

**Carter County Commission
Regular Session
February 21, 2017**

Call to Order – Chairman, Leon Humphrey, called the meeting to order at 6:00 PM.

Courthouse – Emergency Egress Plan – was presented by Gary Smith, EMA Director.

Roll Call – Mary Gouge, County Clerk as follows:

Name of Configuration File: C:\RollCall-Pro\Configurations\February 21 2017 Commission Meeting2.rcc Date and Time of New Session: 2/21/2017 6:08:42 PM

Beginning Roll Call for New Session:

Leon Humphrey is Present
Willie Campbell is Present
Buford Peters is Present
Robert Acuff is Present
Nancy Brown is Present
Mike Hill is Present
Al Meehan is Present
Bradley Johnson is Present
Ronnie Trivett is Present
Charles Von Cannon is Present
Isaiah Grindstaff is Present
L.C. Tester is Present
Danny Ward is Present
Ross Garland is Present
Bobbie Gouge-Dietz is Present
Timothy Holdren is Present
Randall Jenkins is Present
John Lewis is Present
Larry Miller is Present
Sonja Culler is Present
Ray Lyons is Present
Scott Simerly is Present
Robert Carroll is Present
Kelly Collins is Present
Cody McQueen is Present

Number of Voters PRESENT for Roll Call: 25

Number of Voters ABSENT for Roll Call: 0

County Clerk Mary Gouge, declared that a quorum was present.

Approval of Agenda

Motion was made by Randall Jenkins, seconded by Robert Carroll, to accept as presented, today's agenda. (Item # 1) Recorded on page 90.

Roll Call Vote as follows (Item # 1):

1. Vote Results for: Item No. 1

Time of Vote: 6:09:37 PM

Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y
Mike Hill voted: Y
Al Meehan voted: Y
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: Y

L.C. Tester voted: Y
Danny Ward voted: Y
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdrén voted: Y
Randall Jenkins voted: Y
John Lewis voted: Y
Larry Miller voted: Y
Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll voted: Y
Kelly Collins voted: Y
Cody McQueen voted: Y

Passed (24 Y - 0 N - 1 A - 0 Absent)
Number of Abstain Votes: 1

Opening Prayer – was led by Commissioner Willie Campbell.

Pledge of Allegiance – was led by Commissioner L. C. Tester.

Recognition of Elected and Appointed Officials/Guests – Chairman Humphrey requested all officials/guests present to stand and be recognized.

Presentation of Plaques – Chairman Leon Humphrey.

Mark Garrison was presented a plaque in recognition of his thirty (30) years of service as Maintenance Superior at Sycamore Shoals State Park.

Johnnie Pilk was presented a plaque, in recognition of her forty (40) years of service and upon her retirement as Parks Secretary at Sycamore Shoals State Park.

Peyton Wilson, Miss Watauga Valley 2017, was presented a plaque in recognition of her many outstanding accomplishments and citizenship. Miss Wilson will be competing for the title of Miss Tennessee 2017.

Public Comments – The following were allowed five (5) minutes each during Public Comments and spoke on various items as listed.

Roy Livingston, spoke on budget concerns, wasteful spending, and the Matheson property.

Michelle Smith, spoke in regards to the Elizabethton/Carter County Animal Shelter.

Bob Hughes, spoke concerning the Matheson property.

Robyn McCamney, spoke in regards to the Elizabethton/Carter County Animal Shelter.

Joni Cannon, approached the podium and relinquished her time back to Robyn McCamney.

Mary Lou Estep, spoke in regards to the Elizabethton/Carter County Animal Shelter.

Samatha Morgan, spoke in regards to the Elizabethton/Carter County Animal Shelter.

Madeline Demaris, spoke in regards to the Elizabethton/Carter County Animal Shelter.

Juanita McKinney, spoke in regards to the Elizabethton/Carter County Animal Shelter.

Chairman, Leon Humphrey, requested that Vice-Chairman Ray Lyons take the Chair in order for him to address the Commission during Public Comments.

Ray Lyons assumed the Chair, as Mayor Leon Humphrey, approached the podium and spoke in regards to the Elizabethton/Animal Shelter.

Ray Lyons stepped down and Mayor Leon Humphrey assumed the seat as Chairman.

A ten (10) minute recess as requested by Commissioner Buford Peters, was granted by Chairman Humphrey. The meeting was called back to order by Chairman Humphrey following the recess.

Acceptance of the Minutes from the Previous Meeting

Motion was made by Mike Hill, seconded by Al Meehan to accept the minutes of the last meeting, January 17, 2017, with correction being made on page 34. Correction to read "David Campbell receiving a majority vote of thirteen" and deleting Brian Keener, as requested (last paragraph on page). Item # 2

Roll Call Vote as follows (Item # 2):
 2. Vote Results for: Item No. 2
 Time of Vote: 7:25:58 PM
 Type of Vote: MAJORITY NEEDED TO PASS

- Leon Humphrey does not vote
- Willie Campbell voted: Y
- Buford Peters voted: Y
- Robert Acuff voted: Y
- Nancy Brown voted: Y
- Mike Hill voted: Y
- Al Meehan voted: Y
- Bradley Johnson voted: Y
- Ronnie Trivett voted: Y
- Charles Von Cannon voted: Y
- Isaiah Grindstaff voted: Y
- L.C. Tester voted: Y
- Danny Ward voted: Y
- Ross Garland voted: Y
- Bobbie Gouge-Dietz voted: Y
- Timothy Holdren voted: Y
- Randall Jenkins voted: Y
- John Lewis voted: Y
- Larry Miller voted: Y
- Sonja Culler voted: Y
- Ray Lyons voted: Y
- Scott Simerly voted: Y
- Robert Carroll voted: Y
- Kelly Collins voted: Y
- Cody McQueen voted: Y

Passed (24 Y - 0 N - 1 A - 0 Absent)
 Number of Abstain Votes: 1

Notaries/Bonds

Motion was made by Danny Ward, seconded by Randall Jenkins, to accept the following Notaries/Bonds as presented. (Item # 3)

* Connected 3-20-17

Emery G. Cordell	Connie E. Harrald	Robert W. Coffman
Freddie L. Tayler Taylor*	Teresa Parlier	Kenneth Wandall Wandell*
Carrie R. Norman	Tammy Kyviakidis	Tina M. Byrd
Amanda Collins	C. Deann Collins	Caroline Jennings
Jim Muse	Kathy T. Campbell	Mary Etta Elliott
Mark A. Nealon	*****	Meredith J. Jones
*****	David Michael Campbell, III (Constable Bond)	*****
*****		*****

Roll Call Vote as follows (Item # 3):
 3. Vote Results for: Item No. 3
 Time of Vote: 7:26:21 PM
 Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y
Mike Hill voted: Y
Al Meehan voted: Y
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: Y
L.C. Tester voted: Y
Danny Ward voted: Y
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: Y
Randall Jenkins voted: Y
John Lewis voted: Y
Larry Miller voted: Y
Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll voted: Y
Kelly Collins voted: Y
Cody McQueen voted: Y

Passed (24 Y - 0 N - 1 A - 0 Absent)
Number of Abstain Votes: 1

South Elizabethton Utility District-Commission Appointment

Elizabeth Whitson was appointed to fill the unexpired term of Olan Pate, following his resignation, to the Board of Commissioners of the South Elizabethton Utility District.

This was done under the TCA 7-82-307 and 308, Section 4. Mayor Humphrey noted that he had interviewed the nominees as presented. Therefore, Mayor Humphrey declared the appointment of Elizabeth Whitson, term ending 03-31-18, and requested the same be reflected by the Clerk in the minutes.

Jeff Chambers was re-appointed to the Board of Commissioners of the South Elizabethton Utility District.

This was done under the TCA 7-82-307 and 308, Section 4. Therefore, Mayor Humphrey declared the re-appointment of Jeff Chambers, term ending 03-31-2021, and requested the same be reflected by the Clerk in the minutes.

Memorandum of Understanding for Health Department Micro-Clinics

Motion was made by Mike Hill, seconded by Ross Garland, to suspend the reading of the Memorandum of Understanding for Health Department Micro-Clinics. (Item # 4)

Roll Call Vote as follows (Item # 4):

3. Vote Results for: Item No. 3

Time of Vote: 7:26:21 PM

Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y
Mike Hill voted: Y
Al Meehan voted: Y
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y

Isaiah Grindstaff voted: Y
L.C. Tester voted: Y
Danny Ward voted: Y
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: Y
Randall Jenkins voted: Y
John Lewis voted: Y
Larry Miller voted: Y
Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll voted: Y
Kelly Collins voted: Y
Cody McQueen voted: Y

Passed (24 Y - 0 N - 1 A - 0 Absent)
Number of Abstain Votes: 1

Motion was made by Randall Jenkins, seconded by Ray Lyons, to accept as presented, the **Memorandum of Understanding for Health Department Micro-Clinics. (Item # 5)**
Recorded on pages 91-93.

