

Carter County Commission
Regular Session
March 19, 2018

4-16-18
APPROVED
w/Correction Noted
Pg. 720
Patsy H. Lewis
D.C.

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

Courthouse – Emergency Egress Plan –was presented by Billy Harrell, EMA Deputy Director.

Roll Call – County Clerk as follows:

Name of Configuration File: C:\RollCall-Pro\Configurations\March 19 2018 Commission Meeting.rec
Date and Time of New Session: 3/19/2018 6:03:22 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 absent
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: 24

Number of Voters ABSENT for Roll Call: 1

Leader marked L.C. Tester as present at: 6:05:49 PM

Approval of Agenda

Chairman, Acuff made the additions to the Agenda:

Following Agenda Item 14, placing "Resolution Approving the Redevelopment and Urban Renewal Plan for the Watauga River Redevelopment Area as submitted by the Elizabethton Housing Development Agency (TIF)."

Following Agenda Item 15 c, placing Resolution Requesting Annual Salary Increases for Certain Elected and Appointed County Officials.

Following Agenda Item 16, Highway Committee Items, placing Renaming of Hogum Hollow Road to Old Mountain Road

Adoption of Hidden Oak Lane to the Road List

Discussion of Americans with Disabilities Act (ADA).

Building and Grounds, Discussion of Hwy 321 (Sluder) Donated Property demolition.

Motion was made by Randall Jenkins, seconded by Danny Ward, to accept and approve tonight's agenda with the additions as presented. (Item # 1) Recorded on page 742

Roll Call Vote as follows (Item # 1):

1. Vote Results for: Item No. 1

Time of Vote: 6:08:55 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 - 0 A - 0 Absent)

Number of Abstain Votes: 0

Opening Prayer – was led by Commissioner, Willie Campbell.

Pledge of Allegiance – was led by Commissioner, Cody McQueen.

Acceptance of Minutes from the February 20, 2018 Commission Meeting

Motion was made by Bobbie Gouge-Dietz, seconded by Charles VonCannon, to accept as presented with corrections listed below. (Item # 2)

Page 647, Kelly Collins added to Vote #2

Page 648, Bryan Jones to Bryan Russell

Page 649, Roll Call Vote Item #6 (see vote on page 646)

Roll Call Vote as follows (Item #2):

2. Vote Results for: Item No. 2

Time of Vote: 6:52:26 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 - 0 A - 0 Absent)
Number of Abstain Votes: 0

Public Comments

3rd District Commissioner, Charles VonCannon, spoke on behalf of a constitute, concerning the access point under or near the Smalling Bridge. Commissioner VonCannon recognized property owners near the area of the preliminary design.

Property owner, Bryan Witten, voiced that he was in agreement with the design.
Property owner, Brownie Liles, owner of Watauga River Lodge and Outfitter, spoke that he was not in agreement with the design.
Property owner, Troy McIntruff, stated that he was not in favor of the design.

Chris Little, representing the IDEAS group, spoke concerning the Smalling Bridge. He stated that TDOT presented the design and project. He encouraged consideration of this project.

Highway Committee Chairman, Mike Hill, responded that TDOT and TWRA had asked the Highway Committee and requested that the committee asked to do the study to see if it (the project) was feasible.

Whidden
Bryan Witten, on behalf of Watauga River Cabins, Smalling Road, spoke stating that he was okay with the bridge. However, he had concerns about the ramp. He feared that a ramp would affect the peace and quite near the cabins. He also stated he would like to have more information concerning the project.

Joni Cannon, 3rd District, spoke in regards to statements and actuation's made concerning animal trafficking in Carter County. She also displayed pictures of a dog in question with this incident.

Robin McKamey, spoke concerning issues at the Elizabethton/Carter County Animal Shelter, and items still unaccounted for.

Roy Livingston addressed the Commission speaking concerning the budget process.

Ross Garland, Commissioner 5th District, spoke supporting the Finance Department. He extended a "thank-you" to Financial Director, Christa Byrd for the great job she has done and wished her the best in the future.

Mike Hill, Commissioner 2nd District, spoke in support of the Finance Department.

Mayor, Leon Humphrey spoke concerning issues in which he, as Mayor, had provided help. The property issue with the court case of the "pink house" adjoining the courthouse property was noted as one of those items.

Public Comments was then closed by Chairman, Robert Acuff.

Notaries and Bonds

Motion was made by Sonja Culler, seconded by Mike Hill, to accept the Notaries/Bonds for March 19, 2018, as presented. (Item # 3) Recorded on page 743

Roll Call Vote as follows (Item # 3):

3. Vote Results for: Item No. 3

Time of Vote: 6:53:41 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 - 0 A - 0 Absent)

Number of Abstain Votes: 0

Resolution to Authorize the Mayor to File an Application for the 2018 Home Funds

Attorney, Joshua Hardin, presented a brief description of the Resolution and presented the same for consideration.

Chairman, Acuff noted the Resolution had been reviewed, approved, and presented by the Health and Welfare Committee, Tim Holdren, Committee Chairperson.

Motion was made by Mike Hill, seconded by Nancy Brown, to accept as presented,
RESOLUTION No. 697

"A RESOLUTION OF THE CARTER COUNTY LEGISLATIVE BODY TO AUTHORIZE THE COUNTY MAYOR TO FILE AN APPLICATION FOR 2018 THDA HOME FUND." Recorded on pages 744-745

Roll Call Vote as follows (Item # 4):

4. Vote Results for: Item No. 4

Time of Vote: 6:54:10 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: N (**See Clerks Note to follow)
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 - 0 A - 0 Absent)
(See Clerks Note below, following recess.)
Number of Abstain Votes: 0

Recess

Chairman Acuff moved that the Commission enter into a five (5) minute recess. Following the recess, the meeting was called **back to order** by Chairman Acuff.

****Clerks Note:** Commissioner, Timothy Holdren, requested to go on record stating he voted incorrectly on Item # 4. He intended to vote Y on Resolution # 697, noting that he, as Chairman of the Health & Welfare Committee, forwarded the item to the Commission for approval.

Resolution Requesting Additional Right of Way, Engineering, and Design and Environmental Review by TWRA and/or TDOT

County Attorney, Joshua Hardin presented a brief description of the Resolution presented the same for consideration.

Motion was made by Mike Hill, seconded by Randall Jenkins, to approve, as presented, **RESOLUTION No. 698**

"A RESOLUTION REQUESTING ADDITIONAL RIGHT OF WAY ACQUISITION, ENGINEERING, DESIGN AND ENVIRONMENTAL, REVIEWS BY TWRA AND/OR TDOT TO ENABLE THE INSTALLATION OF A PARK AND FLOAT ACCESS RAMP AS PART OF THE PENDING REPLACEMENT OF SMALLING BRIDGE LOCATED ON SMALLING ROAD IN CARTER COUNTY." Recorded on pages 746-747(See Item # 6)

Discussion followed concerning the property near the bridge and the owners statements previously made.

