

MEETING OF THE CARTER COUNTY COMMISSION, REGULAR SESSION, JANUARY 19, 2010

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BE IT REMEMBERED, that the County Commission of Carter County, Elizabethton, Tennessee, met in Regular Session on January 19, 2010, at 7:00 P.M. in the main courtroom of the Carter County Courthouse. Present and presiding were the Honorable Lawrence Hodge, Vice-Chairman, the Honorable Keith Bowers, Jr., County Attorney; and the Honorable Mary Gouge, County Clerk. The following Commissioners were present: Paul Mottern, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Jeff McKinney, R. L. Miller, Jim Whaley, Harry Sisk, Jerry Pearman, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Dickie Renfro, Terry Montgomery, Ken Arney, Larry McKinney, Lynn Tipton, Sonja Culler, Bill Armstrong, Robert Davis and Robert Gobble. Charlie Bayless was absent.

ROLL CALL.....QUORUM PRESENT
PRAYER.....RICHARD TESTER
PLEDGE.....ROBERT DAVIS

801 E. Elk Avenue
Courthouse
Elizabethton, TN 37643



Telephone: 423-542-1801
Fax: 423-542-9279
Carter.mayor@charterinternet.com

JOHNNY L. HOLDER
CARTER COUNTY MAYOR

PUBLIC NOTICE OF A REGULAR SESSION OF THE CARTER COUNTY COMMISSION

NOTICE IS HEREBY GIVEN to all members of the Carter County Commission, to all residents of the County of Carter, Tennessee, and to all persons interested, that the Regular Session of the Carter County Commission will be held Tuesday, January 19, 2010 at 7:00 p.m., Main Courtroom, Carter County Courthouse, 801 E. Elk Avenue, Elizabethton, Tennessee.

Agenda

- Call to Order
- Roll Call
- Opening Prayer
- Pledge of Allegiance
- Acceptance of Minutes from Previous Meeting
- Recognition of Elected Officials/Guests
- Public Comments
- Fill Vacant Position – 7th District Commissioner
- Resolution Authorizing Application to the State of Tennessee, Energy Efficiency and Conservation Block Grant Program
- Proclamation in Support of Radon Action Month in Carter County
- Kathy Pierce, Presentation on Carter County Tomorrow Leadership Class
- Notaries/Bonds
- Old Business
- Committee Reports/Recommendations
- County Attorney Report
- Commissioner Comments
- Adjourn

All matters that may be normally considered may be taken up and acted on at such meetings.

Johnny Holder, County Chairman
Carter County, Tennessee

On motion by Jerry Pearman, seconded by Robert Davis and by voice roll call vote the minutes of the previous Commission meeting were approved as presented.

The elected and appointed officials in the audience were recognized by Vice-Chairman Hodge at this time.

Filling the Commissioner vacancy in the 7th District was next on the agenda. Motion was made by Jerry Pearman, seconded by Dickie Renfro to nominate Russell Kyte for this position. Motion was made by Jim Whaley, seconded by Nancy Brown to nominate Scott Sams for this position. Motion was then made by Robert Davis, seconded by Tom Bowers for nominations to cease. Motion carried by voice roll call vote. As the Clerk called the roll, each commissioner voted for one (1) candidate as follows:

RUSSELL KYTE: Harry Sisk, Jerry Pearman, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Dickie Renfro, Terry Montgomery, Sonja Culler & Robert Davis

SCOTT SAMS: Paul Mottern, Gebe Ritchie, Nancy Brown, Jim Whaley, Terry Ken Arney, Larry McKinney, Lynn Tipton, Bill Armstrong & Robert Gobble

As Russell Kyte received 10 votes and Scott Sams received 9 votes, neither candidate received a majority and the vote was taken again as follows:

RUSSELL KYTE: R. L. Miller, Harry Sisk, Jerry Pearman, L.C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Dickie Renfro, Terry Montgomery, Sonja Culler & Robert Davis

SCOTT SAMS: Paul Mottern, Gebe Ritchie, Nancy Brown, Jeff McKinney, Jim Whaley, Ken Arney, Larry McKinney, Lynn Tipton, Bill Armstrong & Robert Gobble

As Russell Kyte received 11 votes and Scott Sams received 10 votes, neither candidate received a majority and the vote was taken again as follows:

RUSSELL KYTE: Paul Mottern, Jeff McKinney, R. L. Miller, Harry Sisk, Jerry Pearman, L.C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Dickie Renfro, Terry Montgomery, Sonja Culler & Robert Davis

SCOTT SAMS: Gebe Ritchie, Nancy Brown, Jim Whaley, Ken Arney, Larry McKinney, Lynn Tipton, Bill Armstrong & Robert Gobble

Russell Kyte receiving 13 votes and Scott Sams receiving 8 votes, Russell Kyte was duly elected to serve as Commissioner of the 7th District replacing Richard Tester and was sworn in by the County Clerk.