Roll Call Vote as follows (Item # 5):
5. Vote Results for: Item No. 5
Time of Vote: 7:39:08 PM
Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y
Mike Hill voted: Y
Al Meehan voted: Y
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: Y
L.C. Tester voted: Y
Danny Ward voted: Y
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: Y
Randall Jenkins voted: Y
John Lewis voted: N
Larry Miller voted: Y
Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll voted: Y
Kelly Collins voted: Y
Cody McQueen voted: Y

Passed (23 Y - 1 N - 1 A - 0 Absent)
Number of Abstain Votes: 1

Resolutions

- A. ***Clarifying and Clearly Establishing the Amount of County Litigation Tax and County Privilege Tax on Litigation Levied on Civil and Criminal Cases Instituted in Carter County***

- B. *Urging Passage of the Tennessee Broadband Accessibility Act by the Tennessee General Assembly*
- C. *Authorizing the County Mayor to Make and Sign an Application for Community Development Block Grant Funds on Behalf of Carter County*
- D. *Approving Highway Department Projects to be Completed by the Carter County Highway Department on the Grounds of Happy Valley Elementary School and Happy Valley High School*
- E. *Authorizing Retirement Credit for Unused Accumulated Sick Leave for Employees of Carter County Tennessee*
- F. *Affirming Compliance with The Tree Star Program Requirements*

Motion was made by Randall Jenkins, seconded by Isaiah Grindstaff, to suspend the reading of **Resolution A. (Item # 6)**

Roll Call Vote as follows (Item # 6):

6. Vote Results for: Item No. 6

Time of Vote: 7:40:02 PM

Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote

Willie Campbell voted: Y

Buford Peters voted: Y

Robert Acuff voted: N

Nancy Brown voted: Y

Mike Hill voted: Y

Al Meehan voted: Y

Bradley Johnson voted: Y

Ronnie Trivett voted: Y

Charles Von Cannon voted: Y

Isaiah Grindstaff voted: Y

L.C. Tester voted: Y

Danny Ward voted: N

Ross Garland voted: Y

Bobbie Gouge-Dietz voted: N

Timothy Holdren voted: Y

Randall Jenkins voted: Y

John Lewis voted: N

Larry Miller voted: Y

Sonja Culler voted: Y

Ray Lyons voted: Y

Scott Simerly voted: N

Robert Carroll voted: Y

Kelly Collins voted: Y

Cody McQueen voted: Y

Passed (19 Y - 5 N - 1 A - 0 Absent)

Number of Abstain Votes: 1

Motion was made by Randall Jenkins, seconded by Robert Acuff, to approve as presented, **Resolution A, (Item # 7)**

RESOLUTION No. 662

"A RESOLUTION TO CLARIFY AND CLEARLY ESTABLISH THE AMOUNT OF COUNTY LITIGATION TAX AND COUNTY PRIVILEGE TAX ON LITIGATION LEVIED ON CIVIL AND CRIMINAL CASES INSTITUTED IN CARTER COUNTY."

Recorded on pages 94-96. (Item # 7)

Roll Call Vote as follows (Item # 7):

7. Vote Results for: Item No. 7

Time of Vote: 7:45:43 PM

Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote

Willie Campbell voted: Y

Buford Peters voted: Y

Robert Acuff voted: Y

Nancy Brown voted: Y

Mike Hill voted: Y

Al Meehan voted: Y

Bradley Johnson voted: Y

Ronnie Trivett voted: Y

Charles Von Cannon voted: Y

Isaiah Grindstaff voted: Y

L.C. Tester voted: Y

Danny Ward voted: Y

Ross Garland voted: Y

Bobbie Gouge-Dietz voted: Y

Timothy Holdren voted: Y

Randall Jenkins voted: Y

John Lewis voted: N

Larry Miller voted: N

Sonja Culler voted: Y

Ray Lyons voted: Y

Scott Simerly voted: Y

Robert Carroll voted: N

Kelly Collins voted: Y

Cody McQueen voted: Y

Passed (21 Y - 3 N - 1 A - 0 Absent)

Number of Abstain Votes: 1

Motion was made by Nancy Brown, seconded by Ronnie Trivett, to **suspend the reading of Resolution B. (Item # 8)**

Roll Call Vote as follows (Item # 8):

8. Vote Results for: Item No. 8

Time of Vote: 7:46:07 PM

Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote

Willie Campbell voted: Y

Buford Peters voted: Y

Robert Acuff voted: Y

Nancy Brown voted: Y

Mike Hill voted: Y

Al Meehan voted: Y

Bradley Johnson voted: Y

Ronnie Trivett voted: Y

Charles Von Cannon voted: Y

Isaiah Grindstaff voted: Y

L.C. Tester voted: Y

Danny Ward voted: N

Ross Garland voted: N

Bobbie Gouge-Dietz voted: N

Timothy Holdren voted: Y

Randall Jenkins voted: Y

John Lewis voted: N

Larry Miller voted: Y

Sonja Culler voted: Y

Ray Lyons voted: Y
Scott Simerly voted: N
Robert Carroll voted: Y
Kelly Collins voted: Y
Cody McQueen voted: Y

Passed (19 Y - 5 N - 1 A - 0 Absent)
Number of Abstain Votes: 1

Motion was made by Mike Hill, seconded by Ronnie Trivett, to accept as presented, **Resolution B.**
(Item # 9)

RESOLUTION No. 663

"A RESOLUTION TO URGE PASSAGE OF THE TENNESSEE BROADBAND ACCESSIBILITY ACT BY THE TENNESSEE GENERAL ASSEMBLY."

Recorded on pages 97-98.

Roll Call Vote as follows (Item # 9):

9. Vote Results for: Item No. 9

Time of Vote: 7:47:01 PM

Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y
Mike Hill voted: Y
Al Meehan voted: Y
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: Y
L.C. Tester voted: Y
Danny Ward voted: Y
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: Y
Randall Jenkins voted: Y
John Lewis voted: N
Larry Miller voted: Y
Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll voted: Y
Kelly Collins voted: Y
Cody McQueen voted: Y

Passed (23 Y - 1 N - 1 A - 0 Absent)
Number of Abstain Votes: 1

Chairman Humphrey informed the Commission that consideration of Resolution C must be removed from today's agenda due to not meeting eligibility requirements needed for the grant.

Motion was made by Ronnie Trivett, seconded by Timothy Holdren, to suspend the reading of **Resolution D. (Item # 10)**

Roll Call Vote as follows (Item # 10):

10. Vote Results for: Item No. 10

Time of Vote: 7:48:33 PM

Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: N
Nancy Brown voted: Y
Mike Hill voted: Y
Al Meehan voted: Y
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: Y
L.C. Tester voted: Y
Danny Ward voted: N
Ross Garland voted: N
Bobbie Gouge-Dietz voted: N
Timothy Holdren voted: Y
Randall Jenkins voted: Y
John Lewis voted: N
Larry Miller voted: Y
Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: N
Robert Carroll voted: Y
Kelly Collins voted: Y
Cody McQueen voted: Y

Passed (18 Y - 6 N - 1 A - 0 Absent)
Number of Abstain Votes: 1

Motion was made by Ross Garland, seconded by Sonja Culler, to adopt as presented, Resolution D.
(Item # 11)

RESOLUTION No. 664

**“A RESOLUTION APPROVING HIGHWAY DEPARTMENT
PROJECTS TO BE COMPLETED BY THE CARTER COUNTY
HIGHWAY DEPARTMENT ON THE GROUNDS OF HAPPY VALLEY
ELEMENTARY SCHOOL AND HAPPY VALLEY HIGH SCHOOL.”**

Recorded on pages 99-100.

Roll Call Vote as follows (Item # 11):

11. Vote Results for: Item No. 11

Time of Vote: 7:49:35 PM

Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y
Mike Hill voted: Y
Al Meehan voted: Y
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: Y
L.C. Tester voted: Y
Danny Ward voted: Y
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: Y
Randall Jenkins voted: Y
John Lewis voted: Y

Larry Miller voted: Y
Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll voted: Y
Kelly Collins voted: Y
Cody McQueen voted: Y

Passed (24 Y - 0 N - 1 A - 0 Absent)
Number of Abstain Votes: 1

Resolution E, was read by Joshua Hardin and presented for consideration.

Motion was made by Nancy Brown, seconded by Cody McQueen, to approve as presented,
Resolution E. (Item # 12)

RESOLUTION No. 665

“A RESOLUTION TO AUTHORIZE RETIREMENT CREDIT FOR UNUSED ACCUMULATED SICK LEAVE FOR EMPLOYEES OF CARTER COUNTY, TENNESSEE, A POLITICAL SUBDIVISION PARTICIPATING IN THE TENNESSEE CONSOLIDATE RETIREMENT SYSTEM, IN ACCORDANCE WITH TITLE 8 SECTIONS 34 THROUGH 37 OF THE TENNESSEE CODE ANNOTATED.” Recorded on pages 101-102

Roll Call Vote as follows (Item # 12):

12. Vote Results for: Item No. 12

Time of Vote: 7:53:16 PM

Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote

Willie Campbell voted: Y

Buford Peters voted: Y

Robert Acuff voted: Y

Nancy Brown voted: Y

Mike Hill voted: Y

Al Meehan voted: A

Bradley Johnson voted: Y

Ronnie Trivett voted: Y

Charles Von Cannon voted: Y

Isaiah Grindstaff voted: A

L.C. Tester voted: A

Danny Ward voted: Y

Ross Garland voted: Y

Bobbie Gouge-Dietz voted: Y

Timothy Holdren voted: Y

Randall Jenkins voted: Y

John Lewis voted: Y

Larry Miller voted: Y

Sonja Culler voted: Y

Ray Lyons voted: Y

Scott Simerly voted: Y

Robert Carroll voted: N

Kelly Collins voted: A

Cody McQueen voted: Y

Passed (19 Y - 1 N - 5 A - 0 Absent)

Number of Abstain Votes: 5

Motion was made by Bradley Johnson, seconded by Ronnie Trivett, to suspend the reading of
Resolution F. (Item # 13)

Roll Call Vote as follows (Item # 13):
13. Vote Results for: Item No. 13
Time of Vote: 7:54:02 PM
Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: N
Nancy Brown voted: Y
Mike Hill voted: Y
Al Meehan voted: Y
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: Y
L.C. Tester voted: Y
Danny Ward voted: N
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: Y
Randall Jenkins voted: Y
John Lewis voted: N
Larry Miller voted: Y
Sonja Culler voted: N
Ray Lyons voted: Y
Scott Simerly voted: N
Robert Carroll voted: Y
Kelly Collins voted: Y
Cody McQueen voted: Y

Passed (19 Y - 5 N - 1 A - 0 Absent)
Number of Abstain Votes: 1

Motion was made by John Lewis, seconded by Nancy Brown to adopt as presented Resolution F.
(Item # 14)

RESOLUTION No. 666

**“RESOLUTION TO AFFIRM COMPLIANCE WITH THE
THREE STAR PROGRAM REQUIREMENTS.”** Recorded on pages 103-104

Roll Call Vote as follows (Item # 14):
14. Vote Results for: Item No. 14
Time of Vote: 7:56:10 PM
Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y
Mike Hill voted: Y
Al Meehan voted: Y
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: Y
L.C. Tester voted: Y
Danny Ward voted: Y
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: Y

Randall Jenkins voted: Y
John Lewis voted: Y
Larry Miller voted: Y
Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll voted: Y
Kelly Collins voted: Y
Cody McQueen voted: Y

Passed (24 Y - 0 N - 1 A - 0 Absent)
Number of Abstain Votes: 1

Upon request, County Attorney, Joshua Hardin presented a brief summery of the Resolutions that had been adopted and approved tonight.