Question on the motion was called for by Ray Lyons, to cease discussion. (Item # 5)

Roll Call Vote as follows (Item # 5):

5. Vote Results for: Item No. 5

Time of Vote: 7:14:44 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: N
Bradley Johnson voted: N
Ronnie Trivett voted: Y
Charles Von Cannon voted: N
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: N
Kelly Collins voted: Y
Cody McQueen voted: N

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

Chairman Acuff called for a Roll Call Vote on Resolution # 698 as presented (Item # 6)

Roll Call Vote as follows (Item # 6):
6. Vote Results for: Item No. 6
Time of Vote: 7:15:17 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: N
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: N
Kelly Collins voted: Y
Cody McQueen voted: Y

Passed (21 Y - 2 N - 1 A - 0 Absent)
Number of Abstain Votes: 1

Resolution Asking the Tennessee General Assembly to Investigate and Reject Legislation Which Places New Financial Obligations on County Governments Without Funding and to Specifically Remove Unfunded Mandates of Annual Salary Increases for Certain Elected and Appointed County Officials

County Attorney, Joshua Hardin, presented a brief description of the Resolution and presented the same for consideration.

Motion was made by Nancy Brown, seconded by Sonja Culler, to approve as presented,
RESOLUTION No. 699

"A RESOLUTION REQUESTING THAT THE TENNESSEE GENERAL ASSEMBLY CAREFULLY INVESTIGATE AND RECONSIDER ANY LEGISLATION WHICH PLACES NEW FINANCIAL OBLIGATIONS ON COUNTY GOVERNMENT WITHOUT PROVIDING FUNDING AND TO SPECIFICALLY REMOVE THE UNFUNDED STATE MANDATE OF ANNUAL SALARY INCREASES FOR CERTAIN ELECTED AND APPOINTED OFFICIALS." (See Item # 8) Recorded on pages 748-750

Discussion followed concerning the wordage of the Resolution as being presented.

A "friendly amendment" requesting the wording in section 1, as presented on the draft copy placed in Commissioners packets, changing the wording to read, investigate and "reject," to read, investigate and "reconsider" was made by Al Meehan.

The "friendly amendment" was accepted by Nancy Brown and Sonja Culler.

Question on the motion was called for by Ronnie Trivett. (Item # 7)

Roll Call Vote as follows (Item # 7):

7. Vote Results for: Item No. 7

Time of Vote: 7:23:32 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: 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: N
Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll voted: Y
Kelly Collins voted: Y
Cody McQueen voted: N

Passed (22 Y - 2 N - 0 A - 0 Absent)

Number of Abstain Votes: 0

Chairman, Robert Acuff, called for roll call vote on (Item # 8) Resolution #669.

Roll Call Vote as follows (Item # 8):

8. Vote Results for: Item No. 8

Time of Vote: 7:29:16 PM

Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote

Willie Campbell voted: N
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: 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 (22 Y - 2 N - 0 A - 0 Absent)
Number of Abstain Votes: 0

Consideration of Tax Increment Financing (TIF) for Watauga River Redevelopment Area
Interim City Manager - Jon Hartman

Jon Hartman presented a brief report concerning the Elizabethton Housing & Development Agency, Policies and Procedures for Tax Increment Incentive Program for Watauga River Redevelopment.

Discussion followed with an question/answer session. Commissioner, Charles VonCannon, owner of one of the properties involved, voiced concern of how this could affect jobs in this area. However, he spoke in support of the resolution.

Attorney Joshua Hardin, presented a brief description of the resolution. Discussion followed.

Question on the motion, was called for by Commissioner, Ronnie Trivett (Item # 9)

Roll Call Vote as follows (Item # 9):
9. Vote Results for: Item No. 9
Time of Vote: 7:33:07 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: 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: Y
Kelly Collins voted: Y
Cody McQueen voted: N

Passed (21 Y - 3 N - 0 A - 0 Absent)
Number of Abstain Votes: 0

Motion was made by Ray Lyons, seconded by Nancy Brown, to approve and adopt,
RESOLUTION No. 700

**"A RESOLUTION APPROVING THE REDEVELOPMENT AND URBAN
RENEWAL PLAN FOR THE WATAUGA RIVER REDEVELOPMENT AREA
BY THE ELIZABETHTON HOUSING AND DEVELOPMENT AGENCY"**
(Item # 10) Recorded on pages 751 - 752

Roll Call Vote as follows (Item # 10):
10. Vote Results for: Item No. 10
Time of Vote: 7:34:05 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: Y
Kelly Collins voted: Y
Cody McQueen voted: Y

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

OBJECTION TO THE VOTE was voiced by Commissioner, Danny Ward. Commissioner Ward rose objecting to the process of the vote due to a conflict of interest.

Commissioner, Charles VonCannon had previously stated, that he himself owns some of the property in this area.

Commissioner Ward stated, "Commissioner VonCannon should not be able to vote on this issue, he should abstain."

Attorney, Joshua Hardin, advised that due to the conflict of interest and the vote being challenged, a re-vote should be taken on Item # 10.

Chairman, Robert Acuff, called for a **Re-Vote (Item # 11):**

11. Vote Results for: Item No. 11

Time of Vote: 7:35:36 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: A

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: Y

Kelly Collins voted: Y

Cody McQueen voted: Y

Passed (21 Y - 2 N - 1 A - 0 Absent)

Number of Abstain Votes: 1

Budget Items for Consideration – Budget Chairwoman, Sonja Culler

Motion was made by Sonja Culler, seconded by Ross Garland, to approve the Annual Inflation Adjustment for Elizabethton/Carter County Sanitary Landfill Amendment, Permit #SNL100000186 adjusting that amount from \$2,008,671.23 to \$1,887,532.90. (Item # 12) Recorded on page 75 3

Roll Call Vote as follows (Item # 12):

12. Vote Results for: Item No. 12

Time of Vote: 7:39:20 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 - 0 A - 0 Absent)
Number of Abstain Votes: 0

Motion was made by Sonja Culler, seconded by Danny Ward, to accept the February 2018 donations totaling \$991.97 with \$ 423.57 going to the Animal Shelter, and \$568.40 going to the Sheriff's Department. (Item # 13) Recorded on page 574

Roll Call Vote as follows (Item # 13):
13. Vote Results for: Item No. 13
Time of Vote: 7:40:51 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: 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 (23 Y - 1 N - 0 A - 0 Absent)
Number of Abstain Votes: 0

Motion was made by Sonja Culler, seconded by Mike Hill, to approve General Fund 101, Budget Amendment #9, in the amount of \$14,491.50 with 6 items with nothing coming from Fund Balance. (Item # 14) Recorded on page 754

Roll Call Vote as follows (Item # 14):
14. Vote Results for: Item No. 14
Time of Vote: 7:41:34 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: N

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

Motion was made by Sonja Culler, seconded by Mike Hill, to approve Solid Waste Fund 116 Amendment #1 for a total of \$401,921.53 with 1 item and nothing coming from Fund Balance. (Item # 15) Recorded on page 755.

