

Carter County Commission
Regular Session
April 16, 2018

APPROVED
w/consent, ma
5-22-18
PH

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\April 16 2018 Commission Meeting.rcc
Date and Time of New Session: 4/16/2018 6:06:49 PM

Beginning Roll Call for New Session:

Leon Humphrey is Present
Willie Campbell is Present
Buford Peters is absent
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 absent

Number of Voters PRESENT for Roll Call: 23

Number of Voters ABSENT for Roll Call: 2

Approval of Agenda

Motion was made by Danny Ward, seconded by Mike Hill, to approve and accept tonight's agenda as presented. (Item # 1) Recorded on page 776

Roll Call Vote as follows (Item # 1):

1. Vote Results for: Item No. 1

Time of Vote: 6:13:44 PM

Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters was Absent
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 was Absent

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

Opening Prayer – was led by Commissioner, Willie Campbell.

Pledge of Allegiance – was led by Commissioner, Kelly Collins.

Recognition of Elected and Appointed Officials/Guest present were requested by Chairman Acuff to stand at this time, thanking them for their service.

Acceptance of Minutes from the March 19, 2018 Commission Meeting

Motion was made by John Lewis, seconded by Larry Miller, to accept as presented, the minutes of the previous meeting, March 19, 2018, with corrections as requested and listed below. (Item # 2)Page 720, under Public Comments: spelling of Bryan Witten, to Bryan Whidden. Commissioner, Charles VonCannon, distributed a map to note the design of the purposed Smalling Bridge design and boat ramp as discussed during that meeting.

Roll Call Vote as follows (Item # 2):
2. Vote Results for: Item No. 2
Time of Vote: 6:33:38 PM
Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters was Absent
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 was Absent

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

Public Comments

Jim McGee, resident of Ridgecrest Drive, spoke apologizing to all in connection to right-of-way issues with his property.

Ed Jordan, representing Carter County Proud, presented an update and upcoming events.

Leon Humphrey, as a citizen, spoke in regards to a letter addressed to Mayor Humphrey and Members of the Commission from Richard Smith 209 Ron Royce Drive. This was addressing issues concerning Ron Royce Drive.

Highway Chairman, Mike Hill stated this has not been presented before the Highway Committee for consideration.

Point of Order was voiced by Commissioner Bradley Johnson, stating this was not a debate session, but a time for Public Comments.

Mayor Humphrey continued to speak concerning the request made in the letter from Richard Smith.

Point of Order was once again voiced by Commissioner Johnson.

Mayor Humphrey requested that he be allowed to finish his statement.

Chairman Acuff, urged Mayor Humphrey to complete his statements and make his point.

Mayor Humphrey continued to speak.

Point of Order was voiced by Commissioner Al Meehan stating that the point had not been made.

Chairman Acuff requested that Mayor Humphrey proceed and complete his statement.

Mayor Humphrey continued to speak in regards to Ron Royce Drive.

Highway Chairman, Mike Hill urged all interested citizens to attend the Highway Committee meeting.

A "Town Hall Meeting" being held April 21, 2018 at the Elizabethton Airport, was announced by Chairman Acuff.

Nomination and Election of the Carter County Attorney

It was noted that an application had been placed in the Commissioners packets from Attorney Joshua Hardin. Chairman Acuff opened the floor for nominations.

Attorney, Joshua Hardin, was nominated by Commissioner, Willie Campbell, seconded by Commissioner, Nancy Brown.

Motion was made by Danny Ward, seconded by Willie Campbell, to cease nominations. (Item # 3)

Roll Call Vote as follows (Item #3):

3. Vote Results for: Item No. 3

Time of Vote: 6:34:10 PM

Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote

Willie Campbell voted: Y

Buford Peters was Absent

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 was Absent

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

Motion was made by Sonja Culler, seconded by Ross Garland, to accept and re-appoint, Attorney, Joshua Hardin, as Carter County Attorney. (Item #4)

Roll Call Vote as follows (Item #4):
4. Vote Results for: Item No. 4
Time of Vote: 6:36:43 PM
Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters was Absent
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 was Absent

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

Attorney Hardin was thanked for his service to Carter County. Family member's of Attorney Hardin stood and were recognized.

Notaries and Bonds

Motion was made by Nancy Brown, seconded by Al Meehan, to accept the Notaries/Bonds for April 16, 2018, as presented. (Item #5) Recorded on page 777

Roll Call Vote as follows (Item #5):
5. Vote Results for: Item No. 5
Time of Vote: 6:38:42 PM
Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters was Absent
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 was Absent

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

Budget Items for Consideration – Chairwoman Sonja Culler

a. Carter County Assets Based Planning Grant Matching Funds Balances

Motion was made by Sonja Culler, seconded by John Lewis, to approve a request by Mayor Humphrey for \$8,600.00 matching funds for Carter County to be awarded a competitive grant in the amount of \$50,000 from TNECD. This is to pay to hire Design Sensory to develop,

1. A branding strategy for the county;
2. Planning;
3. \$15,000 to be used for new industrial park location, to be identified by TVA.