Committee Reports

Agricultural Committee – Ross Garland, County Liaison, had no recommendations to present.

Budget Committee – Chairwoman, Sonja Culler presented the following as recommendations.

Motion was made by Sonja Culler, seconded by Cody McQueen, **to accept the donations totaling \$2,831.00 for the Animal Shelter. (Item # 15) Recorded on page 105.**

15. Vote Results for: Item No. 15
Time of Vote: 7:58:26 PM
Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y
Mike Hill voted: Y
Al Meehan voted: Y
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: Y
L.C. Tester voted: Y
Danny Ward voted: Y
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: Y
Randall Jenkins voted: Y
John Lewis voted: Y
Larry Miller voted: Y
Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll voted: Y
Kelly Collins voted: Y
Cody McQueen voted: Y

Passed (24 Y - 0 N - 1 A - 0 Absent)
Number of Abstain Votes: 1

Motion was made by Sonja Culler, seconded by Bobbie Gouge-Dietz, **to approve General Fund 101 Amendment # 6 for a total of \$ 30,956.22 with 8 items and nothing coming from Fund Balance. (Item # 16) Recorded on pages 106.**

Roll Call Vote as follows (Item # 16):
16. Vote Results for: Item No. 16
Time of Vote: 7:58:58 PM
Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y
Mike Hill voted: Y
Al Meehan voted: Y
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: Y
L.C. Tester voted: Y
Danny Ward voted: Y
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: Y
Randall Jenkins voted: Y
John Lewis voted: Y
Larry Miller voted: Y
Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll voted: Y
Kelly Collins voted: Y
Cody McQueen voted: Y

Passed (24 Y - 0 N - 1 A - 0 Absent)
Number of Abstain Votes: 1

Motion was made by Sonja Culler, seconded by Danny Ward, to approve Drug Fund 122
**Amendment # 4 for a total of \$417.34 with 1 item and nothing coming from Drug Fund
Balance. (Item # 17) Recorded on page 105.**

Roll Call Vote as follows (Item # 17):
17. Vote Results for: Item No. 17
Time of Vote: 7:59:28 PM
Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y
Mike Hill voted: Y
Al Meehan voted: Y
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: Y
L.C. Tester voted: Y
Danny Ward voted: Y
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: Y
Randall Jenkins voted: Y
John Lewis voted: Y
Larry Miller voted: Y

Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll voted: Y
Kelly Collins voted: Y
Cody McQueen voted: Y

Passed (24 Y - 0 N - 1 A - 0 Absent)
Number of Abstain Votes: 1

Motion was made by Sonja Culler, seconded by Mike Hill, to approve **Highway Fund 131 Amendment # 2 for a total of \$ 251,221.23 with 2 items and nothing coming from Highway Fund Balance. (Item # 18)** Recorded on pages 105.

Roll Call Vote as follows (Item # 18):
18. Vote Results for: Item No. 18
Time of Vote: 8:00:04 PM
Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y
Mike Hill voted: Y
Al Meehan voted: Y
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: Y
L.C. Tester voted: Y
Danny Ward voted: Y
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: Y
Randall Jenkins voted: Y
John Lewis voted: Y
Larry Miller voted: Y
Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll voted: Y
Kelly Collins voted: Y
Cody McQueen voted: Y

Passed (24 Y - 0 N - 1 A - 0 Absent)
Number of Abstain Votes: 1

Motion was made by Sonja Culler, seconded by Bobbie Gouge-Dietz, to approve **General Purpose School Fund 141 Amendment # 6 for \$ 10,000 with 1 item and nothing coming from General Purpose School Fund Balance. (Item # 19)** Recorded on page 105.

Roll Call Vote as follows (Item # 19):
19. Vote Results for: Item No. 19
Time of Vote: 8:00:36 PM
Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y

Mike Hill voted: Y
Al Meehan voted: Y
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: Y
L.C. Tester voted: Y
Danny Ward voted: Y
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: Y
Randall Jenkins voted: Y
John Lewis voted: Y
Larry Miller voted: Y
Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll voted: Y
Kelly Collins voted: Y
Cody McQueen voted: Y

Passed (24 Y - 0 N - 1 A - 0 Absent)
Number of Abstain Votes: 1

Motion was made by Sonja Culler, seconded by Robert Acuff, to approve **Federal Project Fund 142 Amendment # 3 for \$ 27,148.64 with 4 items and nothing coming from General Purpose School Fund Balance. (Item # 20)** Recorded on pages 107.

Roll Call Vote as follows (Item# 20):
20: Vote Results for: Item No. 20
Time of Vote: 8:01:15 PM
Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y
Mike Hill voted: Y
Al Meehan voted: Y
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: Y
L.C. Tester voted: Y
Danny Ward voted: Y
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: Y
Randall Jenkins voted: Y
John Lewis voted: Y
Larry Miller voted: Y
Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll voted: Y
Kelly Collins voted: Y
Cody McQueen voted: Y

Passed (24 Y - 0 N - 1 A - 0 Absent)
Number of Abstain Votes: 1

Motion was made by Sonja Culler, seconded by Danny Ward, to approve **Head Start Fund 145 Amendment # 1 for \$ 37,314 with 1 item and nothing coming from General Purpose School Fund Balance. (Item # 21)** Recorded on page 108.

Roll Call Vote as follows (Item # 21):

21. Vote Results for: Item No. 21

Time of Vote: 8:01:45 PM

Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote

Willie Campbell voted: Y

Buford Peters voted: Y

Robert Acuff voted: Y

Nancy Brown voted: Y

Mike Hill voted: Y

Al Meehan voted: Y

Bradley Johnson voted: Y

Ronnie Trivett voted: Y

Charles Von Cannon voted: Y

Isaiah Grindstaff voted: Y

L.C. Tester voted: Y

Danny Ward voted: Y

Ross Garland voted: Y

Bobbie Gouge-Dietz voted: Y

Timothy Holdren voted: Y

Randall Jenkins voted: Y

John Lewis voted: Y

Larry Miller voted: Y

Sonja Culler voted: Y

Ray Lyons voted: Y

Scott Simerly voted: Y

Robert Carroll voted: Y

Kelly Collins voted: Y

Cody McQueen voted: Y

Passed (24 Y - 0 N - 1 A - 0 Absent)

Number of Abstain Votes: 1

Motion was made by Sonja Culler, seconded by Robert Acuff, to approve \$ 2,500 towards **Carter County Tomorrow Request to go toward the Matheson Property.**
(See Item # 23 for vote)

Chairman, Leon Humphrey, requested that Vice-Chairman, Ray Lyons, assume the chair as Chairman at this time.

Ray Lyons assumed the chair as Chairman.

Mayor, Leon Humphrey, stepped to the podium and spoke concerning this motion as presented.

A lengthy discussion period followed.

County Attorney, Joshua Hardin, noted this would be funding to the Economic Development Agency and not directly to Mr. Matheson, an individual.

Mr. Jon Hartman, Director of Planning and Economic Development at the City of Elizabethton, approached the podium stating the Matheson property had been selected for the property assessment program.

Discussion continued concerning this funding request.

Question on the motion.

Motion was made by Timothy Holdren, seconded by Danny Ward, that discussion end in regard to the \$ 2,500 towards Carter County Tomorrow. (Item # 22)

Roll Call Vote as follows (Item # 22):

22. Vote Results for: Item No. 22

Time of Vote: 8:42:38 PM

Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote

Willie Campbell voted: N

Buford Peters voted: Y

Robert Acuff voted: N

Nancy Brown voted: Y

Mike Hill voted: Y

Al Meehan voted: Y

Bradley Johnson voted: Y

Ronnie Trivett voted: Y

Charles Von Cannon voted: N

Isaiah Grindstaff voted: N

L.C. Tester voted: Y

Danny Ward voted: Y

Ross Garland voted: Y

Bobbie Gouge-Dietz voted: Y

Timothy Holdren voted: Y

Randall Jenkins voted: N

John Lewis voted: Y

Larry Miller voted: N

Sonja Culler voted: Y

Ray Lyons voted: Y

Scott Simerly voted: Y

Robert Carroll voted: Y

Kelly Collins voted: Y

Cody McQueen voted: Y

Passed (18 Y - 6 N - 1 A - 0 Absent)

Number of Abstain Votes: 1

Chairman Ray Lyons turned the **chair back over to Leon Humphrey who assumed the chair as Commission Chairman.**

Sonja Culler repeated the motion, to approve \$ 2,500 towards Carter County Tomorrow Request to go toward the Matheson Property. (Item # 23)

Ray Lyons requested a "friendly motion" amending the motion to add that this would be the final transaction with Carter County Tomorrow.

Sonja Culler did **not accept the friendly motion** as presented.

Chairman Humphrey called for a roll call vote on Item # 23.

