the provision of retail interconnected voice over Internet protocol service.