This amount will be coming from Fund Balance. (Item #6)

Recorded on page 779 - General Fund 101 Budget Amendment # 10, Item # 1
Page 781

Roll Call Vote as follows (Item #6):
6. Vote Results for: Item No. 6
Time of Vote: 6:38:59 PM
Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters was Absent
Robert Acuff voted: N
Nancy Brown voted: Y
Mike Hill voted: Y
Al Meehan voted: Y
Bradley Johnson voted: N
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: N
Sonja Culler voted: N
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll voted: Y
Kelly Collins voted: Y
Cody McQueen was Absent

Passed (17 Y - 5 N - 0 A - 2 Absent)
Number of Abstain Votes: 0

Budget Items for Consideration

b. *Landfill Request for \$26,538.30 From Grant Matching Funds Request*

Motion was made by Sonja Culler, seconded by Mike Hill, to approve a request from Landfill Committee for \$26,538.30 to cover the cost for vehicles, tools, and building at the landfill after insurance has paid. This amount will be coming from Fund Balance. (Item #7)
Recorded on page 782 See General Fund 101 Budget Amendment # 10, Item # 10.

Roll Call Vote as follows (Item #7):

7. Vote Results for: Item No. 7

Time of Vote: 6:39:42 PM

Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters was Absent
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 was Absent

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

Budget Items for Consideration

c. *Regular Monthly Budget Items*

Motion was made by Sonja Culler, seconded by Nancy Brown, to accept the March 2018 donations

totaling \$1,235.70 with \$435.00 going to the Animal Shelter, \$100.70 going to the Sheriff's Department, and \$700.00 going to the Health Department. (Item #8) Recorded on page 780

Roll Call Vote as follows (Item #8):

8. Vote Results for: Item No. 8

Time of Vote: 6:40:14 PM

Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters was Absent
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: 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 was Absent

Passed (20 Y - 2 N - 0 A - 2 Absent)

Number of Abstain Votes: 0

Motion was made by Sonja Culler, seconded by Ross Garland, to approve General Fund 101 Amendment #10 for a total of \$57,015.13 with 9 items. (Item #9)

Recorded on pages 781- 782

Roll Call Vote as follows (Item #9):

9. Vote Results for: Item No. 9

Time of Vote: 6:41:10 PM

Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters was Absent
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 was Absent

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

Motion was made by Sonja Culler, seconded by Danny Ward, to approve Solid Waste Fund 116 Amendment #2 for a total of \$136,538.30 with 1 item and \$110,000 coming from Solid Waste Fund Balance. (Item #10) Recorded on page 780

Roll Call Vote as follows (Item #10):

10. Vote Results for: Item No. 10

Time of Vote: 6:41:28 PM

Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters was Absent
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 was Absent

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

Motion was made by Sonja Culler, seconded by Ray Lyons, to approve Drug Fund 122 Amendment #10 for a total of \$1,300 with 1 item and nothing coming from fund balance. (Item #11) Recorded on page 780

Roll Call Vote as follows (Item #11):

11. Vote Results for: Item No. 11

Time of Vote: 6:42:00 PM

Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters was Absent
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 was Absent

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

Motion was made by Sonja Culler, seconded by Mike Hill, to approve Highway Fund 131 Amendment #6 for a total of \$30,000 with 1 item and nothing coming from fund balance. (Item #12) Recorded on page 783

Roll Call Vote as follows Item #12):
12. Vote Results for: Item No. 12
Time of Vote: 6:42:48 PM
Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters was Absent
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 was Absent

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

Motion was made by Sonja Culler, seconded by Bobbie Gouge-Dietz, to approve General Purpose School Fund 141 Amendment #11 for \$598,395.05 with 2 items and \$596,400 coming from School's Fund Balance. (Item #13) Recorded on page 783

Roll Call Vote as follows (Item #13):
13. Vote Results for: Item No. 13
Time of Vote: 6:43:03 PM
Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters was Absent
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 was Absent

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

Motion was made by Sonja Culler, seconded by Ross Garland, to approve Federal Projects
Fund 142 Amendment #4 for \$30,000 with 1 item and nothing coming from fund balance.
(Item #14) Recorded on page 784

Roll Call Vote as follows (Item #14):
14. Vote Results for: Item No. 14
Time of Vote: 6:53:29 PM
Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters was Absent
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 was Absent

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

Budget Item for Consideration

d. *Keep American Beautiful Application*

Motion was made by Sonja Culler, seconded by Ross Garland, to allocate \$2,000 coming from General Fund, to the Mayor's Budget to be held for the Keep American Beautiful membership. The Commission will also be responsible for the annual \$250.00 membership fee that comes with the affiliation. The total cost is \$4,000 with \$2,000 being reimbursed from the City of Elizabethton. (Item # 15)

Roll Call Vote as follows (Item #15):

15. Vote Results for: Item No. 15

Time of Vote: 7:07:05 PM

Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters was Absent
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: A
Kelly Collins voted: Y
Cody McQueen was Absent

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

Recess

Chairman Acuff moved that the Commission enter into a ten (10) minute recess. Following the recess, the meeting was called back to order by Chairman Acuff.

Highway Items for Consideration – Chairman Mike Hill

a. *Resolution Approving a Project to be Completed on the Grounds of Siam Alternative Learning Center, Carter County School System*

Motion was made by Mike Hill, seconded by Charles VonCannon, to adopt as presented,
RESOLUTION No. 701

“A RESOLUTION APPROVING A HIGHWAY DEPARTMENT PROJECT TO

**BE COMPLETED BY THE CARTER COUNTY HIGHWAY DEPARTMENT ON
THE GROUNDS OF SIAM ALTERNATIVE LEARNING CENTER." (Item #16)**
Recorded on pages 785 - 786

County Attorney, Joshua Hardin presented a brief summary of the Resolution being presented.