Roll Call Vote as follows (Item # 23):

23. Vote Results for: Item No. 23

Time of Vote: 8:44:44 PM

Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote

Willie Campbell voted: Y

Buford Peters voted: N

Robert Acuff voted: Y

Nancy Brown voted: N

Mike Hill voted: Y

Al Meehan voted: Y

Bradley Johnson voted: Y
Ronnie Trivett voted: N
Charles Von Cannon voted: N
Isaiah Grindstaff voted: N
L.C. Tester voted: Y
Danny Ward voted: Y
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: N
Randall Jenkins voted: N
John Lewis voted: N
Larry Miller voted: N
Sonja Culler voted: Y
Ray Lyons voted: N
Scott Simerly voted: N
Robert Carroll voted: N
Kelly Collins voted: N
Cody McQueen voted: N

Failed (10 Y - 14 N - 1 A - 0 Absent)
Number of Abstain Votes: 1

Motion was made by Sonja Culler, seconded by Danny Ward, to approve increasing Tax Relief Aid from \$20 per approved individual to \$ 40 per approved individual. (Item # 24)

Roll Call Vote as follows (Item # 24):

24. Vote Results for: Item No. 24

Time of Vote: 8:46:24 PM

Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y
Mike Hill voted: Y
Al Meehan voted: Y
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: Y
L.C. Tester voted: Y
Danny Ward voted: Y
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: Y
Randall Jenkins voted: Y
John Lewis voted: Y
Larry Miller voted: Y
Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll voted: Y
Kelly Collins voted: Y
Cody McQueen voted: Y

Passed (24 Y - 0 N - 1 A - 0 Absent)
Number of Abstain Votes: 1

Motion was made by Sonja Culler, seconded by John Lewis, to allocate \$ 2,500 toward Elizabethton/Carter County Holiday Lighting Committee. (Item # 25)

Roll Call Vote as follows (Item # 25):
25. Vote Results for: Item No. 25
Time of Vote: 8:49:23 PM
Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y
Mike Hill voted: N
Al Meehan voted: Y
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: Y
L.C. Tester voted: N
Danny Ward voted: Y
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: N
Randall Jenkins voted: Y
John Lewis voted: Y
Larry Miller voted: Y
Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: N
Robert Carroll voted: Y
Kelly Collins voted: Y
Cody McQueen voted: N

Passed (19 Y - 5 N - 1 A - 0 Absent)
Number of Abstain Votes: 1

Motion was made by Sonja Culler, seconded by Bobbie Gouge-Dietz, to accept Amendment of Contract in Lieu of Performance Bond. Reference: Elizabethton/Carter County Sanitary Landfill Amendment Permit # SNL10-0186. (Item # 26) Recorded on page 108.

Roll Call Vote as follows (Item # 26):
26. Vote Results for: Item No. 26
Time of Vote: 9:10:21 PM
Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y
Mike Hill voted: Y
Al Meehan voted: Y
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: Y
L.C. Tester voted: N
Danny Ward voted: Y
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: Y
Randall Jenkins voted: Y
John Lewis voted: Y
Larry Miller voted: Y

Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll voted: Y
Kelly Collins voted: Y
Cody McQueen voted: Y

Passed (23 Y - 1 N - 1 A - 0 Absent)
Number of Abstain Votes: 1

The Commission entered into a ten (10) minute recess. The meeting was called **back to order** by Chairman Humphrey following the recess.

Chairman Humphrey announced that Brother Wolf will be presenting Carter County Government with its "Excellence In Leadership" award in recognition our achievements at the Animal Shelter since July 2016. Mr. Paul Berry currently serves as the Brother Wolf Executive Director.

It was also stated Brother Wolf will be implementing and overseeing new Volunteer, Rescue and Foster Programs at the Shelter at no charge to Carter County and the City of Elizabethton. The new program will be implemented as soon as the State of Tennessee Comptroller completes its investigation.

Building and Grounds Committee – Isaiah Grindstaff, Chairman presented the report. No recommendations were made.

Education Committee – Chairman, Danny Ward presented the report. However, no recommendations were presented.

Financial Management Committee – Ray Lyons Chairman, presented the following recommendation. **Motion** was made by Ray Lyons, seconded by Sonja Culler, **to approve the lease agreement with Appalachia Business Communications for the Finance Department. (Item # 27)**

Leader marked Robert Carroll as absent at: 9:10:58 PM

Leader marked L.C. Tester as absent at: 9:11:04 PM

Roll Call Vote as follows (Item # 27)
27. Vote Results for: Item No. 27
Time of Vote: 9:12:03 PM
Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y
Mike Hill voted: Y
Al Meehan voted: Y
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: Y
L.C. Tester was Absent
Danny Ward voted: Y
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: Y
Randall Jenkins voted: Y
John Lewis voted: Y
Larry Miller voted: Y

Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll was Absent
Kelly Collins voted: Y
Cody McQueen voted: Y

Passed (22 Y - 0 N - 1 A - 2 Absent)
Number of Abstain Votes: 1

Health and Welfare Committee – Timothy Holdren, Chairman had no recommendations to present.

Highway Committee – Mike Hill, Chairman presented the following recommendation.

Motion was made by Mike Hill, seconded by Ronnie Trivett, **to approve the State Aid paving project for the resurfacing of State Like Road. (Item # 28)**

Roll Call Vote as follows (Item # 28):
28. Vote Results for: Item No. 28
Time of Vote: 9:14:02 PM
Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y
Mike Hill voted: Y
Al Meehan voted: Y
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: Y
L.C. Tester was Absent
Danny Ward voted: Y
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: Y
Randall Jenkins voted: Y
John Lewis voted: Y
Larry Miller voted: Y
Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll was Absent
Kelly Collins voted: Y
Cody McQueen voted: Y

Passed (22 Y - 0 N - 1 A - 2 Absent)
Number of Abstain Votes: 1

Landfill Committee – Chairwoman, Bobbie Gouge-Dietz presented the report. Chairwoman Deitz noted highlights from the February 6, 2017 Committee Minutes.

Law Enforcement Committee – Chairman, Cody McQueen had no recommendations to present.

Nominating Committee – Al Meehan, Chairman, presented the following recommendation.

Motion was made by Al Meehan, **to approve and confirm Charles VonCannon on the Agricultural Committee. (Item # 29)**

Roll Call Vote as follows (Item # 29):

29. Vote Results for: Item No. 29
Time of Vote: 9:29:37 PM
Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y
Mike Hill voted: Y
Al Meehan voted: Y
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: Y
L.C. Tester was Absent
Danny Ward voted: Y
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: Y
Randall Jenkins voted: Y
John Lewis voted: Y
Larry Miller voted: Y
Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll was Absent
Kelly Collins voted: Y
Cody McQueen voted: Y

Passed (22 Y - 0 N - 1 A - 2 Absent)
Number of Abstain Votes: 1

Parks and Recreation – Randall Jenkins, Commission Liaison presented brief report.

Mr. Chris Little and Wes Bradley, representing the group known as IDEAS, were recognized. The group is interested in converting an unused parcel land near Hampton High School for use as a take-in and take-out point for kayaks, canoeist, and rafters on the Doe River.

They stated the group had met with the Carter County Board of Education during their meeting. The Board agreed to gifting the property back to Carter County with certain stipulations as follows:

- Survey of the Land (IDEAS stated they had someone willing to do this without cost.)
- Title Search and Deed
- The property could be used by the school for overflow parking if needed.

Motion was made by Mike Hill, seconded by Nancy Brown to accept transfer of the property near Hampton High School from Carter County Schools to Carter County with stipulations as noted above. (Item # 30)

Roll Call Vote as follows (Item # 30):
30. Vote Results for: Item No. 30
Time of Vote: 9:30:03 PM
Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y
Mike Hill voted: Y
Al Meehan voted: Y
Bradley Johnson voted: Y

Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: Y
L.C. Tester was Absent
Danny Ward voted: Y
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: Y
Randall Jenkins voted: Y
John Lewis voted: Y
Larry Miller voted: Y
Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll was Absent
Kelly Collins voted: Y
Cody McQueen voted: Y

Passed (22 Y - 0 N - 1 A - 2 Absent)
Number of Abstain Votes: 1

Motion was made by Cody McQueen, seconded by Al Meehan, to authorize County Attorney, **Joshua Hardin to proceed with transfer of the land near Hampton High School from Carter County Schools to Carter County. (Item # 31)**

Roll Call Vote as follows (Item # 31):
31. Vote Results for: Item No. 31
Time of Vote: 9:31:50 PM
Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y
Mike Hill voted: Y
Al Meehan voted: Y
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: Y
L.C. Tester was Absent
Danny Ward voted: Y
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: Y
Randall Jenkins voted: Y
John Lewis voted: Y
Larry Miller voted: Y
Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll was Absent
Kelly Collins voted: Y
Cody McQueen voted: Y

Passed (22 Y - 0 N - 1 A - 2 Absent)
Number of Abstain Votes: 1

Rules and By-Laws – Randall Jenkins, Chairman, presented the following recommendations.

Motion was made by Randall Jenkins, seconded by Nancy Brown to accept and change Employee Leave Policies, Accumulation of Vacation Time to read: Vacation time may be accumulated and carried forward to the next year in an amount not to exceed twenty (20) days. Any days exceeding the twenty (20) day limit will be automatically converted to sick leave. Effective date March 21, 2017. (Item # 32)

During discussion, reference was made to the February 2016 Commission meeting where this was previously presented and approved. However, this change was put on “hold” during the January 2017 Commission meeting.

Sheriff Dexter Lunceford, voiced the Sheriffs Department was an office that “never closes” and policy needed to be different for that department. The policy (for the Sheriff's Dept.) will be presented to be placed in the minutes once drafted and completed.

Roll Call Vote as follows (Item # 32):

32. Vote Results for: Item No. 32

Time of Vote: 9:42:22 PM

Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote

Willie Campbell voted: Y

Buford Peters voted: Y

Robert Acuff voted: Y

Nancy Brown voted: Y

Mike Hill voted: Y

Al Meehan voted: A

Bradley Johnson voted: Y

Ronnie Trivett voted: Y

Charles Von Cannon voted: Y

Isaiah Grindstaff voted: A

L.C. Tester was Absent

Danny Ward voted: Y

Ross Garland voted: Y

Bobbie Gouge-Dietz voted: Y

Timothy Holdren voted: Y

Randall Jenkins voted: Y

John Lewis voted: Y

Larry Miller voted: N

Sonja Culler voted: Y

Ray Lyons voted: Y

Scott Simerly voted: Y

Robert Carroll was Absent

Kelly Collins voted: Y

Cody McQueen voted: Y

Passed (19 Y - 1 N - 3 A - 2 Absent)

Number of Abstain Votes: 3

Motion was made by Randall Jenkins, seconded by Cody McQueen, to amend the County Employees Handbook and accept and place in the Employees Handbook change of Employee Leave Policies, Accumulation of Vacation Time to read as follows:

Vacation time may be accumulated and carried forward to the next year in an amount not to exceed twenty (20) days. Any days exceeding the twenty (20) day limit will be automatically converted to sick leave.

Change also being noted change and accepted in the Employees Handbook, Sick Leave, Earning and Accumulating Sick Days as there is now no cap on number of days accumulated sick days.