Kathy Pierce, Executive Director of the Alliance for Business and Training in Elizabethton, addressed the Commission with a slide presentation on the qualities of effective leaders. Ms. Pierce told about the benefits of the Carter County Leadership Training Program for both the participants and for the region.

The County Attorney read the following Resolution No. 514 authorizing the county to apply to the State of Tennessee, Energy Efficiency and Conservation Block Grant program to implement a plan of improved energy conservation and energy efficiency. Roll call vote as follows:

AYES: Paul Mottern, Gebe Ritchie, Nancy Brown, Jeff McKinney, R. L. Miller, Jim Whaley, Harry Sisk, Jerry Pearman, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Dickie Renfro, Terry Montgomery, Ken Arney, Larry McKinney, Lynn Tipton, Sonja Culler, Russell Kyte, Bill Armstrong, Robert Davis & Robert Gobble

NAYS: 0

PASSING: 0

ABSENT: Charlie Bayless

There being 22 ayes, 0 nays, 0 passing and 1 absent, motion duly carried.

RESOLUTION OF THE CARTER COUNTY GOVERNMENT

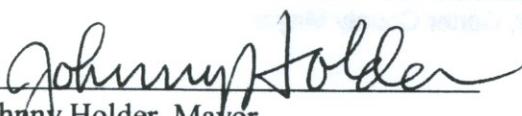
This resolution authorizes application to the State of Tennessee, Energy Efficiency and Conservation Block Grant (EECBG) program to implement a plan of improved energy conservation and energy efficiency; and

WHEREAS, the Energy Efficiency and Conservation Block Grant can be used to complete energy efficiency retrofits to the Courthouse and annex and justice center including lighting and heating and air control upgrades; and

WHEREAS, the estimated cost of the project is \$115,650, with proposed funding of \$100,000 from the Energy Efficiency and Conservation Block Grant and \$15,650 for the project.

The Mayor is authorized to enter into any and all necessary agreements and assurances to implement this application and subsequent project.

APPROVED BY THE BOARD OF MAYOR AND COMMISSIONERS OF THE CARTER COUNTY COMMISSION IN OPEN MEETING ON THIS 19TH DAY OF JANUARY, 2010.


Johnny Holder, Mayor


Mary Gouge, County Clerk

The following Proclamation in support of radon action month in Carter County was read by the County Attorney. Roll call vote supporting the proclamation was as follows:

AYES: Paul Mottern, Gebe Ritchie, Nancy Brown, Jeff McKinney, R. L. Miller, Jim Whaley, Harry Sisk, Jerry Pearman, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Dickie Renfro, Terry Montgomery, Ken Arney, Larry McKinney, Lynn Tipton, Sonja Culler, Russell Kyte, Bill Armstrong, Robert Davis & Robert Gobble

NAYS: 0

PASSING: 0

ABSENT: Charlie Bayless

There being 22 ayes, 0 nays, 0 passing and 1 absent, the proclamation was duly approved.

**Mayor's Proclamation In Support of
Radon Action Month in Carter County**

WHEREAS, radon is a colorless, odorless, naturally occurring radioactive gas that threatens the health of our citizens;

WHEREAS, radon is the second leading cause of lung cancer deaths in the United States and the number one cause among non-smokers;

WHEREAS, one in 15 homes across the U.S. has an elevated radon level;

WHEREAS, any home in Carter County may have an elevated level of radon, even if other homes in the same neighborhood do not;

WHEREAS, testing for radon is simple and inexpensive;

WHEREAS, identified radon problems can be fixed;

WHEREAS, The Tennessee Department of Environment and Conservation and the U.S. Environmental Protection Agency are supporting efforts to encourage Americans to test their homes for radon, mitigate elevated levels of radon, and build new homes with radon-resistant materials and features.

NOW, THEREFORE, I, Johnny Holder, County Mayor of Carter County do hereby proclaim:

**JANUARY 1-31, 2009
Official Radon Action Month
In Carter County**

IN WITNESS WHEREOF, I have hereunto set my hand this 19th day of January, in the year 2010.