Roll Call Vote as follows (Item # 15):
15. Vote Results for: Item No. 15
Time of Vote: 7:42:36 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 - 0 A - 0 Absent)
Number of Abstain Votes: 0

Motion was made by Sonja Culler, seconded by Bobbie Gouge-Dietz, to approve Drug Fund 122 Amendment #1 for a total of \$568.40 with 1 item and nothing coming from Fund Balance. (Item # 16) Recorded on page 755

Roll Call Vote as follows (Item # 16):

16. Vote Results for: Item No. 16
Time of Vote: 7:44:40 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 - 0 A - 0 Absent)
Number of Abstain Votes: 0

Motion was made by Sonja Culler, seconded by Al Meehan, to take \$17,958.43 from General Fund Balance to set the salary of the next Finance Director at \$81,700. (Item # 17)

Roll Call Vote as follows (Item #17):
17. Vote Results for: Item No. 17
Time of Vote: 7:45:25 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: N
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: N
Kelly Collins voted: Y
Cody McQueen voted: N

Passed (20 Y - 4 N - 0 A - 0 Absent)
Number of Abstain Votes: 0

Motion was made by Sonja Culler, seconded by Nancy Brown, to approve Sports & Recreation Fund 123 Amendment #2 for a total of \$10,739.52 with 1 item, coming from Sports and Recreation Fund Balance. (Item # 18) Recorded on page 755

Roll Call Vote as follows (Item # 18):
18. Vote Results for: Item No. 18
Time of Vote: 7:46:26 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: 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 (23 Y - 1 N - 0 A - 0 Absent)
Number of Abstain Votes: 0

Motion was made by Sonja Culler, seconded by Willie Campbell, to reallocate \$1,900 from the Judgment Fund to pay for a survey to be done for the county leasing land from TDOT, on Highway 67. (Item # 19)

Roll Call Vote as follows (Item # 19):
19. Vote Results for: Item No. 19
Time of Vote: 7:58:59 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: 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 (22 Y - 2 N - 0 A - 0 Absent)
Number of Abstain Votes: 0

Recess

Chairman Acuff called for a ten (10) minute recess. Following the recess, the meeting was called
back to order.

Motion was made by Sonja Culler, seconded by Ross Garland, to approve **General Purpose School Fund 141 Amendment #10 for \$1,013,720.74 with 5 items and nothing from School's Fund Balance. (Item # 20)** Recorded on page 756

Roll Call Vote as follows (Item # 20):
20. Vote Results for: Item No. 20
Time of Vote: 7:59:52 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: 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 (22 Y - 2 N - 0 A - 0 Absent)
Number of Abstain Votes: 0

Motion was made by Sonja Culler, seconded by Bobbie Gouge-Dietz, to approve Food Service Fund 143 Amendment #1 with 1 item for \$115,966.27 this coming from Fund Balance. (Item # 21) Recorded on page _____

Roll Call Vote as follows (Item # 21):

21. Vote Results for: Item No. 21

Time of Vote: 8:02:38 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: 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 (22 Y - 2 N - 0 A - 0 Absent)
Number of Abstain Votes: 0

Highway Committee Chairman, Mike Hill, was recognized. He presented a request concerning the payment of signage honoring veterans who were killed or missing in action, while in the line of duty in service to their country. This includes police, fire, EMS, rescue and first responders. He also made reference to TCA 54-1-133 concerning payment for signage.

Motion was made by Danny Ward, seconded by Nancy Brown, to take \$2,000 from General Fund, designated to cover the cost, as needed, of honorarium signage for those who were killed or missing in the line of duty in service to their country. This is to include police, fire, EMS, rescue, and first responders in addition to military. (Item # 22)

Discussion followed. A question was addressed to Highway Superintendent, Roger Colbaugh, if this would be suitable for his department. It was stated that a Purchase Order for work would be turned in to the Finance Department requesting payment back to the Highway Department.

Roll Call Vote as follows (Item # 22):

22. Vote Results for: Item No. 22

Time of Vote: 8:07:13 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: N
Charles Von Cannon voted: N
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: 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 (20 Y - 4 N - 0 A - 0 Absent)
Number of Abstain Votes: 0

Highway Committee Items - Renaming of Hogum Hollow Road to Old Mountain Road
Chairman Mike Hill, presented the following report and recommendations.

Motion was made by Mike Hill, seconded by Nancy Brown, to rename the portion of Hogum Hollow Road, beginning at the intersection of Peters Cemetery Road and Hogum Hollow Road, and continuing to the intersection of Ripshin Mountain Road, to "Old Mountain Road." (Item # 23)

Roll Call Vote as follows (Item # 23):
23. Vote Results for: Item No. 23
Time of Vote: 8:44:53 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 - 0 A - 0 Absent)
Number of Abstain Votes: 0

Committee Chairman Hill, spoke concerning the TN Department of Transportation, Obligations under the Americans with Disabilities Act of 1990 (Title II) and Section 504 of the Rehabilitation Act of 1973, and its compliance. Several questions arose concerning compliance of various departments within the county.

Dr. Kevin Ward, Director of Carter County School, stated the school system has been working on one (ADA compliance) for the past twenty-five (25) years.

Mel McKay, Assistant Director of Planning and Zoning, stated with his research, the letter from the State wants a transition plan which was required to be completed in 1993. The state wants make sure that Carter County has something down in writing. If a building is non-assessable, Carter County has a plan to work on it.

Chairman, Robert Acuff, yielded the chair to Vice-Chairman, Bradley Johnson.

Bradley Johnson assumed the Chair. The topic on the floor for discussion is ADA compliance. No motions were on the floor for consideration. Chairman, Johnson recognized Commissioner Robert Acuff.

Commissioner Acuff, stated he had contacted the office of ADA compliance at the state. They indicated that Carter County wasn't as bad as we think, but not as good that we could be.

Commissioner Acuff informed the Commission of dates concerning ADA compliance. According to Margaret Z. Mahler, ADA Coordinator, Tennessee Department of Transportation, Carter County must make sure that issues that are not compliant are identified and that a plan is in place as to how and when these are going to be addressed.

Following a lengthy discussion, the Chair was relinquished back to Chairman, Acuff.

Agriculture Committee - Commissioner Ross Garland

Ross Garland, Chairman of the Agricultural Committee, recognized Vickie Clark, Director of the Carter County UT Extension Office. She stated the University of Tennessee designated March as Extension Awareness month. She also spoke on the many actives that are taking place with the Extension Office. Mugs of appreciation were presented to the Commissioners.

Budget Items for Consideration

a. Funding Request From Buildings and Grounds

This recommendation was approved by the Building and Grounds Committee during the March 6th meeting.

Motion was made by Isaiah Grindstaff, seconded by Nancy Brown, to allow the Highway Department, as well as the Landfill, and equipment, to proceed with demolition, clean up, and cut in a second entrance to the donated property (Sluder) Highway 321 at no cost. (Item # 24)

Roll Call Vote as follows (Item # 24):

24. Vote Results for: Item No. 24

Time of Vote: 8:49:54 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 Triveit 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: 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 (23 Y - 1 N - 0 A - 0 Absent)
Number of Abstain Votes: 0

Mayoral Report – Leon Humphrey, Mayor

South Elizabethton Utility District Board of Commissioners --Elizabeth Whitson was appointed to the South Elizabethton Utility District Board of Commissioners under the TCA 7-82-307 guidelines and according to the list of nominees received December 20, 2017 by Mayor Humphrey.

Therefore, Mayor Humphrey declared and confirmed the appointment of Elizabeth Whitson to the South Elizabethton Utility District Board of Commissioners, term ending 03-31-2020. Entered into the minutes this the 19th day of March 2018. See page 757.

First Tennessee Development District

The appointment of Benny Lyons and Joel Street to the Northeast Tennessee Regional Solid Waste Planning Board expired in 2017. To continue representation a new appointment is needed.