Deletion of : There is a maximum accumulation of sick leave credits of up to 200 days. ... up to 180 unused sick leave credit days toward their retirement (in accordance with the Tennessee Consolidate Retirement System Regulations). Effective 3-21-2107 (Item # 33)

Roll Call Vote as follows (Item # 33);
32. Vote Results for: Item No. 32
Time of Vote: 9:42:22 PM
Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y
Mike Hill voted: Y
Al Meehan voted: A
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: A
L.C. Tester was Absent
Danny Ward voted: Y
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: Y
Randall Jenkins voted: Y
John Lewis voted: Y
Larry Miller voted: N
Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll was Absent
Kelly Collins voted: Y
Cody McQueen voted: Y

Passed (19 Y - 1 N - 3 A - 2 Absent)
Number of Abstain Votes: 3

County Attorney Report – Joshua Hardin, County Attorney, presented the report. See page 110

Commissioner Comments

Commissioner, Robert Acuff spoke in support of the new Specialty Plates, "Don't Tread On Me." Sycamore State Park will be receiving funding from the sales of these plates which are on sale now.

He also spoke in support of beginning a Prayer Breakfast group for fellow Commissioners, similar to the National Prayer Breakfast which he and his wife had attended recently.

Commissioner Larry Miller, voiced concern of the need of water for citizens in his district should a emergency occur.

Emergency Management Director, Gary Smith respond to the request. He stated policy is set concerning emergency situations and authorizations are given in a timely matter.

Motion was made by Larry Miller, seconded by Ronnie Trivett, to set an "X" amount dollars for **Emergency Relief. (Item # 34)**

Roll Call Vote as follows (Item # 34):
34. Vote Results for: Item No. 34
Time of Vote: 9:58:56 PM
Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: N
Buford Peters voted: N
Robert Acuff voted: N
Nancy Brown voted: N

Mike Hill voted: A
Al Meehan voted: A
Bradley Johnson voted: N
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: N
L.C. Tester was Absent
Danny Ward voted: N
Ross Garland voted: N
Bobbie Gouge-Dietz voted: N
Timothy Holdren voted: N
Randall Jenkins voted: N
John Lewis voted: Y
Larry Miller voted: Y
Sonja Culler voted: N
Ray Lyons voted: N
Scott Simerly voted: N
Robert Carroll was Absent
Kelly Collins voted: N
Cody McQueen voted: N

Failed (4 Y - 16 N - 3 A - 2 Absent)
Number of Abstain Votes: 3

Motion was made by Cody McQueen, seconded by Kelly Collins, to refer back to the Financial Management Committee the request for a specific amount of dollars be set aside for emergency relief. (Item # 35)

Roll Call Vote as follows (Item # 35):
35. Vote Results for: Item No. 35
Time of Vote: 10:05:32 PM
Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y
Mike Hill voted: Y
Al Meehan voted: A
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: Y
L.C. Tester was Absent
Danny Ward voted: N
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: Y
Randall Jenkins voted: Y
John Lewis voted: Y
Larry Miller voted: Y
Sonja Culler voted: N
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll was Absent
Kelly Collins voted: Y
Cody McQueen voted: Y

Passed (19 Y - 2 N - 2 A - 2 Absent)
Number of Abstain Votes: 2

Motion to adjourn was made by Al Meehan, seconded by Ross Garland. By majority voice vote, motion carried. Meeting Ended at: 10:05:38 PM

AGENDA
CARTER COUNTY, TENNESSEE
Board of County Commissioners
REGULAR SESSION
Tuesday, February 21, 2017 at 6:00 PM

1. Call to Order
2. Courthouse-Emergency Egress Plan
3. Roll Call-County Clerk
4. Approval of Agenda
5. Opening Prayer
6. Pledge of Allegiance
7. Recognition of Elected and Appointed Officials/Guests
8. Presentation of Plaques
9. Public Comments
10. Acceptance of Minutes from Previous Meeting
11. Notaries/Bonds
12. South Elizabethton Utility District-Commission Appointment
13. Memorandum of Understanding for Health Department Micro-Clinics
14. Resolutions
 - A. Clarifying and clearly establishing the amount of county litigation tax and county privilege tax on litigation levied on civil and criminal cases instituted in Carter County
 - B. Urging passage of the Tennessee Broadband Accessibility Act by the Tennessee General Assembly
 - C. Authorizing the County Mayor to make and sign an application for Community Development Block Grant Funds on behalf of Carter County
 - D. Approving Highway Department projects to be completed by the Carter County Highway Department on the grounds of Happy Valley Elementary School and Happy Valley High School
 - E. Authorizing retirement credit for unused accumulated sick leave for employees of Carter County, Tennessee
 - F. Affirming compliance with the Three Star Program Requirements
15. Committee Reports/Recommendations
16. County Attorney Report
17. Commission Comments
18. Adjourn

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING ("MOU") is made and entered into on January 10, 2017 (the "Effective Date"), by the Carter County Government (the "County") and the Global Micro-Clinic Project, d.b.a. Microclinic International, a California incorporated 501(c)(3) nonprofit corporation ("MCI"). The County and MCI shall be referred to herein individually as a "Party" and collectively referred to herein as the "Parties."

WHEREAS, MCI was awarded a grant from BlueCross BlueShield of Tennessee Health Foundation to partner with organizations in Tennessee to offer the Microclinic Program to Tennessee residents;

WHEREAS, MCI desires to provide a training to health department staff in East Grand Division of Tennessee to become Microclinic Program facilitators who shall offer the Microclinic Program to their local communities;

WHEREAS, the County desires to have its health department staff trained as Microclinic Program facilitators and to offer the Microclinic Program to receive implementation grants from MCI; and

NOW, THEREFORE, in consideration of the above-stated premises as well as other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

I. DUTIES OF THE PARTIES:

(a) Duties of MCI

- a. Conduct a free two-day training for health department staff in the East Grand Division of Tennessee scheduled on January 10th – 11th, 2017
- b. Provide a free facilitator curriculum and participant workbooks sufficient for each facilitator to implement two programs of 25 participants each (or 50 participants total).
- c. Provide \$2,000 for the two programs implemented (or \$1,000 per program) by each trained facilitator. For each program, \$300 shall be provided prior to the start of the program to assist the facilitator in recruiting at least 25 participants per program. The remainder \$700 shall be paid after the facilitator retains 20 participants in any session after recruitment is complete (Sessions 4-16).
- d. Select a total of 15 community-led initiatives to support across the state and award each initiative \$500.

(b) Duties of the County

- a. Require each trained facilitator to offer at least two 16-week Microclinic Programs to their communities within 1 year of training. Each program shall recruit at least 25 participants in Session 1-3 and retain at least 20 participants in Sessions 4-16.
- b. Allocate all funds provided by MCI towards Microclinic Program expenses, including but not limited to staff time, program materials, healthy snacks, prizes, etc.
- c. Complete required on-line reporting to MCI to report program progress.
- d. Develop sustainability plan for how to sustain the Microclinic Program after the grant cycle ends.

II. **INTELLECTUAL PROPERTY:** MCI has copyrighted content ("MCP Content") developed for the training of Microclinic Program ("MCP") facilitators in the area of chronic disease prevention and management. MCP Content includes, but is not limited to, the facilitator's curriculum, participant workbooks, training videos, recruitment and program management strategies, facilitation aids and tools, and other materials MCI has developed for the MCP. MCI grants the County permission to use the MCP Content for community educational purposes. Community educational purpose is defined as MCP facilitation to educate the communities served by the health departments. Licensee may not use the MCP Content except as expressly described in this agreement unless MCI provides prior consent.

III. **COMMUNICATIONS:** Each Party shall recognize the role of both Parties in the Project in all forms of communications, publications, or publicity regarding the projects under this MOU. Furthermore, each Party reserves the right to publish, present and make publicly available the results produced from the projects under this MOU.

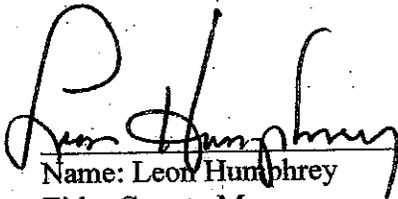
IV. **INDEMNITY:** The County agrees not to sue MCI, and discharges and releases MCI and its representatives from all liability and claims in any way arising from or relating to this MOU and from any actions undertaken in connection therewith, and the termination thereof, including any breach of contract, and including any associated litigation expenses, attorney's fees, losses, liabilities, damages or other costs MCI and its representatives may incur except to the extent that such liability arises from gross negligence or willful misconduct. The rights and obligations provided for in this Section shall survive the termination of the MOU and shall remain binding upon the Parties and their successors and assigns.

V. **TERM:** This MOU shall commence on January 10th, 2017 (the "Effective Date") and end on the first anniversary of the Effective Date.

VI. **TERMINATION:** This Agreement may be terminated by mutual written agreement at any time or by 15 business days advance written notification by one Party to the other.

VII. ENTIRE AGREEMENT: This MOU is the entire agreement between the Parties with respect to the relationship contemplated by this MOU and supersedes any earlier agreement, written or oral, with respect to the subject matter of this MOU. This MOU may not be altered, modified, or amended except by written instrument signed by the parties hereto.

IN WITNESS WHEREOF, the Parties hereto have executed this MOU as of the Effective Date.


Name: Leon Humphrey
Title: County Mayor

Name: Daniel Zoughbie
Title: CEO, The Global Micro-Clinic Project
Db a Microclinic International

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR CARTER COUNTY, TENNESSEE

REGULAR MEETING, TUESDAY, FEBRUARY 21, 2017

RESOLUTION NO. 662

"A RESOLUTION TO CLARIFY AND CLEARLY ESTABLISH THE AMOUNT OF COUNTY LITIGATION TAX AND COUNTY PRIVILEGE TAX ON LITIGATION LEVIED ON CIVIL AND CRIMINAL CASES INSTITUTED IN CARTER COUNTY"

WHEREAS, various Public Acts have been adopted by the Tennessee General Assembly over the years which permit counties to levy a local litigation tax on litigation in civil and criminal cases instituted in the county and also to levy privilege taxes on litigation in all civil and criminal cases instituted in the county, other than those instituted in municipal courts; and

WHEREAS, the Carter County legislative Body has addressed this issue via multiple Resolutions over the years as each of the Public Acts modifying state law were adopted; and

WHEREAS, the current statutes setting forth the permissible amounts and uses of local litigation and privilege taxes are found at Tennessee Code Annotated §16-15-5006 and § 67-4-601; and

WHEREAS, in an effort to consolidate and clarify the somewhat confusing past Resolutions adopted into a single up to date version, the Board of County Commissioners for Carter County deems it necessary to set forth and fully adopt this Resolution.