Johnny Holder, Carter County Mayor

On motion by Jim Whaley, seconded by Lynn Tipton, and by voice roll call vote the following Notaries were approved as presented:

Sherry J. Leonard
Deborah Lynn Wilson
Norman B. Peters
William L. Schaff
Sam Crowder II
Sheila Franklin
Mary A. Campbell
Mike Taylor
Karen J. Bowers
Janie C. Lewis

Joyce M. Estep
Jennifer Arnold
Debra K. Street
J. B. Shepherd
Carol Renee Forrester
Sandra K. Eller
Robin J. Merritt
Brenda L. Blevins
Teresa Leigh Keska
Tina Church

James H. Miller, Jr.
Trena G. Whitehead
Regina Harris
Carol S. Childers
Patricia A. Oliver
Linda S. Deloach
S. Joe Taylor
Brenda Fisher
Betina Star Rash

Under Old Business, Jo Ann Blankenship stated that a replacement on the Carter County Tomorrow Board needed to be taken care of. Motion was made by Gebe Ritchie, seconded by Robert Davis to refer the matter to the Nominating Committee. By voice roll call vote, motion duly carried.

On motion by Jerry Pearman, seconded by Jim Whaley and by voice roll call vote, the Carter County Road Report for 2010 was approved as presented. Road list entered in minutes on pages 188 to 288. (The original Road List is filed with the County Clerk and will be made available to anyone who wants a copy upon request)

On recommendation of the Highway Committee, motion was made by Jerry Pearman to change the speed limit on Bowman Road in the Milligan area from 35 mph to 20 mph, change the speed limit on Robinson Lane in the Stoney Creek area from 35 mph to 15 mph and change the speed limit on Buffalo Road in the Okalona area to 15mph on both sides of the road. By voice roll call vote, motion duly carried.

Motion was made by Harry Sisk, seconded by Jerry Pearman to appoint Dr. Shirley Ellis to fill the vacancy on the Library Board. By voice roll call vote, motion duly carried.

Motion was made by Jerry Pearman, seconded by Terry Montgomery to refer the matter of the HVAC system in the courthouse and the roof at the Jail Annex to the Building and Grounds Committee. In his motion he stated that the payment of \$9,000 approved by the Budget Committee to hire an architect to explore options in replacing the HVAC system should be stopped and a gentleman that had contacted him who said he would assess the problem for no more than \$200 be hired. Roll call vote as follows:

AYES: Paul Mottern, Gebe Ritchie, Nancy Brown, Jeff McKinney, R. L. Miller, Jim Whaley, Harry Sisk, Jerry Pearman, L.C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Dickie Renfro, Terry Montgomery, Ken Arney, Larry McKinney, Lynn Tipton, Sonja Culler, Russell Kyte, Bill Armstrong, Robert Davis & Robert Gobble
NAYS: 0
PASSING: 0
ABSENT: Charlie Bayless

There being 22 ayes, 0 nays, 0 passing and 1 absent, motion duly carried.

Motion was made by Bill Armstrong, seconded by Lynn Tipton to approve the following Carter County Schools Fund 141, Budget Amendment #6, Items #1 thru #6 as presented. Roll call vote as follows:

AYES: Paul Mottern, Gebe Ritchie, Nancy Brown, Jeff McKinney, R. L. Miller, Jim Whaley, Harry Sisk, Jerry Pearman, L.C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Dickie Renfro, Terry Montgomery, Ken Arney, Larry McKinney, Lynn Tipton, Sonja Culler, Russell Kyte, Bill Armstrong, Robert Davis & Robert Gobble

NAYS: 0
 PASSING: 0
 ABSENT: Charlie Bayless

There being 22 ayes, 0 nays, 0 passing and 1 absent, motion duly carried.

**Carter County Schools Fund 141
 Budget Amendment # 6 2009-10**

Item #	1	49700	Insurance Recovery		37,067	Increase
		76100	799	Other Capital Outlay	20,834	Increase
		76100	799	Other Capital Outlay	16,233	Increase

To recognize insurance reimbursement for BOE (20,834) and Central Elementary (16,233.27) lightning damage

Item #	2	44570	Gift		12,315	Increase
		71100-722-304-803		Instructional Equipment	12,315	Increase

To recognize Gift from AT&T

Item #	3	99100	590	Operating Transfer	200,000	Increase
		39000		Undesignated Fund Balance	200,000	Decrease

To budget transfer from Fund 141 to Fund 142 per adopted resolution.