Motion was made by Ronnie Trivett, seconded by Nancy Brown, to confirm the re-appointment of Benny Lyons and the appointment of Charles VonCannon, replacing Joel Street, to the Northeast Tennessee Regional Solid Waste Planning Board. This term will expire 2023. (Item # 25)

Roll Call Vote as follows (Item # 25):

Time of Vote: 9:07:10 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: A
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: N
Ray Lyons voted: Y

Scott Simerly voted: Y
Robert Carroll voted: Y
Kelly Collins voted: Y
Cody McQueen voted: Y

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

Committee Reports / Recommendations

Agricultural Committee – Ross Garland Chairman, presented the brief report. He encouraged everyone to visit the website, extensiontennessee.edu.

Animal Shelter Board – Buford Peters

Buford Peters stated a letter had been received on February 26, from Wolfe, Williams and Reynolds, Attorneys at Law in Norfolk, Virginia. This is a freedom of Information Act request.

Buford Peters read from the letter to the commission in regards to the seizure of two canines, by the Carter County Animal Control Elizabethton/Carter County Animal Shelter on or about May 22, 2016.

Information was requested, pursuant to Mayor Humphreys testimony, to please include all documentation relating to his testimony regarding the animal seizure and illegal activity surrounding the adoption of these two canines.

They also requested that we please provide any and all documentation, compiled or authorized by Susan Robinson, in regards to the above referenced animal seizure. Ms. Robinson is a Carter County employee who has worked at the Elizabethton/Carter County Animal Shelter. It is my understanding that she obtained and compiled documentation regarding this adoption. It goes on to say that they will pay any fees.

Commissioner Peters when on to state, "When we received this request, we had no records. And, if you remember when we had this meeting last month, the Mayor was asked, point blank, if he had any records pertaining to the animal shelter and he answered, no, he had no records. I think, Mr. Johnson asked the question."

Commissioner Peters, stated, "Well, mysteriously, last week, Mr. Josh Hardin received two or three boxes of the animal shelter records in his office from the mayor's office. Now, I don't know how those got there or how he came into possession of them. I will let him answer that in just a minute."

Commissioner Peters informed the Commission that the Animal Shelter Board, has asked for those records for two or three months. The board has also asked for the hard drive that was taken from the animal shelter several months ago. The board as received no response and has not received the hard drive at this time.

Commissioner Peters, requested any information, any material the Mayor may have, be turned over to the Sheriff's Department or the D.A. (District Attorney), if there is an investigation going on.

A short discussion period followed.

Budget Committee -- Chairwoman, Sonja Culler had no other recommendations.

Carter County Expenditure Budget Report for the month of February 2018 was provided to Carter County Commissioners by Christa Byrd, 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.

Building and Grounds – Isaiah Grindstaff, Chairman, spoke concerning the Sluder property donation. However, he had no recommendations to present.

Education Committee – Committee Chairman, Danny Ward presented a brief report. No recommendations were presented.

Financial Management Committee – Danny Ward, Chairman. He informed the the Commission that Financial Director, Christa Byrd, would be leaving March 28, 2018 to began employment elsewhere. Committee Chairman Ward, extended best wishes to Mrs. Byrd and thanked her for the “great job” she has done.

Due to the vacancy of the Financial Director, Committee Chairman Ward, announced that a Special Called Meeting of the Financial Management Committee would be held March 26, 2018.

Leader marked L.C. Tester as absent at: 9:13:00 PM

Motion was made by Danny Ward, seconded by Sonja Culler, to set the salary of the Financial Director at \$81,756.00 this being the same as the County Trustee. (Item # 26)

Discussion followed stating the qualifications for this position are set by the state. The salary was discussed with several debating it should be negotiable.

A “Friendly Amendment” was made by Randall Jenkins, requesting that the motion be changed stating, to set the salary of the Financial Director “up to \$81,756.00.”

The “Friendly Amendment” was not accepted by Danny Ward or Sonja Culler, with both voicing no the the amendment.

Roll Call Vote as follows (Item # 26):

26. Vote Results for: Item No. 26

Time of Vote: 9:36:42 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: N

Charles Von Cannon voted: N

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: N

Randall Jenkins voted: N

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: N

Passed (15 Y - 8 N - 0 A - 1 Absent)

Number of Abstain Votes: 0

Health and Welfare Committee – Timothy Holdren, Chairman. No recommendations were presented.

Landfill Committee – Committee Chairwoman, Bobbie Gouge-Dietz.

Chairwoman Deitz, reported that a new front loader was needed for the Landfill. A new truck was valued at approximately \$266,000 which was not possible with the budget.

Director Lyons placed a bid of \$28,000 toward the purchase of a front loader truck. He won the bid, with taxes and fees, cost was approximately \$30,000. This was a great savings to Carter County.

Due to the Roll Off truck being used six(6) days a week, the committee agreed that the purchase of a new roll off truck would be in the best interest costing approximately \$160,000. The new truck when purchased, would have a five(5) year warranty. Bids will be taken for the purchase of the new truck along with replacement of the building at the Landfill.

Director Benny Lyons, was noted as attending smoke class and receiving his certification. Mr. Lyons will be able to do testing in regards to burning of brush.

The next meeting will be held April 6, 2018 at 2:00 PM in the Mayors Conference Room.

A thank you was extended to Director Benny Lyons and Committee Chairwoman for the outstanding work done in regards to the devastation as the result of the recent fire at the Landfill.

Parks and Recreation Committee – Randall Jenkins, Chairman. No recommendations presented.

Law Enforcement Committee – Randall Jenkins, Chairman. No recommendations presented.

Rules and By-Laws Committee – Randall Jenkins, Chairman reported that representatives from Tennessee Consolidated Retirement would be present Tuesday, March 20, in the main courtroom for discussion.

Planning Commission – Chris Schuettler, Director presented a brief report. The City of Elizabethton donated used playground equipment that would be placed at Hampton Green Bridge Landing.

Nominating Committee – Al Meehan, Chairman. No recommendations were presented.

County Attorney's Report – Joshua Hardin

County Delinquent Tax Sale for 2015 tax year is scheduled for March 23, 2018 at 9:00 AM. Approximately forty(40) parcels remain scheduled for sale.

Motion was made by Sonja Culler, seconded by Isaiah Grindstaff, to approve and authorize bidding, being the minimum bid, by Clerk and Master, Melissa Moreland, at the Delinquent Tax Sale for 2015, on behalf of Carter County, for any parcel not receiving a minimum bid. Therefore, Carter County would then obtain ownership of the property. (Item # 27)

Roll Call Vote as follows (Item # 27):

27. Vote Results for: Item No. 27

Time of Vote: 9:57:27 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: 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 (22 Y - 1 N - 0 A - 1 Absent)
Number of Abstain Votes: 0

The monthly County Attorney's report, March 2018. Entered into the minutes on page 758

Commission Comments

Commissioner, Al Meehan, was recognized by Chairman Acuff, allowing him to question County Attorney Hardin.

Commissioner, Al Meehan, questioned County Attorney, Joshua Hardin regarding the Freedom of Information request made by the law firm regarding the Mayor's activities cross a state line to testify in a litigation.

"Were you aware that he went to the court to testify without a subpoena?" Meehan asked.

Attorney Hardin replied, "Not specifically, aware of him going or when he went. I do know that it happened, obviously. But, beforehand, no, or the day of, or anything like that, no."

Meehan stated, "I'm not in so much concerned about the request as the highest elected official of the county, voluntarily going to get involved in litigation in making testimony using terminology as a legal and active investigations and things like that." "Were you aware that there was illegal activity concerning the Animal Shelter from the Mayor's office?"