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners for Carter County, Tennessee, meeting in regular session on this the 21st day of February, 2017, with a lawful quorum of said Board being present and with a two-thirds (2/3) majority voting in the affirmative as follows:

SECTION 1. The local litigation tax on all civil and criminal cases instituted in Carter County, other than those instituted in municipal courts, shall be equal to the amount levied as state litigation tax. The proceeds therefrom may be used for any county purpose. The current amounts of taxes levied are as follows:

A. Criminal Charges	\$29.50
B. Civil suits in courts of record	\$23.75
C. Civil cases in General Sessions Court	\$17.75*

*When the General Sessions Court is exercising state court jurisdiction, except with regard to Juvenile Court, there is levied an additional privilege tax of \$1.00.

SECTION 2. Pursuant to Tennessee Code Annotated § 16-15-5006 Carter County hereby levies a local litigation tax on all civil cases filed in the Carter County General Sessions Court, except juvenile cases, and on each criminal conviction in the Carter County General Sessions Court. While the original amount of the tax levied was the maximum amount of six dollars (\$6) per case as adopted via Resolution No. 169 in 1995, the amount was subsequently raised to the current level of thirty dollars (\$30) per case via Resolution No. 393 in 2004. Said amount is subject to additional increases in the future based on annual review of the amount required to fund the increase in the General Sessions Court Judge's compensation.

SECTION 3. Pursuant to Tennessee Code Annotated § 67-4-601(b)(1) Carter County hereby levies a privilege tax in the amount of ten dollars (\$10) on litigation in all civil and criminal cases instituted in Carter County, other than those instituted in municipal courts, in addition to all other such privilege taxes authorized by law. The proceeds therefrom shall be used exclusively for the purposes of jail or workhouse construction, reconstruction or upgrading, or to retire debt, including principal and interest and related expenses, on such construction, reconstruction or upgrading or for courthouse renovation. This tax was originally adopted in Carter County via Resolution No. 373 in 2003.

SECTION 4. Pursuant to Tennessee Code Annotated § 67-4-601(b)(5) Carter County hereby levies a privilege tax in the amount of twenty five dollars (\$25) on litigation in all civil and criminal cases instituted in Carter County, other than those instituted in municipal courts. This tax was originally adopted in Carter County via Resolution No. 497 in 2008.

SECTION 5. Pursuant to Tennessee Code Annotated § 67-4-601(b)(6) Carter County hereby levies a privilege tax in the amount of twenty five dollars (\$25) on litigation in all civil and criminal cases instituted in Carter County, other than those instituted in municipal courts. The proceeds therefrom shall be used exclusively for the purposes of courthouse security, in addition to those identified in Tennessee Code Annotated § 67-4-601(b)(1). This tax was originally adopted in Carter County via Resolution No. 498 in 2008.

SECTION 6. The clerks of Court of Carter County are instructed to collect this litigation tax on civil and criminal cases, except as noted herein, in the same manner as all other litigation taxes.

SECTION 7. The taxes imposed by this Resolution, while already in effect, shall be reaffirmed and fully adopted effective immediately upon adoption of the same, the public welfare requiring it, and shall remain in effect until amended or repealed, unless otherwise provided or required by subsequent amendment to Tennessee Code Annotated § 16-15-5006, § 67-4-601 or any other applicable statute.

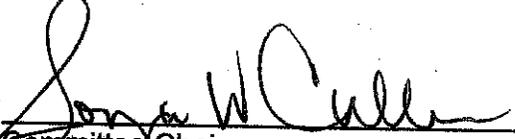
SECTION 8. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution which can be given effect without the invalid provision or application and to that end the provisions of this Resolution are declared to be severable.

BE IT FURTHER RESOLVED that this Resolution shall take effect from and after the date of its approval, the welfare of the county demanding, and that all Resolutions of the Board of County Commissioners which are in conflict with this Resolution are hereby repealed.

Sponsored by:


County Commissioner

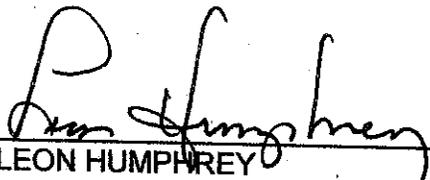
Reviewed and approved by the Budget Committee on 2/13/17.


Committee Chairperson

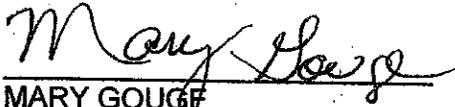
Adopted this 21st day of February, 2017.

CARTER COUNTY, TENNESSEE
BOARD OF COUNTY COMMISSIONERS

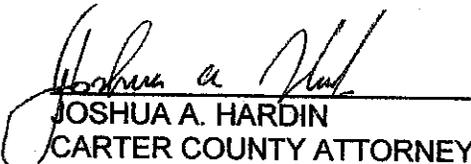
APPROVED:

By: 
LEON HUMPHREY
CARTER COUNTY MAYOR &
BOARD OF COUNTY COMMISSIONERS CHAIRMAN

ATTEST:


MARY GOUGE
CARTER COUNTY CLERK

APPROVED AS TO FORM:


JOSHUA A. HARDIN
CARTER COUNTY ATTORNEY

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR CARTER COUNTY, TENNESSEE

REGULAR MEETING; TUESDAY, FEBRUARY 21, 2017

RESOLUTION NO. 663

"A RESOLUTION TO URGE PASSAGE OF THE TENNESSEE BROADBAND ACCESSIBILITY ACT BY THE TENNESSEE GENERAL ASSEMBLY"

WHEREAS, Tennessee currently ranks 29th in the U.S. for broadband access; and

WHEREAS, thirteen percent (13%) of the state lacks access to broadband and thirty four percent (34%) of the state's rural residents do not have broadband coverage at the recognized minimum standards because of low population density and/or geographical constraints; and

WHEREAS, broadband access is critical for business, education, healthcare, and agriculture; and

WHEREAS, in response to this critical need for increased broadband access, Governor Bill Haslam has proposed the Tennessee Broadband Accessibility Act ("the Act"), which would provide grants and tax credits to encourage deployment of broadband to previously unserved areas; and

WHEREAS, in addition to grants and tax credits, the Act would authorize the state's private, non-profit electric cooperatives to provide broadband throughout their territories; and

WHEREAS, the Act also provides grant opportunities for local libraries to help the libraries provide more digital literacy training to the state's citizens; and

WHEREAS, the Board of County Commissioners for Carter County, Tennessee believes the Tennessee Broadband Accessibility Act provides the necessary and reasonable steps to improve broadband access in the state.

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners for Carter County, Tennessee, meeting in regular session on this the 21st day of February, 2017, with a lawful quorum of said Board being present and with a majority voting in the affirmative that the Board hereby requests that Senator Rusty Crowe, Senator Jon Lundberg, Representative John Holsclaw, Jr. and Representative Timothy Hill, as our elected representatives in the Tennessee General Assembly, take action on behalf of Carter County in support of the Tennessee Broadband Accessibility Act and urge the passage of said Act in order to increase broadband accessibility in the state.

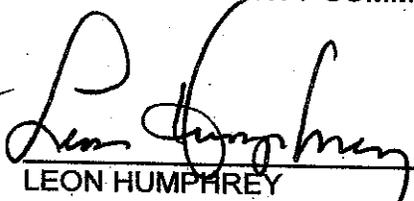
BE IT FURTHER RESOLVED, that the County Clerk shall mail a certified copy of this Resolution to the elected representatives of Carter County in the Tennessee General Assembly in addition to Governor Bill Haslam, Lt. Governor Randy McNally and Speaker of the House Beth Harwell.

BE IT FURTHER RESOLVED that this Resolution shall take effect from and after the date of its approval the welfare of the county demanding.

Adopted this 21st day of February, 2017.

CARTER COUNTY, TENNESSEE
BOARD OF COUNTY COMMISSIONERS

APPROVED:

By: 

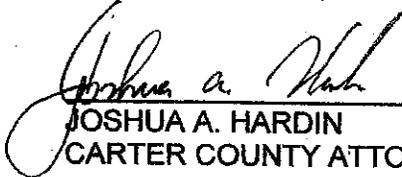
LEON HUMPHREY
CARTER COUNTY MAYOR &
BOARD OF COUNTY COMMISSIONERS CHAIRMAN

ATTEST:



MARY GOUGE
CARTER COUNTY CLERK

APPROVED AS TO FORM:



JOSHUA A. HARDIN
CARTER COUNTY ATTORNEY

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR CARTER COUNTY, TENNESSEE

REGULAR MEETING, TUESDAY, FEBRUARY 21, 2017

RESOLUTION NO. 664

"A RESOLUTION APPROVING HIGHWAY DEPARTMENT PROJECTS TO BE COMPLETED BY THE CARTER COUNTY HIGHWAY DEPARTMENT ON THE GROUNDS OF HAPPY VALLEY ELEMENTARY SCHOOL AND HAPPY VALLEY HIGH SCHOOL."

WHEREAS, pursuant to Resolution No. 611 adopted by the Board of County Commissioners for Carter County, Tennessee on August 14, 2014, the Board authorized an agreement between Carter County and the Carter County Board of Education so that future services may be performed by the Carter County Highway Department on the grounds of the schools within the Carter County School System; and

WHEREAS, said Resolution provided that the Board of County Commissioners would have the ability to review and approve all projects to be completed by the highway department on the grounds of the Carter County Schools before said work is performed; and

WHEREAS, the Carter County Road Superintendent has agreed to perform certain grading/paving work on the property of the Carter County School Board at Happy Valley Elementary School with an estimated cost of \$9,770.00, which final cost shall be reimbursed to the Carter County Highway Department; and

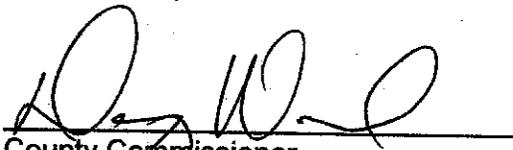
WHEREAS, the Carter County Road Superintendent has agreed to perform certain grading/excavation work on the property of the Carter County School Board at Happy Valley High School with an estimated cost of \$3,000.00, which final cost shall be reimbursed to the Carter County Highway Department.