Roll Call Vote as follows (Item #16):

16. Vote Results for: Item No. 16

Time of Vote: 7:08:24 PM

Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters was Absent
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 was Absent

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

Number of Abstain Votes: 0

Highway Items for Consideration

- b. *The Adoption of the Language in TCA-54-1-133 as the County Policy for
Memorial Bridges and Road Signs*

Motion was made by Mike Hill, seconded by Danny Ward, to adopt TCA-54-1-133 as language for
the Signage Policy for the Memorial namings for Carter County. (Item #17)
Recorded on page 787

Roll Call Vote as follows (Item #17):

17. Vote Results for: Item No. 17

Time of Vote: 7:11:20 PM

Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters was Absent
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 was Absent

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

During discussion it was noted that the vote made during the March 2018 meeting concerning the Item #22 indicated that Commissioner VonCannon voted "N". This was discussed as possibly being an error. However, the vote was not questioned when it was revealed.

Commissioner VonCannon requested that the record show that he is very supportive of this item as presented.

Motion was made by Mike Hill, seconded by Al Meehan, **that a letter be sent to TDOT requesting a traffic study be made concerning the placement of a traffic light at the 19E and Gap Creek Road intersection. (Item #18)**

Roll Call Vote as follows (Item #18):
18. Vote Results for: Item No. 18
Time of Vote: 7:13:22 PM
Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters was Absent
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 was Absent

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

Cooperative Law Enforcement Agreement Between the Carter County Sheriff's Office and the
USDA, Forest Service, Cherokee National Forest - Chairman Randall Jenkins
(Law Enforcement Committee)

Motion was made by Randall Jenkins, seconded by Nancy Brown, to accept the Cooperative Law Enforcement Agreement (FS Agreement No. 18-LE-11080400-039) Between the Carter County Sheriff's Office and the USDA, Forest Service Cherokee National Forest. (Item #19) Recorded on pages 788 - 795

Roll Call Vote as follows (Item #19):
19. Vote Results for: Item No. 19
Time of Vote: 7:14:19 PM
Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters was Absent
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 was Absent

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

County Employee Sick Leave Policy Change - Chairman Randall Jenkins (Rules and Bylaws
Committee)

Motion was made by Randall Jenkins, seconded by Nancy Brown, to change the Sick Leave Policy for County Employees and enter the same into the Employees Handbook. (Item #20) Recorded on page 796

Discussion followed noting that an employee can began accumulating sick days at the time of employment. However, it can't be used until completion of six (6) months of full time employment at which time they shall be credited with six (6) days sick leave.

Roll Call Vote as follows (Item #20):
20. Vote Results for: Item No. 20
Time of Vote: 7:16:04 PM
Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters was Absent
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: N
Kelly Collins voted: Y
Cody McQueen was Absent

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

Planning Commission Re-Appointments – Chairman Al Meehan (Nominating Committee)

Motion was made by Al Meehan, as recommended by Chris Schuettler, Planning Commission Director, seconded by Ross Garland, **to confirm the re-appointments of Jerry Smith, Sonja Culler, and Ray Lyons, to the Planning Commission Board. This being a four (4) year term. (Item #21)**

Roll Call Vote as follows (Item #21):

21. Vote Results for: Item No. 21

Time of Vote: 7:17:54 PM

Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters was Absent
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: 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: A
Scott Simerly voted: Y
Robert Carroll voted: Y
Kelly Collins voted: Y
Cody McQueen was Absent

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

Mayoral Report

Appointment of Commissioner for Hampton Utility District

Richard Tester, appointment to the Board of Commissioners of the Hampton Utility District of Carter County, was made by Mayor Humphrey in accordance with T.C.A. 7-82-307(a), to serve from May 1, 2018 until April 20, 2022. Let the record reflect the same this the 16th day of April, 2018.

Motion was made by John Lewis, seconded by Sonja Culler, to confirm the re-appointments of Beverly "Joyce" Matherly, and Jerry L. Bowers, to the Carter County Equalization Board. (Item #22)

Roll Call Vote as follows (Item #22):

22. Vote Results for: Item No. 22

Time of Vote: 7:50:07 PM

Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote

Willie Campbell voted: Y

Buford Peters was Absent

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 was Absent

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

Number of Abstain Votes: 0

An update on Grant activity through the Mayor's office of Economic Development was presented by Mayor Humphrey.

Committee Report/Recommendations

Agriculture Committee – Commissioner Ross Garland, presented the report. No recommendations were made.

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

Education Committee – Danny Ward, Committee Chairman presented the report. No recommendations were to be presented.

Commissioner Charles VonCannon, on behalf of East Tennessee Christian Home, extended a thank you to Vickie Clark, FCS Director, for the Life Skill classes held recently at East Tennessee Christian Home teaching sewing.

It was reported that a vacancy had occurred on the Board of Education, as a member had moved. Attorney Hardin stated that he would research the process for filling that position.

Financial Management Committee – Danny Ward, Committee Chairman, announced that Brad Burke will assume the position of Financial Director of Carter County on April 19, 2018.

Health and Welfare Committee – Timothy Holdren, Committee Chairman, presented a brief report. He stated that progress was being made in regards to Environment Court. The resolution has been submitted to the General Assembly and waiting approval.

Parks and Recreation Board – Randall Jenkins, Commission Liaison presented no recommendations on behalf of the board.

Planning and Zoning – Chris Schuettler, Director, reported the April 24th meeting has been cancelled.