Attorney Hardin answered. Well, I'm certainly not an Criminal Investigator, and that's not my role. I don't do that. My understanding is that the Comptrollers office investigator, the District Attorney who prosecutes crimes in this state and district, viewed this information and found nothing to prosecute. That's their job. I can't prosecute crimes. So, if I am aware of a crime. like anyone else, I report it to the appropriate people who investigate and prosecute.

Meehan responds, "The testimony was referring to the seizure of animals, as being illegal. You weren't involved in the advise, as our County Attorney of this?"

Attorney Hardin stated, I'm not aware of anything illegal that has been prosecuted, or like I said, the appropriate authorities within this state, where I am licensed to practice law, chose not to prosecute anything. So, whatever happened in Virginia, I am not involved with.

"Do you feel you should be as our County Attorney, if the Mayor is going to be involved in litigation?" Meehan asked.

Well as I said, Carter County was not a party to a lawsuit, but the Mayor was a witness, apparently in a private civil case in another state. Attorney Hardin stated.

Meehan replied, "But, he wasn't subpoenaed."

That's correct, and that was his choice. I can't control that. But, as far as me being involved, I cannot legally practice law in Virginia. So, I couldn't go, or do anything there, as an attorney. I could go watch I guess. But, I can't practice law in that state, Attorney Hardin answered.

Meehan continued to question attorney Hardin stating, "Do you have any opinion as to what may fall back on the county as a result of this?"

Well, of course in this day and time, anybody can be sued for anything. Someone could potentially use testimony and say that there was an admission to something. There's all sorts of court claims that could be brought presumably. Whether that will happen or not, I don't know. If it does, and is brought in this state, of course that will be within my scope, but in Virginia, I have no idea, Attorney Hardin answered.

Commissioner Meehan stated, "Thank you," ending the discussion with Attorney Hardin.

Commissioner John Lewis, stated he had been addressed concerning the problem of smoke coming from burning of bark/sawdust from a log yard on the four-lane going toward Roan Mountain. It was addressed to County Attorney, if it would be possible to draft a Resolution concerning this smoke being a nuisance?

County Attorney replied if the business was being properly operated, there is nothing we could do to restrict it.

Zoning Director, Christopher Schuettler, responded that he had spoken to an individual about this and was waiting for a response.

Commissioner Al Meehan, spoke and addressed the Mayor concerning what objective criteria he had to testify in an out-of-state court where illegal activity was going on in Carter County.

"You said you would help people that needed help," Meehan stated.

Mayor Humphrey, responded, "I do, and this particular lady approached me in October of last year with a need. As a result, I followed up on that need. I did my own investigation."

He went on to state, "As a result, we found certain information that has not been disclosed, and I won't disclose it because this is a legal matter in the courts in the State of Virginia. The Sessions Court has already ruled, sir." "It's a civil matter."

Commissioner Meehan responded addressing Mayor Humphrey, "You're the highest elected official in Carter County and your going out saying that we're doing illegal things here, and without an attorney to help you in your testimony, I find that highly irregular."

Mayor Humphrey replied that a constituent had come to him that had been wronged by someone. He investigated and when it got to the level that they initiated legal action, took the information that he had, and "presented it to the court." If somebody comes to his office feeling like they had been wronged, he would handle it with the same professional service.

Commissioner Meehan replied he was worried about our jurisdiction if a lawsuit does show up by these people about illegal activity.

Mayor Humphrey went on to say that insurance takes care of us in the event that someone does something they shouldn't. We shouldn't worry about a situation until it happens, and it has not.

Meehan replied, "If we have to approve funds, to pay for a lawsuit, it does worry us."

Commissioner Bradley Johnson, spoke in regards to robotics being taught in the school system. He encouraged everyone to support education. He also spoke concerning the actions made under the Freedom of Information Act and the Civil case in Virginia, as previously discussed. Commissioner Johnson questioned Mayor Humphrey, "Under the Freedom of Information Act, did you provide all the documents, as requested, by, what they asked for?"

Mayor Humphrey responded, "The attorney, has all the documents that were requested."

Commissioner Sonja Culler, stated that budget planning would begin April 2. Commissioner Culler, extended words of appreciation to Mrs. Byrd for being so helpful as Financial Director. Well wishes were also extended to her as she takes new position.

Motion to adjourn was made by Timothy Holdern. Chairman Acuff adjourned. **Meeting Ended at 9:56 PM0**

AGENDA
CARTER COUNTY, TENNESSEE
Board of County Commissioners
REGULAR SESSION
Monday, March 19th 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. Acceptance of Minutes from the February 20, 2018 Commission Meeting
9. Public Comments
10. Notaries and Bonds
11. Resolution to Authorize the Mayor to File an Application for the 2018 THDA Home Funds
12. Resolution Requesting Additional Right of Way, Engineering, Design and Environmental Reviews by TWRA and/or TDOT
13. Resolution Asking the Tennessee General Assembly to Investigate and Reject Legislation Which Places New Financial Obligations on County Governments Without Funding and to Specifically Remove Unfunded Mandates of Annual Salary Increases for Certain Elected and Appointed County Officials
14. Consideration of Tax Increment Financing (TIF) for Watauga River Redevelopment Area – Interim City Manager Jon Hartman
15. Budget Items for Consideration – Budget Chairwomen Sonja Culler
 - a. Funding Request From Buildings and Grounds
 - b. Regular Monthly Budget Items
16. Highway Committee Items – Chairman Mike Hill
17. Agriculture Committee – Commissioner Ross Garland
18. Mayoral Report
19. Committee Reports/Recommendations
20. County Attorney Report
21. Commission Comments
22. Adjourn

**Notaries / Bonds
to be
Approved
March 1st, 2018**

**John K. Farrell
Kristi Demoss
Susan Shoemake
Evelyn Dugger
Garry D. Edwards
Deborah R. Ledford
Daniel J. Wilson
Mack A. Cooke, Jr.
Mary R. Gouge
Ricky Walters
Amy Huskins
Traci English
Rhonda S. Hubbard**

Add: Tammy Smithdeal

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR CARTER COUNTY, TENNESSEE

REGULAR MEETING, MONDAY, MARCH 19, 2018

RESOLUTION NO. 697

"A RESOLUTION OF THE CARTER COUNTY LEGISLATIVE BODY TO AUTHORIZE THE COUNTY MAYOR TO FILE AN APPLICATION FOR 2018 THDA HOME FUNDS"

WHEREAS, the Board of County Commissioners for Carter County recognizes the need for housing rehabilitation for low-income residents within the county; and

WHEREAS, the Board desires to provide these services to the residents of Carter County, including those residents of the municipalities within the county; and

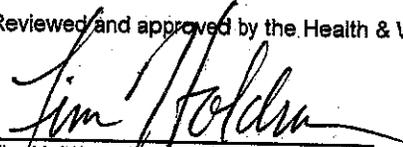
WHEREAS, the Board understands that the U.S. Department of Housing and Urban Development allows for assistance through the HOME program, administered by the Tennessee Housing Development Agency (THDA), to provide housing rehabilitation for low-income persons.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners for Carter County, Tennessee, meeting in regular session on this the 19th day of March, 2018, with a lawful quorum of said Board being present and with a majority voting in the affirmative, that the Board hereby authorizes the Carter County Mayor to file an application for the 2018 HOME funds with (THDA) in the amount of \$500,000.00. There are no county funds required to match the program.