Item #	4	49700		Insurance Recovery		9,251	Increase
		72710	338	Maintenance and Repair - Vehicles	9,251	Increase	

To recognize insurance reimbursement for damage to bus

Item #	5	49700		Insurance Recovery		4,699	Increase
		72710	338	Maintenance and Repair - Vehicles	4,699	Increase	

To recognize insurance reimbursement for damage to bus

Item #	6	71100-499-00-000-511		Other Supplies and materials	18,000	Increase	
		71100-599-00-000-511		Other Charges	14,000	Increase	
		71100-722-00-000-511		Regular Instruction Equipment	24,663	Increase	
		71150-399-00-000-511		Other Contracted Services		35,000	Decrease
		72120-131-00-000-511		Medical Personnel		30,718	Decrease
		72120-201-00-000-511		Social Security	978	Increase	
		72120-204-00-000-511		Retirement	2,178	Increase	
		72120-206-00-000-511		Life Insurance	30	Increase	
		72120-207-00-000-511		Medical Insurance	5,580	Increase	
		72120-208-00-000-511		dental insurance	240	Increase	
		72120-210-00-000-511		Unemployment	26	Increase	
		72120-212-00-000-511		Employer Medicare	23	Increase	

To reallocate funds from Special Education Crossover ARRA Grant

Motion was made by Bill Armstrong, seconded by Jerry Pearman to approve the following General Fund 101 Budget Amendment #3, Items #1 - #3 as presented. Roll call vote as follows:

AYES: Paul Mottern, Gebe Ritchie, Nancy Brown, Jeff McKinney, R.L. Miller, Jim Whaley, Harry Sisk, Jerry Pearman, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Dickie Renfro, Terry Montgomery, Ken Arney, Larry McKinney, Lynn Tipton, Sonja Culler, Russell Kyte, Bill Armstrong, Robert Davis & Robert Gobble

NAYS: 0
 PASSING: 0
 ABSENT: Charlie Bayless

There being 22 ayes, 0 nays, 0 passing and 1 absent, motion duly carried.

**Carter County General Fund 101
 Budget Amendment # 3 2009-10**

Item #	1	34166		Reserve for Automation		\$	1,161	Decrease
		53400	719	Office Equipment		\$	1,161	Increase

To budget purchase of 2 Laser Printers for Clerk & Master's Office

Item #	2	34161		Reserve for Computer System		\$	22,810	Decrease
		51600		709 Date Processing Equipment		\$	22,810	Increase

To budget scanning of 68 Bound Books and 4 Index Books - Register of Deeds Office

Item #	3	39000		Undesignated Reserve		\$	28,117	Decrease
		58400	513	Workers Compensation Insurance		\$	28,117	Increase

To budget payment of Local Government Insurance Cooperative Assessment.

The County Attorney gave a brief update and Russell Kyte thanked the Commissioners for their vote and confidence.

Nancy Brown stated the trash situation in Roan Mountain was deplorable and that they needed their demolition dumpster back and the compactor emptied as needed. Jerry Pearman stated that the Landfill Committee would be meeting later this month and he would check into this matter.

On motion by Gebe Ritchie, seconded by Robert Davis court was adjourned by voice roll call vote.

Carter County Road Report

Road Details By Road Name with Comments

Road	Beginning	Ending	Length (MI)	Right Of Way (FT)	Surface Width	Surface Type	Roadbed (FT)	Class
A.E. MILLER ROAD			1.40		14	ASP		1
A.J.CAMPBELL CEMETER			0.14	0	10	GRV		2
A.O. BUCKLES S-D	HIGHWAY 91	DEAD ENDS	0.28	30	20	PAS		1
ABE LINCOLN COURT	OFF E L BOWERS RD	DEAD END	0.11		24	ASP		1
ABE TRIVETTE CEMETER			0.21	0	10	GRV		2
ADMIRAL AVENUE	BRTOL HWY/OLD 1ST AVE	ROOSEVELT AVE	0.45	0	18	ASP		1
ADDOLPHUS CORDELL CEM			0.20	0	10	GRV		2
AIRPORT ROAD	STONEY CREEK HIGHWAY (91)	BECOMES SUNRISE DRIVE	1.81	0	20	ASP		1
ALANIA COURT	DANNER ROAD	DEAD END	0.34	0	25	ASP		1
ALBS ROAD	GAP CREEK ROAD	DEAD ENDS	0.10	0	14	ASP		1
ALEX LACY CEMETERY R	OFF RAILROAD GRADE							
ALEXANDER STREET	GEORGE BROWN ROAD	JOHNN GLOVER ROAD	0.16	0	12	ASP		1
ALF TAYLOR ROAD	OKOLONA ROAD	TOLL BRANCH ROAD	0.46	0	16	ASP		1
ALFRED PETERS CEMETE			0.01	0	10	GRV		2
ALICE GOODWIN CEMETE	FROM SHOOK BRANCH ROAD	DEAD END	0.23	0	14	GRV		2
ALICE JOHNSON ROAD			0.26	0	10	ASP		1

Comment
Carter County 911 Office changed name from Holston View Drive to Alania Court.