Landfill Committee – Chairwoman, Bobbie Dietz presented a brief report. No recommendations were presented.

Animal Shelter Board – Board member, Sonja Culler reported the Shelter would be closed, Thursday April 19, as employees have been summoned to Wise County Virginia.

County Attorney's Report – Joshua Hardin, Carter County Attorney's report April 2018 entered into the minutes on page 775.

Commission Comments

Commissioner, Bobbie Deitz, thanked Chairman Acuff for “moving the meeting along and getting out early.”

Commissioner, Ross Garland announced that activities would be held this Saturday at the Covered Bridge Park and encouraged all to attend.

Jim McGee was recognized by Chairman Acuff. Mr. McGee spoke in regards to milk production and Agricultural issues and its importance.

Adjourn

Chairman Acuff adjourned the meeting. Meeting Ended at 7:48 PM.

COUNTY ATTORNEY REPORT
April 2018

General Litigation update:

1. County Delinquent Tax Sale for 2015 tax year. Sale took place March 23, 2018. Twenty five (25) parcels were sold to private bidders. Two (2) parcels received no bids and are now vested in Carter County, and may be declared excess and sold following the redemption period.

Other Work performed/ongoing:

1. Research completed and opinions rendered for various county office holders and commissioners as requested.
2. Parks and Recreation Board- Site visit at TDOT property on Powder Branch Rd.; Calls and emails with committee members re: TDOT land donation.
3. County Commission – Revision of Unfunded Mandates Resolution and ensure submission to State Legislators; Submission of TIF Resolution to City officials.
4. Animal Shelter – Research various issues, and meetings with employees and Board members; correspondence with Mayor's office.
5. Sheriff's Office- Continued Review/edits of Verizon Wireless contract, emails and calls with counsel for Verizon; Review of Cooperative Agreement with U.S. Forest Service.
6. Research and obtain case preparation materials and correspondence with attorneys re: Perry v. Carter County.
7. Highway Committee- Attended Committee meeting; Draft Resolution for paving on school grounds by Highway Department.
8. Rules and Bylaws Committee- Attended committee meeting; Draft/Revision of portion of County Employee Handbook.
9. Budget Committee – Attended committee meeting; Research re: Budget issues.
10. Mayor's Office/Finance Department – Research open records request issue.
11. Circuit Court Clerk – Research re: open records issue.
12. Health and Welfare Committee- Attended committee meeting.
13. Law Enforcement Committee- Attended committee meeting.
14. Buildings and Grounds Committee- Attended committee meeting.

AGENDA
CARTER COUNTY, TENNESSEE
Board of County Commissioners
REGULAR SESSION
Monday, April 16, 2018 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 March 19, 2018 Commission Meeting
9. Public Comments
10. Nominations and Election of the Carter County Attorney
11. Notaries and Bonds
12. Budget Items for Consideration – Chairwomen Sonja Culler
 - a. Carter County Assets Based Planning Grant Matching Funds Request
 - b. Landfill Request for \$26,538.30 From the General Fund Balance
 - c. Regular Monthly Budget Items
 - d. Keep American Beautiful Application
13. Highway Items for Consideration – Chairman Mike Hill
 - a. Resolution Approving a Project to be Completed on the Grounds of Siam Alternative Learning Center, Carter County School System
 - b. The Adoption of the Language in TCA 54-1-133 as the County Policy for Memorial Bridges and Road Signs
14. Cooperative Law Enforcement Agreement Between the Carter County Sheriff's Office and the USDA, Forest Service, Cherokee National Forest – Chairman Randall Jenkins (Law Enforcement Committee)
15. County Employee Sick Leave Policy Change – Chairman Randall Jenkins (Rules and Bylaws Committee)
16. Planning Commission Re-Appointments – Chairman Al Meehan (Nominating Committee)
17. Mayoral Report
18. Committee Reports/Recommendations
19. County Attorney Report
20. Commissioner Comments
21. Adjourn

**Notaries / Bonds
to be
Approved
April 16, 2018**

**Jodi L. Shipley
Sara L. Cheek
Ronnie Kent
Tyler Arnold
E. Ellen Corvin
Brett A. Cole
Jonathan Todd Fields
Melissa Brown
Rhenda Kelly
Kevin A. Grindstaff
Allison Isaacs
Dick Fregosi
Jamie Lewis
Barbara R. Livingston
Rebecca H. Cretsinger
Ashley Jenkins
Donna Swanay
Kevin Buckles
Patricia Woodby
Nancy M. Eddins
Patsy A. Pierce
R. Thomas Reine
Gail Brumitt
Kathryn J. Dugger-Edward
Chelsea Melton
Erica Tetric
Vanessa Reine
Tamera Mottern**

**ADD: Tabitha Campbell
ADD: Constable Bond – Brian Russell**

Michael Kennedy

From: Sonja Culler <sculler@embarqmail.com>
Sent: Tuesday, April 3, 2018 7:29 AM
To: Michael Kennedy
Subject: FW: Carter County Asset Based Planning Grant Match Funding Request -Please ensure placed on Budget Committee and County Commission Meeting Agendas for April

We'll need to add to Budget agenda

Sent from Mail for Windows 10

From: Leon Humphrey
Sent: Monday, April 2, 2018 9:23 AM
To: Sonja Culler; 'bobacuff@gmail.com'
Cc: Susan Robinson
Subject: Carter County Asset Based Planning Grant Match Funding Request -Please ensure placed on Budget Committee and County Commission Meeting Agendas for April
Importance: High