BE IT FURTHER RESOLVED that the Board of County Commissioners does hereby authorize the County Mayor to sign any and all documents, contracts, assurances, and forms of compliance necessary to effectuate the completion and submittal of the application and that the First Tennessee Development District administer this grant application and grant funds on behalf of Carter County.

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

Reviewed and approved by the Health & Welfare Committee on March 6, 2018.


Tina Holdren, Committee Chairperson

Adopted this 19th day of March, 2018.

CARTER COUNTY, TENNESSEE
BOARD OF COUNTY COMMISSIONERS

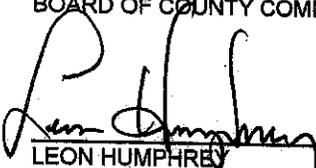
APPROVED:

By:


ROBERT V. ACUFF, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

APPROVED:

By:


LEON HUMPHREY
CARTER COUNTY MAYOR

VETOED:

By: _____
LEON HUMPHREY
CARTER COUNTY MAYOR

Date: _____

VETO OVERRIDE VOTE:

_____ YES VOTES
_____ NO VOTES
_____ ABSTAIN VOTES

APPROVED WITH SUCCESSFUL
OVERRIDE VOTE:

By: _____
ROBERT V. ACUFF, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

Date: _____



Mary Gouge

MARY GOUGE
CARTER COUNTY CLERK

APPROVED AS TO FORM:

Joshua A. Hardin

JOSHUA A. HARDIN
CARTER COUNTY ATTORNEY

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR CARTER COUNTY, TENNESSEE

REGULAR MEETING, MONDAY, MARCH 19, 2018

RESOLUTION NO. 698

"A RESOLUTION REQUESTING ADDITIONAL RIGHT OF WAY ACQUISITION, ENGINEERING, DESIGN AND ENVIRONMENTAL REVIEWS BY TWRA AND/OR TDOT TO ENABLE THE INSTALLATION OF A PARK AND FLOAT ACCESS RAMP AS PART OF THE PENDING REPLACEMENT OF SMALLING BRIDGE LOCATED ON SMALLING ROAD IN CARTER COUNTY"

WHEREAS, the Tennessee Department of Transportation (TDOT) is currently in the planning stages to complete a replacement of Smalling Bridge which spans the Watauga River on Smalling Road in Carter County; and

WHEREAS, as part of the planning process for replacement of said bridge, TDOT must undertake certain right of way acquisition, engineering, design and environmental reviews; and

WHEREAS, the Carter County Highway Committee has learned that it may be possible for TDOT officials, working in conjunction with officials of the Tennessee Wildlife Resources Agency (TWRA), to incorporate additional right of way acquisition, engineering, design and environmental reviews within the current plans to enable the construction/installation of a "park and float" access point for Watauga River; and

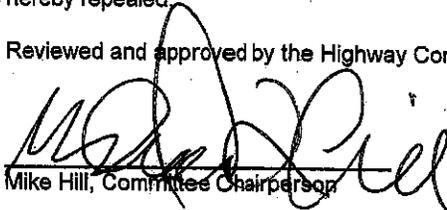
WHEREAS, it is the desire of the Board of County Commissioners, upon recommendation of the Highway Committee, to request these additional steps by TDOT and/or TWRA to provide an additional river access point as part of the bridge replacement so that increased recreational opportunities may be provided to the citizens of Carter County and the surrounding region.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners for Carter County, Tennessee, meeting in regular session on this the 19th day of March, 2018 with a lawful quorum of said Board being present and with a majority voting in the affirmative, that the Board hereby respectfully requests that the appropriate officials with TDOT and/or TWRA perform whatever steps may be necessary on behalf of Carter County to incorporate any additional budget, right of way acquisition, engineering, design and environmental reviews within the plans necessary for replacement of Smalling Bridge to enable the construction and/or installation of a "park and float" access road, ramp and parking area for the benefit of the citizens of Carter County and the public at large.

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.

Reviewed and approved by the Highway Committee on March 12, 2018.


Mike Hill, Committee Chairperson

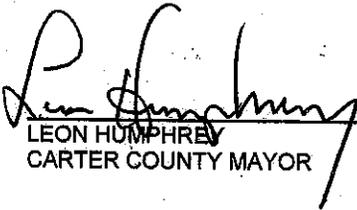
Adopted this 19th day of March, 2018.

CARTER COUNTY, TENNESSEE
BOARD OF COUNTY COMMISSIONERS

APPROVED:

By: 
ROBERT V. ACUFF, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

APPROVED:

By: 
LEON HUMPHREY
CARTER COUNTY MAYOR

VETOED:

By: _____
LEON HUMPHREY
CARTER COUNTY MAYOR

Date: _____

VETO OVERRIDE VOTE:

_____ YES VOTES
_____ NO VOTES
_____ ABSTAIN VOTES

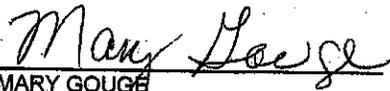
APPROVED WITH SUCCESSFUL
OVERRIDE VOTE:



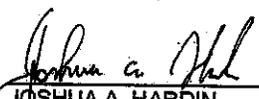
By: _____
ROBERT V. ACUFF, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

Date: _____

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, MONDAY, MARCH 19, 2018

RESOLUTION NO. 699

"A RESOLUTION REQUESTING THAT THE TENNESSEE GENERAL ASSEMBLY CAREFULLY INVESTIGATE AND RECONSIDER ANY LEGISLATION WHICH PLACES NEW FINANCIAL OBLIGATIONS ON COUNTY GOVERNMENTS WITHOUT PROVIDING FUNDING AND TO SPECIFICALLY REMOVE THE UNFUNDED STATE MANDATE OF ANNUAL SALARY INCREASES FOR CERTAIN ELECTED AND APPOINTED COUNTY OFFICIALS"

WHEREAS, each year new legislation is proposed before the Tennessee General Assembly, and while the proposed legislation potentially provides desirable benefits the fiscal cost to county governments is rarely considered, and if the potential legislation is passed it results in a significant financial burden on Tennessee counties; and

WHEREAS, in an effort to restrict state costs and spending, many existing mandates and obligations previously passed by the Tennessee General Assembly have required costs and expenditures which are passed down to the local governments, again leaving counties responsible for complying with these unfunded state mandates; and

WHEREAS, each county's financial resources are scarce and finite, and unfunded state mandates create undue hardships for local governments like Carter County that impair its duty to serve its citizenry, often forcing a reduction or elimination of other essential services and eroding the county's ability to afford other necessary expenditures; and

WHEREAS, of particular concern to the Board of County Commissioners for Carter County is the ongoing unfunded state mandate which requires increases in the salaries of various county elected and appointed officials nearly every year; and

WHEREAS, since its inception said mandate has resulted in significant salary increases over the years for the applicable elected and/or appointed county officials while rendering counties such as Carter County unable to fund each office in such a manner as to account for the mandated increase in salary for the officeholder and also permit equitable pay increases for the actual county employees working in each office; and

WHEREAS, the Board of County Commissioners for Carter County would prefer the freedom to equitably fund pay increases for all county officials and employees within each county office without the burden of meeting the significant mandated salary increases each year for the elected and appointed county officials to whom the mandate applies.