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners for Carter County, Tennessee, meeting in regular session on this the 21st day of February, 2017, with a lawful quorum of said Board being present and with a majority voting in the affirmative that the Board hereby adopts this Resolution approving the projects detailed herein with the final cost of said projects as determined by the Carter County Road Superintendent being reimbursed to the Carter County Highway Department.

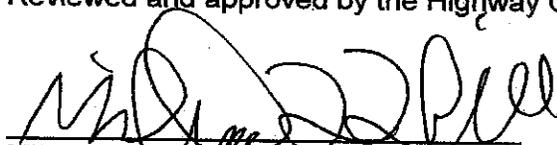
BE IT FURTHER RESOLVED that this Resolution shall take effect from and after the date of its approval the welfare of the county demanding.

BE IT FURTHER RESOLVED that all Resolutions of the Board of County Commissioners of Carter County, Tennessee which are in conflict with this Resolution are hereby repealed.

Sponsored by:


County Commissioner

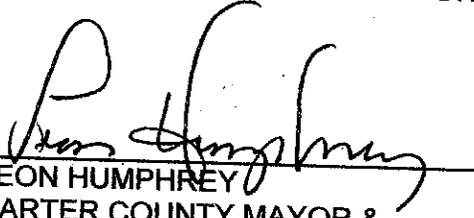
Reviewed and approved by the Highway Committee on 2/13/17.


Mike Hill, Committee Chairperson

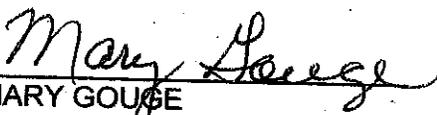
Adopted this 21ST day of February, 2017.

CARTER COUNTY, TENNESSEE
BOARD OF COUNTY COMMISSIONERS

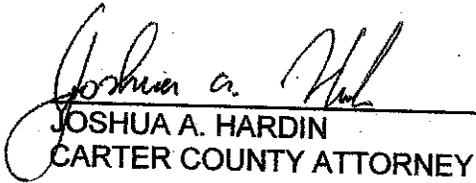
APPROVED:

By: 
LEON HUMPHREY
CARTER COUNTY MAYOR &
BOARD OF COUNTY COMMISSIONERS CHAIRMAN

ATTEST:


MARY GOUGE
CARTER COUNTY CLERK

APPROVED AS TO FORM:


JOSHUA A. HARDIN
CARTER COUNTY ATTORNEY

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR CARTER COUNTY, TENNESSEE

REGULAR MEETING, TUESDAY, FEBRUARY 21, 2017

RESOLUTION NO. 665

"A RESOLUTION TO AUTHORIZE RETIREMENT CREDIT FOR UNUSED ACCUMULATED SICK LEAVE FOR EMPLOYEES OF CARTER COUNTY, TENNESSEE, A POLITICAL SUBDIVISION PARTICIPATING IN THE TENNESSEE CONSOLIDATED RETIREMENT SYSTEM, IN ACCORDANCE WITH TITLE 8 SECTIONS 34 THROUGH 37 OF THE TENNESSEE CODE ANNOTATED".

WHEREAS, Carter County is a political subdivision of the state of Tennessee and participates in the Tennessee Consolidated Retirement System (TCRS); and

WHEREAS, Tennessee Code Annotated Section 8-34-604(c), permits a political subdivision of the state participating in TCRS to allow their employees, upon retirement, who have unused accumulated sick leave, to be credited with such accrued leave as creditable service; and

WHEREAS, the Carter County Legislative Body adopted Resolution No. 201 on January 13, 1997, which by its terms permitted retiring county employees to receive credit for up to 180 days of unused accumulated sick leave through TCRS; and

WHEREAS, the Board of County Commissioners for Carter County, upon deliberating the effects of this policy on county employees, wishes to remove the arbitrary limit of 180 days and allow retiring county employees to receive credit for all unused accumulated sick leave through TCRS; and

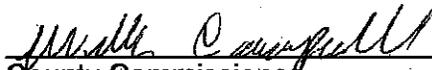
WHEREAS, all liabilities resulting from this Resolution shall be the responsibility of Carter County and not of the State of Tennessee.

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners for Carter County, Tennessee, meeting in regular session on this the 21st day of February, 2017, with a lawful quorum of said Board being present and with a majority voting in the affirmative that the Board hereby adopts this Resolution and authorizes retirement credit for unused accumulated sick leave pursuant to Tennessee Code Annotated Section 8-34-604(c).

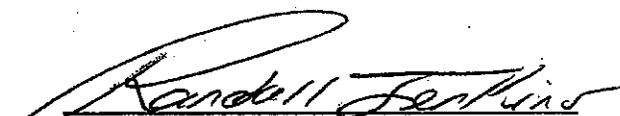
BE IT FURTHER RESOLVED, that retiring county employees from this date forward are permitted to receive retirement credit for all unused accumulated sick leave through TCRS, with the County Finance Director keeping accurate records as certified by each office holder.

BE IT FURTHER RESOLVED, that this Resolution shall take effect from and after the date of its approval the welfare of the county demanding, and that all Resolutions of the Board of County Commissioners which are in conflict with this Resolution are hereby repealed.

Sponsored by:


County Commissioner

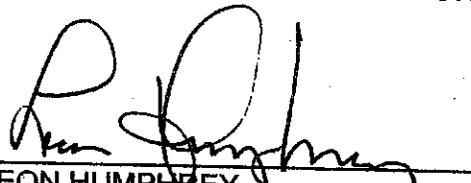
Reviewed and approved by the Rules and Bylaws Committee on 2/7/17.


Committee Chairperson

Adopted this 21st day of February, 2017.

CARTER COUNTY, TENNESSEE
BOARD OF COUNTY COMMISSIONERS

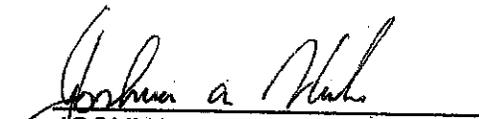
APPROVED:

By: 
LEON HUMPHREY
CARTER COUNTY MAYOR &
BOARD OF COUNTY COMMISSIONERS CHAIRMAN

ATTEST:


MARY GOUGE
CARTER COUNTY CLERK

APPROVED AS TO FORM:


JOSHUA A. HARDIN
CARTER COUNTY ATTORNEY

U:\Carter County Attorney\Resolutions\TCRS Resolution.docx

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR CARTER COUNTY, TENNESSEE

REGULAR MEETING, TUESDAY, FEBRUARY 21, 2017

RESOLUTION NO. 666

"RESOLUTION TO AFFIRM COMPLIANCE WITH THE
THREE STAR PROGRAM REQUIREMENTS"

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, which include the following:

1. Adoption of a Debt Management Policy and the periodic review of the same to ensure that local elected officials are aware and knowledgeable of the county's debt management policy;
2. Review of the Annual Cash Flow Forecast which is prepared for the appropriate fund and submitted to the State Comptroller to ensure that local elected officials are aware that prior to the issuance of debt the county must go through the process of assessing the county's cash flow;
3. Adoption of a documented system of internal controls by all county offices; and

WHEREAS, Carter County has adopted a debt management policy which includes the mandatory provisions required by the State Funding Board and which is currently on file with the State Comptroller and said policy has been reviewed by the current Board of County Commissioners for Carter County at its regular monthly meeting prior to adoption of this Resolution; and

WHEREAS, an Annual Cash Flow Forecast prepared for the appropriate fund prior to the issuance of debt and submitted to the State Comptroller has been reviewed by the Board of County Commissioners for Carter County at its regular monthly meeting prior to adoption of this Resolution; and

WHEREAS, the Board of County Commissioners acknowledges that all county offices are required to have a documented system of internal controls pursuant to Tenn. Code Ann. § 9-18-102; and

WHEREAS, the Carter County Mayor is required to send a fiscal strength and efficient government confirmation letter to the appropriate officials to ensure continued compliance with the Three Star Program.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners for Carter County, Tennessee, meeting in regular session on this the 21st day of February, 2017, with a lawful quorum of said Board being present and with a majority voting in the affirmative as follows:

1. That the Board of County Commissioners for Carter County, Tennessee hereby acknowledges that the Debt Management Policy of Carter County, Tennessee has been reviewed and an opportunity for discussion was presented in this official meeting of the Board of County Commissioners and that said Debt Management Policy is in all respects approved and affirmed.
2. That the Board of County Commissioners for Carter County, Tennessee hereby acknowledges that the Annual Cash Flow Forecast of Carter County, Tennessee has been reviewed and an opportunity for discussion was presented in this official meeting of the Board of County Commissioners and that said Annual Cash Flow Forecast is in all respects approved and affirmed.
3. That the Board of County Commissioners for Carter County, Tennessee hereby acknowledges that all county offices are required to have a documented system of internal controls pursuant to Tenn. Code Ann. § 9-18-102.

4. That the County Mayor shall forward a fiscal strength and efficient government confirmation letter to the appropriate officials certifying the compliance with the Three Star Program requirements as set forth herein.

BE IT FURTHER RESOLVED that this Resolution shall take effect from and after the date of its approval the welfare of the county demanding.

BE IT FURTHER RESOLVED, that if any clause, section or provision of this Resolution is found to be illegal, invalid or unenforceable in any respect, the illegality, invalidity or unenforceability of the remaining clauses, sections, or provisions herein shall not in any way be affected or impaired thereby.

BE IT FURTHER RESOLVED, that all Resolutions of the Board of County Commissioners of Carter County, Tennessee which are in conflict with this Resolution are hereby repealed.

Adopted this 21st day of February, 2016.