Chairperson Culler & Acuff,

The State of TNECD and all the members of the Asset Based Planning Team (Cities of Watauga and Elizabethton, Carter County, FTDD, AB&T, Chamber, County Planning Office, Health Department, State of TN ECD, and others) have requested that I request \$8,000 as a match for Carter County to be awarded a competitive grant from TNECD for \$50,000 to pay to hire Design Sensory to develop 1) a Branding Strategy for the County. The cost to hire Design Sensory is \$23,600. The state will pay \$15,000 if the County pays \$8,000. The team felt this is imperative to have Design Sensory put together a Branding Strategy so we can properly market the County. The remainder of the grant funds as approved by the Team and State, if awarded, will be used for 2) planning (\$20,000 to be used by NETREP exclusively for Carter County, and 3) \$15,000 to be used for new industrial park locations (to be identified by TVA) to pay for Due Diligence Studies.

Approval for the \$8000 match must be obtained from the County Commission in the month of April to meet the grant application deadline.

Please add this item to the upcoming Budget committee meeting agenda.

Thanks,

Leon Humphrey

Carter County Mayor
801 E. Elk Avenue
Suite 201
Elizabethton, TN 37643
(423) 542-1801

Confidentiality Notice: This email message, including any attachments, may contain confidential information and is intended for the sole use of the named addressee. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the named addressee, you should notify the sender immediately by reply email and destroy all copies of the original message.

	Building Improvements 116 55754-707	Solid Waste Equipment 116 55754-733
Current Budget	\$ 181,000.00	\$ 184,302.70
Fire Cost		
	Richardson Builders - Building Replacement 279,606.00	Goodpasture Motor Company - Roll Off Truck 157,235.00
Additional Fire Replacement Equipment		Additional Equipment Need 65,000.00
Amounts left in line items after Purchases	\$ (98,606.00)	\$ (37,937.30)
Total Need after Expensing line items	\$ (136,538.30)	
Solid Waste Fund Balance Total	\$220,178.68	
We would like to not use more than \$110,000 from Solid Waste Fund Balance to cover the additional cost.		

March 2018 Donations

March Animal Shelter Donation- Michael Barnett	90.00
March Animal Shelter Donation- Brenda Persinger	50.00
March Animal Shelter Donation- Lynda Mcneil	45.00
March Animal Shelter Donation- Bob Hughes	60.00
March Animal Shelter Donation- Michael Range	5.00
March Animal Shelter Donation- Sharon Adams	50.00
March Animal Shelter Donation- Derek Page	5.00
March Animal Shelter Donation- Stella Vance	5.00
March Animal Shelter Donation- In Memory of Patty & Ellie From	125.00
March Health Dept Donation- MicroClinics	700.00
March Drug Fund Donation- Cherry Point	100.70

Animal Shelter Total	\$	435.00
Sheriff Dept Total	\$	100.70
Health Dept Total	\$	700.00
March 2018 Total Donations	\$	1,235.70

**Carter County
Solid Waste Fund 116
Budget Amendment #2
16-Apr-18**

Item #1	49800 Transfers In		\$ 26,538.30	Increase
	39000 Unassigned Fund Balance		\$110,000.00	Decrease
	55754-733 Solid Waste Equipment	\$ 37,932.30		Increase
	55754-707 Building Improvements	\$ 98,606.00		Increase

Transfer from General Fund Balance to cover replacement of Building and Equipment from fire

Total	\$136,538.30	\$136,538.30
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**Carter County
Drug Fund 122
Budget Amendment #10
16-Apr-18**

Item #1	48610 Donations		\$ 100.00	Increase
	54110-401 Animal Food & Supplies	\$ 100.00		Increase

Recognize donation for K-9 expenses.

Item #2	42910 Proceeds From Confiscated Property		\$1,200.00	Increase
	54110-505 Judgements	\$1,200.00		Increase

Recognize Proceeds from Confiscated Property

Total	\$1,300.00	\$1,300.00
--------------	------------	------------

Carter County
General Fund 101
Budget Amendment #10
16-Apr-18

*	Item #1	39000 Unassigned Fund Balance				
		51100-399 Other Contracted Services			\$ 8,600.00	Decrease Increase

Allocate for Competitive Grant Match

Item #2	48610 Donations					
	55120-413 Drugs & Medical Supplies,				\$ 570.00	Increase Increase

Recognize Animal Shelter Donations

Item #3	48610 Donations					
	55190-499-117 Other Supplies & Materials				\$ 700.00	Increase Increase

Recognize Micro Clinic Funds

Item #4	51600-499 Other Supplies					
	51600-106 Deputies				\$ 4,000.00	Decrease Increase

Reallocate within Register of Deeds to hire Temp Part-Time Staff

Item #5	44570 Contributions					
	54490-790 Other Equipment				\$ 1,700.00	Increase Increase

Recognize Risk Management Money for Safety Equipment

Item #6	44170 Miscellaneous Refunds					
	54110-399 Other Contracted Services				\$ 50.00	Increase Increase

Recognize State of TN payment.