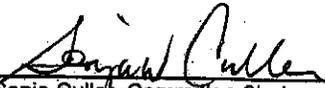
NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners for Carter County, Tennessee, meeting in regular session on this the 19th day of March, 2018, with a lawful quorum of said Board being present and with a majority voting in the affirmative as follows:

1. That by this is Resolution the Board respectfully requests that those State Legislators representing Carter County in the Tennessee General Assembly carefully investigate and reconsider any legislation which mandates new or increased financial obligations upon Carter County and other Tennessee counties without providing a funding mechanism for said mandated obligations.

2. That by this Resolution the Board respectfully requests that those State Legislators representing Carter County in the Tennessee General Assembly support legislation which would relieve or reduce the financial burden upon Carter County and/or all Tennessee counties of funding annual mandated increases in the salaries of certain elected or appointed county officials, and instead provide the freedom for counties such as Carter County to more equitably fund pay increases for all county officials and employees.

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

Reviewed and approved by the Budget Committee on 3/8/18.



Sonja Cullen, Committee Chairperson

Adopted this 19th day of March, 2018.

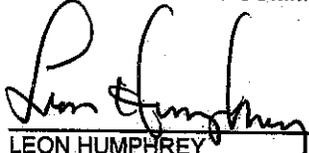
CARTER COUNTY, TENNESSEE
BOARD OF COUNTY COMMISSIONERS

APPROVED:

By: 

ROBERT V. ACUFF, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

APPROVED:

By: 

LEON HUMPHREY
CARTER COUNTY MAYOR

VETOED:

By: _____
LEON HUMPHREY
CARTER COUNTY MAYOR

Date: _____

VETO OVERRIDE VOTE:

_____ YES VOTES

_____ NO VOTES

_____ ABSTAIN VOTES

APPROVED WITH SUCCESSFUL
OVERRIDE VOTE:

By: _____
ROBERT V. ACUFF, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

Date: _____

ATTEST:



Mary Gouge
MARY GOUGE
CARTER COUNTY CLERK

APPROVED AS TO FORM:

Joshua A. Hardin
JOSHUA A. HARDIN
CARTER COUNTY ATTORNEY

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR CARTER COUNTY, TENNESSEE

REGULAR MEETING, MONDAY, MARCH 19, 2018

RESOLUTION NO. 700

"A RESOLUTION APPROVING THE REDEVELOPMENT AND URBAN RENEWAL PLAN FOR THE WATAUGA RIVER REDEVELOPMENT AREA AS SUBMITTED BY THE ELIZABETHTON HOUSING AND DEVELOPMENT AGENCY"

WHEREAS, the Elizabethton Housing and Development Agency working in conjunction with the City of Elizabethton has developed policies and procedures and an application for a Tax Increment Incentive Program for the Watauga River Redevelopment Area; and

WHEREAS, said entities have also submitted a Redevelopment and Urban Renewal Plan for the designated Watauga River Redevelopment Area, which includes a Tax Increment Financing (TIF) Plan, the same being attached hereto as an exhibit and fully incorporated herein by specific reference; and

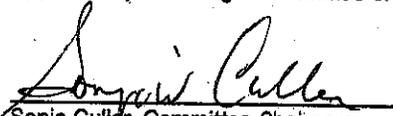
WHEREAS, pursuant to Tenn. Code Ann. §§ 13-20-201 et seq., the Board of County Commissioners for Carter County must adopt and approve the submitted Redevelopment and Urban Renewal Plan by Resolution before it may become effective as to Carter County.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners for Carter County, Tennessee, meeting in regular session on this the 19th day of March, 2018, with a lawful quorum of said Board being present and with a majority voting in the affirmative that the Board hereby fully adopts and approves the Redevelopment and Urban Renewal Plan for the designated Watauga River Redevelopment Area as attached hereto as an exhibit and fully incorporated herein by specific reference.

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 prior Resolutions of the Board of County Commissioners of Carter County, Tennessee which are in conflict with this Resolution are hereby repealed.

Approved by the Budget Committee on 3/8/18.

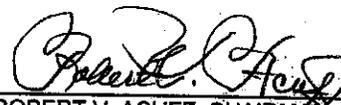

Sonja Culler, Committee Chairperson

Adopted this 19th day of March, 2018.

CARTER COUNTY, TENNESSEE
BOARD OF COUNTY COMMISSIONERS

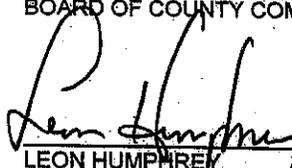
APPROVED:

By:


ROBERT V. ACUFF, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

APPROVED:

By:


LEON HUMPHREY
CARTER COUNTY MAYOR

VETOED:

By: LEON HUMPHREY
CARTER COUNTY MAYOR

Date: _____

VETO OVERRIDE VOTE:

_____ YES VOTES
_____ NO VOTES
_____ ABSTAIN VOTES

APPROVED WITH SUCCESSFUL
OVERRIDE VOTE:

By: ROBERT V. ACUFF, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

Date: _____



ATTEST:

Mary Gouge
MARY GOUGE
CARTER COUNTY CLERK

APPROVED AS TO FORM:

Joshua A. Hardin
JOSHUA A. HARDIN
CARTER COUNTY ATTORNEY

February Animal Shelter Donation- Delores Cole	30.00
February Animal Shelter Donation- The Collin & Carly Group	25.00
February Animal Shelter Donation- Taya Lucas	40.00
February Animal Shelter Donation- Darla Smith	20.00
February Animal Shelter Donation- Tim & Debbie Holmes	25.00
February Animal Shelter Donation- Samantha Morgan	10.00
February Animal Shelter Donation- Kaleb Denton	5.00
February Animal Shelter Donation- Carolyn Hampbrick	5.00
February Animal Shelter Donation- June Oaks	100.00
February Animal Shelter Donation- Deana Wiseman	110.00
February Animal Shelter Donation- Snap on Tools	13.57
February Animal Shelter Donation- East TN Border Collie Rescue	30.00
February Animal Shelter Donation- Petsmart	10.00
February Drug Fund Donation- Cherry Point Animal Hospital	568.40

Animal Shelter Total	\$ 423.57
Sheriff Dept Total	\$ 568.40
February 2018 Total Donations	\$ 991.97

**Carter County
General Fund 101
Budget Amendment #9
19-Mar-18**

Item #1	57100-201 Social Security		\$ 3,000.00	Decrease
	57100-435 Office Supplies	\$ 3,000.00		Increase

Reallocate within the UT. Extension budget.

Item #2	54900-191 Board & Committee	\$ 700.00		Increase
	54900-201 Unemployment Compensation	\$ 50.00		Increase
	54900-322 Evaluation & Testing		\$ 750.00	Decrease

Reallocate within Civil Service budget.

Item #3	49700 Insurance Recovery		\$ 4,931.50	Decrease
	54110-338 Maintenance & Repair-Vehicles	\$ 4,931.50		Increase

Allocate for Insurance Recovery for damage to 2013 Ford Explorer.

Item #4	44170 Misc. Refunds		\$ 60.00	Increase
	54110-399 Other Contracted Services	\$ 60.00		Increase

Recognize State of TN payment.

Item #5	47990 Other Direct Federal Revenue		\$ 800.00	Increase
	54110-399 Other Contracted Services	\$ 800.00		Increase

Recognize Inmate Social Security payments received.