CARTER COUNTY, TENNESSEE
BOARD OF COUNTY COMMISSIONERS

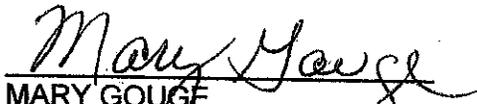
APPROVED:

By:



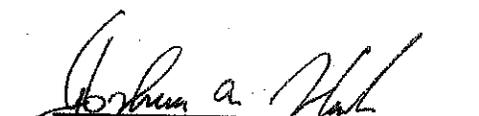
LEON HUMPHREY
CARTER COUNTY MAYOR &
BOARD OF COUNTY COMMISSIONERS CHAIRMAN

ATTEST:



MARY GOUGE
CARTER COUNTY CLERK

APPROVED AS TO FORM:



JOSHUA A. HARDIN
CARTER COUNTY ATTORNEY

January 2016 Donations

January Animal Shelter Donation- Tonya Range.	100.00
January Animal Shelter Donation- Darryll Larkin	9.00
January Animal Shelter Donation- Anonymous	2,500.00
January Animal Shelter Donation- Snap On	17.00
January Animal Shelter Donation- William Dunn	55.00
January Animal Shelter Donation- Michael Warren	50.00
January Animal Shelter Donation- Susan Spence	100.00
January Total	\$ 2,831.00

**Carter County
Drug Fund 122
Budget Amendment #4
21-Feb-17**

Item #1	42865 Drug Task Force Forfeiture		\$ 417.34	Increase
	54110-716 Law Enforcement Equipment	\$ 417.34		Increase

Recognize Asset Forfeiture

Total \$ 417.34 \$ 417.34

**Carter County
Highway Fund 131
Budget Amendment #2
21-Feb-17**

Item #1	46420 State Aid Revenue		\$ 247,143.23	Increase
	62000-404 Asphalt	\$ 247,143.23		Increase

Allocate to budget additional revenue in the Highway Fund.

Item #2	68000-799 Other Capital Outlay		\$ 4,078.00	
	68000-711 Furniture and Fixtures	\$ 4,078.00		

Reallocate within Capital Outlay for conference room

Total \$ 251,221.23 \$ 251,221.23

**Carter County
General Purpose School Fund 141
Budget Amendment #6
21-Feb-17**

Item #1	72810-355 Travel		\$ 7,500.00	Decrease
	72810-722 Regular Instruction Equipment	\$ 7,500.00		Increase
	72810-524 In service/ Staff Development		\$ 2,500.00	Decrease
	72810-399 Other Contracted Services	\$ 2,500.00		Increase

Reallocate within Central and Other budget

Total \$ 10,000.00 \$ 10,000.00

Carter County
General Fund 101
Budget Amendment #6
21-Feb-17

Item #1	34161 Reserved for Register of Deeds 51600-719 Office Equipment.	\$ 10,918.74	\$ 10,918.74	Decrease Increase
Allocate remaining 15-16 Register of Deeds funding.				
Item #2	44170 Misc. Refunds 53100-351 Rentals	\$ 1,308.00	\$ 1,308.00	Increase Increase
Recognize Refund from NovaCopy				
Item #3	44170 Misc. Refunds 51500-355 Travel	\$ 629.48	\$ 629.48	Increase Increase
Recognize Refund from City of Elizabethton November Election				
Item #4	46290 Other Public Safety Grants 54110-716 Law Enforcement Equipment.	\$ 4,885.00	\$ 4,885.00	Increase Increase
Recognize State of TN Highway Safety Grant				
Item #5	44170 Misc. Refunds 54110-435 Office Supplies	\$ 20.00	\$ 20.00	Increase Increase
Recognize State of TN payment for medical records.				
Item #6	49700 Insurance Recovery 54110-716 Law Enforcement Equipment	\$ 6,312.00	\$ 6,312.00	Increase Increase
Recognize Insurance Recovery for damage to Sheriff's vehicle.				
Item #7	34990-34 Securis Reserve 54110-399 Other Contracted Services	\$ 6,433.00	\$ 6,433.00	Decrease Increase
Allocate from reserve for LEADS System and Cellebrite Maintenance Contract				
Item #8	44170 Misc. Refunds 58130-599 Other Charges	\$ 450.00	\$ 450.00	Increase Increase
Recognize Home Grant Class Payments				
		\$ 30,956.22	\$ 30,956.22	

Carter County
Federal Projects Fund 142
Budget Amendment #3
21-Feb-17

Item #1

71100	116	101 Teachers			
71100	429	101 Instructional Supplies & Materials	\$ 5,000.00		Increase
				\$ 5,000.00	Decrease

Reallocate within the Title I budget.

Item #2

47145		911 IDEA Preschool			
71200	499	911 Other Supplies and Materials	\$ 1,000.00	\$ 3,501.00	Increase
72220	355	911 Travel	\$ 1,001.00		Increase
72220	399	911 Other Contracted Services	\$ 1,000.00		Increase
72220	499	911 Other Supplies and Materials	\$ 500.00		Increase

Reallocate within the IDEA Preschool Grant

Item #3

47189		201 Title II-A	\$ 1,106.00		Decrease
72210	499	201 Other Supplies and Materials		\$ 1,106.00	Decrease

Reallocate within the Title II

Item #4

47141		120 Title-I Focus School Grant	\$ 9,834.49		Decrease
71100	116	120 Teachers		\$ 4,510.00	Decrease
71100	163	120 Education Assistants	\$ 5,476.00		Increase
71100	201	120 Social Security	\$ 613.15		Increase
71100	204	120 State Retirement	\$ 481.00		Increase
71100	206	120 Life Insurance	\$ 3.00		Increase
71100	207	120 Medical Insurance	\$ 520.00		Increase
71100	208	120 Dental Insurance	\$ 26.00		Increase
71100	210	120 Unemployment Compensation	\$ 44.00		Increase
71100	212	120 Employer Medicare	\$ 200.00		Increase
71100	429	120 Instructional Supplies and Materials	\$ 344.00		Increase
71100	722	120 Regular Instruction Equipment		\$ 1,032.64	Decrease
72210	524	120 In Service/ Staff Development		\$ 11,999.00	Decrease

Reallocate within the Focus School Grant

\$ 27,148.64 \$ 27,148.64

Carter County
 Head Start Fund 145
 Budget Amendment #1
 21-Feb-17

Item #1	48140 Other Education/ Contracted Services			
73400	105 Supervisor		\$ 17,314.00	Increase
73400	116 Teachers	\$ 1,565.24		Increase
73400	162 Clerical Personnel	\$ 11,133.52		Increase
73400	163 Educational Assistants	\$ 3,825.12		Increase
73400	189 Other Salaries & Wages	\$ 1,180.20		Increase
73400	201 Social Security	\$ 3,522.24		Increase
73400	207 Medical Insurance		\$ 500.00	Decrease
73400	212 Employer Medicare		\$ 14,000.00	Decrease
73400	355 Travel		\$ 500.00	Increase
73400	429 Instructional Supplies & Materials	\$ 1,000.00		
73400	524 In Service/ Staff Development	\$ 8,000.00		Increase
73400	599 Other Charges		\$ 5,000.00	Decrease
		\$ 7,087.68		Increase

Recognize Upper East Funds and Reallocate within Head Start

\$37,314.00 \$ 37,314.00

Amendment of Contract in Lieu of Performance Bond

Whereas, the City of Elizabethton/Carter County and the State of Tennessee Department of Environment and Conservation, entered into a Contract in Lieu of Performance Bond for proper operation and closure and/or post-closure of the City of Elizabethton/Carter County Sanitary Landfill, Permit Number SNL100000186; and

Whereas, said contract included a provision allowing the Commissioner of Environment and Conservation to collect up to \$ 2,135,423.89 from any funds being disbursed or to be disbursed from the State to the City of Elizabethton/Carter County as financial assurance for said proper operation, closure and post-closure; and

Whereas, the State and the City of Elizabethton/Carter County desire to change the amount of said financial assurance from \$ 2,135,423.89 to \$ 2,008,671.23.

Paragraph 3 of the Agreement in Lieu of Performance Bond is amended as follows:

The figure \$ 2,135,423.89" is deleted and the figure "\$2,008,671.23" is substituted in lieu thereof.

Date of Amendment to Contract 02/09/17

(Must have date of Official's signature)

 Commissioner
 Department of Environment
 & Conservation

[Signature]
 Title: Mayor
 For the City of: Elizabethton

 Commissioner
 Department of Finance
 & Administration

[Signature]
 Title: Mayor
 For the County of: Carter

Title: _____
 For _____

(Please Type or Complete Form in Ink and Submit Four (4) Signed Originals of this Document)

COUNTY ATTORNEY REPORT
February 2017

General Litigation update:

1. No new litigation filed.

Other Work performed/ongoing:

1. Research completed and opinions rendered for various county office holders and commissioners as requested.
2. Finance Department- Review of employment policies.
3. Financial Management Committee- attended committee meeting, set reserve on excess properties and scheduled sale for 3/17/17 at 10 a.m.
4. Animal Shelter- Research regarding various issues/questions received.
5. Court Clerks- Additional research and meetings regarding litigation tax issue, draft of clarifying Resolution.
6. Circuit Court Clerk- Research and opinions rendered regarding various execution and garnishment issues.
7. Highway Department- Research work on grounds of county schools, correspondence with county school board attorney and draft of Resolution authorizing work; Review materials submitted by Road Superintendent and draft Resolution regarding gas tax increase for consideration by committee.
8. Law Enforcement Committee- Attended committee meeting.
9. Rules & Bylaws Committee- Research regarding county personnel policies and TCRS requirements. Attended committee meeting. Draft Resolution regarding sick leave retirement credit.
10. Budget Committee- Research regarding funding to CCT for property study; attended committee meeting.
11. Highway Committee- Research regarding right of way issue in Gap Creek Community and legal status of portion of old Highway 19E in Roan Mountain community; Attended committee meeting to report findings.
12. Revisions of county beer permit application.
13. Drafted Resolutions regarding Three Star program compliance, CDBG for emergency operations center, and Broadband Accessibility Act considered by the Board of Commissioners at this month's meeting.

Carter County Expenditure Budget Report for the Month of January 2017 was provided to Carter County Commissioners by Michael Kennedy, Deputy Director of Finance. Included in the report were the Account Numbers, Account Description, Budget Amounts, Budget Amendments, and Amended Budgets, Month-to-day expenditures. Outstanding encumbrances, and Unencumbered Balances.