Item #7	49700 Insurance Recovery					
	54110-338 Maintenance & Repair-Vehicles				\$ 10,843.83	Increase Increase

Recognize Insurance Recovery for Damage to Sheriff's Vehicle #83

Item #8	49700 Insurance Recovery		\$ 10,652.00	Increase
	54110-718 Maintenance & Repair-Vehicles	\$ 10,652.00		Increase

Recognize Insurance Recovery for Damage to Sheriff's Vehicle #85

Item #9	54210-410 Custodial Supplies		\$ 5,000.00	Decrease
	54110-435 Office Supplies	\$ 5,000.00		Increase

Reallocate from Jail Funds to Sheriff Funds

Item #10	55120-169 Part-Time Personnel		\$ 8,000.00	Decrease
	55120-189 Other Salaries & Wages	\$ 4,000.00		Increase
	55120-340 Medical & Dental Services	\$ 795.54		Increase
	55120-351 Rentals	\$ 250.00		Increase
	55120-399 Other Contracted Services		\$ 10,000.00	Decrease
	55120-401 Animal Food & Supplies	\$ 3,000.00		Increase
	55120-410 Custodial Supplies		\$ 4,000.00	Decrease
	55120-413 Drug & Medical Supplies	\$ 9,374.85		Increase
	55120-434 Natural Gas	\$ 4,000.00		Increase
	55120-451 Uniforms	\$ 500.00		Increase
	55120-454 Water & Sewer	\$ 500.00		Increase
	55120-499 Other Supplies & Materials		\$ 1,500.00	Decrease
	55120-599 Other Charges	\$ 1,079.61		Increase

Reallocate within the Animal Shelter budget.

* Item #11	39000 Unassigned Fund Balance		\$ 26,538.30	Decrease
	56700-590 Transfers to Other Funds	\$ 26,538.30		Increase

Transfer from General Fund Balance to cover replacement of Building and Equipment from fire

Total \$ 92,154.13 \$ 92,154.13

* (# 57,015.83 57,015.83)

Carter County
Highway Fund 131
Budget Amendment #6
16-Apr-18

Item #1	68000-718 Motor Vehicles		\$ 30,000.00	Decrease
	62000-409 Crushed Stone	\$ 30,000.00		Increase

Reallocate within Highway Dept for Crushed Stone

Total \$ 30,000.00 \$ 30,000.00

Carter County
General Purpose School Fund 141
Budget Amendment #11
16-Apr-18

Item #1	73400-116 Teachers	\$ 854.00		Increase
	73400-163 Educational Assistants	\$ 495.05		Increase
	73400-189 Other Salaries & Wages		\$ 500.00	Decrease
	73400-195 Certified Substitute Teachers		\$ 1,000.00	Decrease
	73400-201 Social Security	\$ 55.25		Increase
	73400-204 State Retirement	\$ 80.75		Increase
	73400-212 Employer Medicare	\$ 10.00		Increase
	73400-307 Communication		\$ 450.00	Decrease
	73400-355 Travel		\$ 45.05	Decrease
	73400-599 Other Charges	\$ 500.00		Increase

Recognize the Voluntary Pre-K allocation from the State.

Item #2	39000 Unassigned Fund Balance		\$ 596,400.00	Decrease
	76100-304 Architect Fees	\$ 29,000.00		Increase
	76100-707 Building Improvements	\$ 567,400.00		Increase

Allocate of Phase 2 Renovations to Football Stadium at Unaka High School

\$ 598,395.05 \$ 598,395.05

Federal Projects Fund 142
Budget Amendment #4
16-Apr-18

Item #1	Description	Amount	Change
	47141-140 Read to Be Ready Summer Grant		\$ 30,000.00 Increase
	71100-116-140 Certified Teachers	\$ 12,336.00	Increase
	71100-195-140 Certified Substitute Teachers	\$ 330.00	Increase
	71100-201-140 Social Security	\$ 785.30	Increase
	71100-204-140 State Retirement	\$ 1,120.11	Increase
	71100-212-140 Employer Medicare	\$ 183.67	Increase
	71100-429-140 Instructional Supplies & Materials	\$ 5,944.35	Increase
	71100-599-140 Other Charges	\$ 749.00	Increase
	72130-499-140 Other Supplies & Materials	\$ 130.00	Increase
	72210-105-140 Supervisor or Director	\$ 5,076.00	Increase
	72210-201-140 Social Security	\$ 314.71	Increase
	72210-204-140 State Retirement	\$ 460.90	Increase
	72210-212-140 Employer Medicare	\$ 73.60	Increase
	72210-348-140 Postal Charges	\$ 1.00	Increase
	72210-524-140 In-Service/Staff Development	\$ 1,927.22	Increase
	72710-146-140 Bus Drivers	\$ 341.60	Increase
	72710-201-140 Social Security	\$ 21.17	Increase
	72710-204-140 State Retirement	\$ 31.02	Increase
	72710-212-140 Employer Medicare	\$ 4.95	Increase
	72710-412-140 Diesel Fuel	\$ 169.40	Increase
	Recognize Read to Be Ready Summer Grant		Increase
		\$ 30,000.00	\$ 30,000.00

COUNTY ATTORNEY REPORT
April 2018

General Litigation update:

1. County Delinquent Tax Sale for 2015 tax year. Sale took place March 23, 2018. Twenty five (25) parcels were sold to private bidders. Two (2) parcels received no bids and are now vested in Carter County, and may be declared excess and sold following the redemption period.