Item #6	40130 Clerk & Master-Prior Years		\$ 4,000.00	Increase
	53400-348 Postage	\$ 4,000.00		Increase
	53400-355 Travel		\$ 950.00	Decrease
	53400-435 Office Supplies	\$ 950.00		Increase

Allocate for additional Clerk & Master postage fees and office supplies.

Total \$ 14,491.50 \$ 14,491.50

Carter County
Solid Waste Fund 116
Budget Amendment #1
19-Mar-18

Item #1	49700 Insurance Recovery		\$ 401,921.53	Increase
	55754-707 Building Improvements	\$ 181,000.00		Increase
	55754-733 Solid Waste Equipment	\$ 220,921.53		Increase

Recognize Insurance Recovery from landfill fire.

Total	\$ 401,921.53	\$ 401,921.53
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Carter County
Drug Fund 122
Budget Amendment #9
19-Mar-18

Item #1	48610 Donations		\$ 568.40	Increase
	54110-401 Animal Food & Supplies	\$ 568.40		Increase

Recognize donation for K-9 expenses.

Total	\$ 568.40	\$ 568.40
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Carter County
Sports & Recreation Fund 123
Budget Amendment #2
19-Mar-18

Item #1	39000 Unassigned Fund Balance		\$ 10,739.52	Decrease
	56700-599 Other Charges	\$ 10,739.52		Increase

Allocate remainder to Park & Rec Fund Balance for FY18-19 projects.

Total	\$ 10,739.52	\$ 10,739.52
Amount from Fund Balance		\$ 10,739.52

Carter County
Food Service Fund 143
Amendment #1
19-Mar-18

Item #1	39000 Unassigned Fund Balance		\$ 115,966.27	Decrease
	73100-710 Food Service Equipment	\$ 115,966.27		Increase

Allocate for purchase of Food Service Equipment.

Total	\$ 115,966.27	\$ 115,966.27
Amount from Fund Balance		\$ 115,966.27

Carter County
General Purpose School Fund 141
Amendment #10
19-Mar-18

Item #1	71300-429 Instructional Supplies	\$ 11,000.00	Decrease
	72230-336 Maintenance & Repair	\$ 3,000.00	Decrease
	72230-599 Other Charges	\$ 14,000.00	Increase

Reallocate within the GPS Vocational budget.

Item #2	49700 Insurance Recovery	\$ 13,304.74	Increase
	76100-707 Building Improvements	\$ 13,304.74	Increase

Recognize Insurance reimbursement for HVH field house damage.

Item #3	46511 Basic Education Program	\$ 116,000.00	Increase
	82130-610 Principal on Capital Leases	\$ 186,225.00	Decrease
	71100-207 Medical Insurance	\$ 205,000.00	Increase
	71150-207 Medical Insurance	\$ 5,000.00	Increase
	71200-207 Medical Insurance	\$ 48,000.00	Increase
	72210-207 Medical Insurance	\$ 4,025.00	Increase
	72220-207 Medical Insurance	\$ 2,500.00	Increase
	72320-207 Medical Insurance	\$ 2,700.00	Increase
	72410-207 Medical Insurance	\$ 16,500.00	Increase
	72710-207 Medical Insurance	\$ 18,500.00	Increase

Allocate for 2017-18 Medical Insurance Increase.

Item #4	34330 Reserved for Capital Outlay	\$ 346,944.00	Increase
	76100-304 Architect Fees	\$ 16,740.00	Increase
	76100-707 Building Improvements	\$ 330,204.00	

Allocate of roofing projects.

Item #5	34330 Reserved for Capital Outlay	\$ 337,247.00	Increase
	76100-304 Architect Fees	\$ 17,000.00	Increase
	76100-707 Building Improvements	\$ 320,247.00	

Allocate of window replacement.

Total	\$ 1,013,720.74	\$ 1,013,720.74
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Carter County
Food Service Fund 143
Amendment #1
19-Mar-18

Item #1	39000 Unassigned Fund Balance		\$ 115,966.27	Decrease
	73100-710 Food Service Equipment	\$ 115,966.27		Increase

Allocate for purchase of Food Service Equipment.

Total	\$ 115,966.27	\$ 115,966.27
Amount from Fund Balance		\$ 115,966.27

South Elizabethton Utility District
1520 Gap Creek Rd
Elizabethton, TN 37643
423-542-8588

December 20, 2017

Honorable Mayor Leon Humphrey
801 East Elk Avenue
Suite 201
Elizabethton, TN 37643

The commission term currently filled by Elizabeth Whitson will expire March 31, 2018, this was to complete Olen Pate's term. Ms. Whitson has completed the 12 hours of training required during the first 12 months of being appointed, and will be current with training until 2020. At our December meeting on 12/20/2017 the other two sitting commissioners ask Ms. Whitson if she would be willing to continue to serve. Her answer was yes. The Board of Commissioners of South Elizabethton Utility District directed the staff to submit a list of three names as required by Senate Bill 3513 and House Bill 2865.

-Elizabeth Whitson 423-335-4837
Anthony Lyons 423-542-6166/423-416-4519
Scotty L. Hayes 423-470-2099

Respectfully,
South Elizabethton Utility District


Ray Lyons, Chairman

COUNTY ATTORNEY REPORT
March 2018

General Litigation update:

1. County Delinquent Tax Sale for 2015 tax year. Sale scheduled for March 23, 2018 at 9 a.m. Approximately 40 parcels remain scheduled for sale.
* Vote for approval of bidding by Clerk and Master on behalf of Carter County**

2. Cecil Perry v. Carter County- cases pending in both US. District Court and Carter County Circuit Court involving Constable Brown. Answers have been filed in both cases seeking dismissal.

Other Work performed/ongoing:

1. Research completed and opinions rendered for various county office holders and commissioners as requested.
2. Planning Office - Research and meetings/calls re: litter regulations and gun range issue.
3. Highway Committee- Attended Committee meeting; Draft of Park and Float Resolution for Watauga River access at Smalling Bridge; Letter to EED regarding tree trimming issues; Finalize Lick Branch Road closure and record instruments; Research and revision of county road adoption procedure.
4. Parks and Recreation Board- meeting with Chairman and review of proposed operating agreements; Calls and emails with committee members re: TDOT land donation.
5. Landfill - Research and correspond with CTAS officials and Landfill Director re: construction issues.
6. Animal Shelter Board - Research completed on various issues: Assist with records issues; Review of construction contract.
7. Register of Deeds - Research re: employment law issue.
8. Mayor's Office- Research and assist regarding county resident death with unclaimed body; Draft of Home Grant Resolution.
9. County Commission - Advance certified copies of Resolutions requiring action by Tennessee General Assembly to Representative Hill's office; Research re: ADA compliance.
10. Finance Department- Research re: Director Appointment.
11. Sheriff's Office- Review of Verizon wireless contract.
12. Rules and Bylaws Committee- Attended meeting.
13. Health and Welfare Committee- Attended meeting.
14. Law Enforcement Committee- Attended committee meeting.
15. Buildings and Grounds Committee- Attended committee meeting; Call with TDOT officials re: Gap Creek Park/TDOT land donation.
16. Budget Committee - Attended meeting; Research and draft Resolution re: Unfunded state mandates and Resolution for TIF Approval.

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