

# Carter County Commission

## Minutes of:

### Rules & Bylaws Committee Zoom Meeting

April 6, 2021 6:00 PM

#### Members:

Randall Jenkins - present

Thomas Proffitt - present

Robert Acuff - present

Ginger Holdren - present

Mike Hill - present

Daniel McInturff - present

Brad Johnson - present

Isaiah Grindstaff - present

#### I. Call to Order

The Rules & Bylaws meeting was called to order by Randall Jenkins at 8:27 pm.

#### II. Approval of Agenda

Chairman Jenkins asked to amend the agenda to add "Holiday List" to Old Business. A motion to accept the agenda with the amendment was made by Mike Hill, second by Robert Acuff.

Roll Call:

Randall Jenkins – yes

Daniel McInturff – yes

Thomas Proffitt – yes

Robert Acuff – yes

Mike Hill – yes

Brad Johnson – yes

Austin Jaynes – yes

Ginger Holdren – yes

All in favor, the motion unanimously passed.

#### III. Public Comments

None

#### IV. Social Media Policy

Chairman Jenkins started discussion about the Social Media Policy. Dr. Acuff stated that he has been checking with other municipalities to see what their policies were. Most of the ones he has found are one page and ours is four pages long. He stated that the 1<sup>st</sup> amendment rights does apply to government employees, this is why there is the whistle blower's law. He stated that he doesn't have a problem in passing something stating that no county employee can speak for carter county or represent the county publicly without being given that privilege by the mayor or the county commission. Attorney Hardin stated that rules that don't apply to a private business will apply to government. Random drug testing for example, a private business can do this the government cannot. He informed the commission that he put the research into this policy, finding what is being placed in other cities and counties across the state. This was intended as a draft; he will work with the committee. Mayor Woodby asked that Facebook pages ran by government, who is in control of those sites and representation. Attorney Hardin said different offices pages, the office holders are the ones who monitor those sites, and he

believes there needs to be a policy at least controlling the sites. Mike Hill asked who controls what is or is not appropriate on Facebook. He also reminded the committee that this commission voted unanimously to adopt the resolution making Carter County a constitutional sanctuary county. He stated that we would be hypocrites if we voted for this policy. The policy should be if we allow county Facebook pages or only the county webpage. Chairman Jenkins stated that he is for less government and less government control. This is more of an employer/employee issue. We cannot control what people say in their private off the clock life. Ginger Holdren asked when is the commissioner off duty? She believes that they are available 24/7, the EMA is 24/7, the shelter director is 24/7, many work after hours. Attorney Hardin stated that it didn't pertain to commissioners but employees, clearly defined work hours and on an official website. Chairman Jenkins agreed and asked what is wrong with what Attorney Hardin said? Austin Jaynes stated that it should be revised and see what is in the city policy. Mr. Hill asked if they were going to hire someone to monitor this activity? Who enforces this? Chairman Jenkins stated that the department heads would monitor this. Chairman Jaynes stated that department heads needed to do away with county pages. Ms. Holdren stated that Facebook can be a great tool, but she is ok with only using the official webpage. Mayor Woodby agreed. Attorney Hardin stated that he could revise it to restrict activity while at work. A motion was made by Mike Hill, second by Robert Acuff to take no action and bury the policy. Brad Johnson stated that something needed to be done, that it shouldn't be buried.

Roll Call:

Randall Jenkins – no

Daniel McInturff – no

Thomas Proffitt – no

Robert Acuff – yes

Mike Hill – yes

Brad Johnson – no

Austin Jaynes – no

Ginger Holdren – no

2 yes votes, 6 no votes, the motion failed.

A motion was made by Brad Johnson, second by Ginger Holdren to defer to next month. County Attorney is to revise the policy.

Austin Jaynes suggested part of the motion should be to push into report for full commission, let all commissioners discuss. Mr. Johnson stated that it should be a yes or no from this committee then go to the full commission.

Roll Call:

Randal Jenkins – yes

Daniel McInturff – abstain

Thomas Proffitt – yes

Robert Acuff – no

Mike Hill – no

Brad Johnson – yes

Austin Jaynes – yes

Ginger Holdren – yes

5 yes votes, 2 no votes, 1 abstain, motion passes.

**V. Live Stream meetings**

Chairman Jenkins started discussion about live streaming committee meetings and the full commission when they go back to in person format. He asked Attorney Hardin if this were something that needed to be voted on or would it be up to the Chair? Attorney Hardin answered that it would be up to the Chair and if the technology is available. He stated that only those who are physically present would be allowed to vote during the meeting. It would be non-interactive but would be available to join while in session or would be available to watch or listen to later. Mayor Woodby asked who would be responsible for doing this? Chairman Jenkins stated that if it could be set up through the mayor's office a Chair could go in and start the video. He stated that he would like to come in and discuss what could be done. Mayor Woodby stated that the duties for the Commission/Committees has been placed back in the Clerk's office. Daniel McInturff suggested that the committee possible contact Commissioner Gary Bailey who is over the technical aspect of the county school system. Chairman Jenkins stated that he would definitely contact him. Mike Hill reminded Chairman Jenkins that the updated Roll Call Pro has the capability to stream live.

**VI. Holiday List**

On the list, the 4<sup>th</sup> of July shows the Friday July 2 as the county holiday. Chairman Jenkins suggests that the holiday change to Monday July 5.

A motion by Mike Hill, second by Robert Acuff to change the county Independence Day holiday from Friday July 2 to Monday July 5.

Roll Call:

Randall Jenkins – yes

Daniel McInturff – yes

Thomas Proffitt – yes

Robert Acuff – yes

Mike Hill – yes

Brad Johnson – yes

Austin Jaynes – yes

Ginger Holdren – yes

All in favor, the motion unanimously passed.

**VII. Census**

No update

**VIII. Commissioner Comments**

Mr. Johnson asked if there was still an executive order by the Governor for the meetings to not be in person. Attorney Hardin stated that the Governor has not extended, and it will expire on April 28. If it isn't extended it will be live and in person.

**IX. Adjournment**

A motion to adjourn was made by Mike Hill, second by Robert Acuff.

Meeting was adjourned at 9:20 pm.

Respectfully Submitted by Gwen Crowe