Other Work performed/ongoing:

1. Research completed and opinions rendered for various county office holders and commissioners as requested.
2. Parks and Recreation Board- Site visit at TDOT property on Powder Branch Rd.; Calls and emails with committee members re: TDOT land donation.
3. County Commission - Revision of Unfunded Mandates Resolution and ensure submission to State Legislators; Submission of TIF Resolution to City officials.
4. Animal Shelter - Research various issues, and meetings with employees and Board members; correspondence with Mayor's office.
5. Sheriff's Office- Continued Review/edits of Verizon Wireless contract, emails and calls with counsel for Verizon; Review of Cooperative Agreement with U.S. Forest Service.
6. Research and obtain case preparation materials and correspondence with attorneys re: Perry v. Carter County.
7. Highway Committee- Attended Committee meeting; Draft Resolution for paving on school grounds by Highway Department.
8. Rules and Bylaws Committee- Attended committee meeting; Draft/Revision of portion of County Employee Handbook.
9. Budget Committee - Attended committee meeting; Research re: Budget issues.
10. Mayor's Office/Finance Department - Research open records request issue.
11. Circuit Court Clerk - Research re: open records issue.
12. Health and Welfare Committee- Attended committee meeting.
13. Law Enforcement Committee- Attended committee meeting.
14. Buildings and Grounds Committee- Attended committee meeting.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR CARTER COUNTY, TENNESSEE

REGULAR MEETING, MONDAY, APRIL 16, 2018

RESOLUTION NO. 701

"A RESOLUTION APPROVING A HIGHWAY DEPARTMENT PROJECT TO BE COMPLETED BY THE CARTER COUNTY HIGHWAY DEPARTMENT ON THE GROUNDS OF SIAM ALTERNATIVE LEARNING CENTER."

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

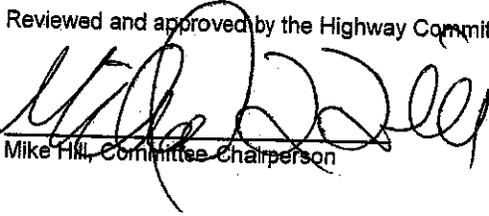
WHEREAS, the Carter County Road Superintendent has agreed to perform certain paving work on the property of the Carter County School Board at the Siam Alternative Learning Center with a total estimated cost of \$ 9,300.00, which final cost shall be reimbursed to the Carter County Highway Department.

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners for Carter County, Tennessee, meeting in regular session on this the 16th day of April, 2018, 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 project detailed herein with the final cost of said project 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.

Reviewed and approved by the Highway Committee on 4/2/18.


Mike Hill, Committee Chairperson

Adopted this 16th day of April, 2018.

CARTER COUNTY, TENNESSEE
BOARD OF COUNTY COMMISSIONERS

APPROVED:

By:


ROBERT V. ACUFF, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

APPROVED:

By: Leon Humphrey
LEON HUMPHREY
CARTER COUNTY MAYOR

VETOED:

By: _____
LEON HUMPHREY
CARTER COUNTY MAYOR

Date: _____

VETO OVERRIDE VOTE:

_____ YES VOTES
_____ NO VOTES
_____ ABSTAIN VOTES

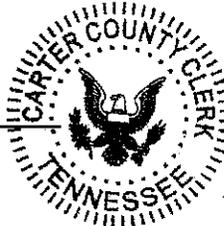
APPROVED WITH SUCCESSFUL
OVERRIDE VOTE:

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

Date: _____

ATTEST:

Mary George
MARY GEORGE
CARTER COUNTY CLERK



APPROVED AS TO FORM:

Joshua A. Hardin
JOSHUA A. HARDIN
CARTER COUNTY ATTORNEY

§ 54-1-133. Signage and marking costs, TN ST § 54-1-133

KeyCite Yellow Flag - Negative Treatment
Proposed Legislation

West's Tennessee Code Annotated
Title 54. Highways, Bridges and Ferries (Refs & Annos)
Chapter 1. Department of Transportation (Refs & Annos)
Part 1. General Provisions

T. C. A. § 54-1-133

§ 54-1-133. Signage and marking costs

Effective: July 1, 2016

Currentness

(a) The department, subject to appropriation by the general assembly, shall fund from resources in the highway fund the cost of signage and marking of an interstate, United States highway, or state highway designated as a memorial highway or memorial bridge for any of the following individuals killed in the line of duty:

- (1) A member of the military, including the reserves and national guard; or
- (2) Any state or local public safety official, including, but not limited to, members of the highway patrol, county law enforcement officials, local police officers, firefighters, whether paid or volunteer, and emergency medical personnel.

(b) The department of transportation, subject to appropriation by the general assembly, shall fund from resources in the highway fund the cost of signage and markers installed on a conventional state highway under the DUI memorial signing program pursuant to § 54-5-1003.

Credits

2002 Pub. Acts, c. 790, § 5, eff. May 29, 2002; 2013 Pub. Acts, c. 308, § 1, eff. July 1, 2013; 2016 Pub. Acts, c. 1039, § 3, eff. July 1, 2016.

T. C. A. § 54-1-133, TN ST § 54-1-133

Current with laws from the 2018 Second Reg. Sess. of the 110th Tennessee General Assembly, eff. through March 22, 2018, except for chapter 594. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text.

End of Document

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FS Agreement No. 18-LE-11080400-039

Cooperator Agreement No. _____

COOPERATIVE LAW ENFORCEMENT AGREEMENT
Between The
CARTER COUNTY SHERIFF'S OFFICE
And The
USDA, FOREST SERVICE
CHEROKEE NATIONAL FOREST

This COOPERATIVE LAW ENFORCEMENT AGREEMENT ('Agreement') is entered into by and between the Carter County Sheriff's Office, hereinafter referred to as "Cooperator," and the USDA, Forest Service, Cherokee National Forest, hereinafter referred to as the "U.S. Forest Service," under the provisions of the Cooperative Law Enforcement Act of August 10, 1971, Pub. L. 92-82, 16 U.S.C. 551a.

Background: The parties to this agreement recognize that public use of National Forest System Lands (NFS lands) is usually located in areas that are remote or sparsely populated. The parties also recognize that the enforcement of State and local law is related to the administration and regulation of NFS lands and Carter County Sheriff's Office has/have a limited amount of financing to meet their responsibility of enforcing these laws.

Title: Law Enforcement Services

I. PURPOSE:

The purpose of this agreement is to document a cooperative effort between the parties to enhance State and local law enforcement in connection with activities on NFS lands and provide for reimbursement to Carter County Sheriff's Office for the intensified portion of this effort.

In consideration of the above premises, the parties agree as follows:

II. THE COOPERATOR SHALL:

- A. Perform in accordance with the approved and hereby incorporated Annual Financial and Operating Plan (Annual Operating Plan) attached as Exhibit A. *See related Provision IV-E.*
- B. Ensure that the officers/agents of Carter County Sheriff's Office performing law enforcement activities under this agreement meet the same standards of training required of the officers/agents in their jurisdiction, or the State Peace Officers Standards of Training where they exist.
- C. Provide uniformed officers/agents with marked vehicles to perform all activities unless agreed to otherwise in the Annual Operating Plan.



- D. Advise the U.S. Forest Service Principal Contact, listed in Provision IV-B, of any suspected criminal activities in connection with activities on NFS lands.
- E. Upon the request of the U.S. Forest Service, dispatch additional deputies within manpower capabilities during extraordinary situations as described in Provision IV.J.
- F. Complete and furnish annually the U.S. Forest Service with Form FS-5300-5, Cooperative Law Enforcement Activity Report, identifying the number of crimes occurring on NFS lands. The report shall follow the FBI Uniform Crime Reporting groupings, Part I and Part II offenses. Offenses and arrest information shall be combined and reported for each crime. This report shall separate the crimes handled under this agreement from those handled during regular duties.
- G. Provide the U.S. Forest Service Principal Contact, listed in Provision IV-B, with case reports and timely information relating to incidents/crimes in connection with activities on NFS lands.
- H. Bill the U.S. Forest Service for Carter County Sheriff's Office's actual costs incurred to date, displayed by separate cost elements, excluding any previous U.S. Forest Service payment(s) made to the date of the invoice, not to exceed the cumulative funds obligated hereunder and as specified on the Annual Operating Plan. Billing frequency will be as specified in the Annual Operating Plan. *See related Provisions III-B, IV-I, and IV-P.*
- I. Give the U.S. Forest Service or Comptroller General, through any authorized representative, access to and the right to examine all records related to this agreement. As used in this provision, "records" include books, documents, accounting procedures and practices, and other data, regardless of type and regardless of whether such items are in written form, in the form of computer data, or in any other form.
- J. Comply with all Federal statutes relating to nondiscrimination and all applicable requirements of all other Federal laws, Executive Orders, regulations, and policies. These include, but are not limited to Sections 119 and 504 of the Rehabilitation Act of 1973 as amended, which prohibits discrimination on the basis of race, color, religion, sex, age, national origin, marital status, familial status, sexual orientation, participation in any public assistance program, or disability.
- K. Monitor the U.S. Forest Service radio during the following time period(s): During peak recreation months, May through September. Address any concerns or notify/ request assistance from the U.S. Forest Service as required in the judgment of Carter County Sheriff's Office. Ample time will be spent in each developed recreation site to ensure visitors are aware that Law Enforcement Officers are in the vicinity. Assist with compliance checkpoints as requested.



- Little Milligan Boat Ramp
- Laurels Recreation area
- Blue Hole

Total reimbursement for this category shall not exceed the amount of: \$ 10,560.00

III. SPECIAL ENFORCEMENT SITUATIONS:

A. Special Enforcement Situations include but are not limited to: Fire Emergencies, Drug Enforcement, and certain Group Gatherings.

B. Funds available for special enforcement situations vary greatly from year to year and must be specifically requested and approved prior to any reimbursement being authorized. Requests for funds should be made to the U.S. Forest Service designated representative listed in Item I-A of this Annual Operating Plan. The designated representative will then notify Carter County, whether funds will be authorized for reimbursement. If funds are authorized, the parties will then jointly prepare a revised Annual Operating Plan.

1. Drug Enforcement: This will be handled on a case by case basis. The request will normally come from the patrol Captain; however, it may come from the Special Agent in Charge or their designated representative. Reimbursement shall be made at the rates specified in Section I-B. Deputies assigned to the incident will coordinate all of their activities with the designated officer in charge of the incident.

2. Fire Emergency: During emergency fire suppression situations and upon request by the Forest Service pursuant to an incident resource order, the Cooperator agrees to provide special services beyond those provided under Section II-A, within the Cooperator's resource capabilities, for the enforcement of State and local laws related to the protection of persons and their property. The Cooperator will be compensated at the rate specified in Section I-B; the Forest Service will specify times and schedules. Upon concurrence of the local patrol Captain or their designated representative, an official from the Incident Management Team managing the incident, Cooperator personnel assigned to an incident where meals are provided will be entitled to such meals.

3. Group Gatherings: This includes but is not limited to situations which are normally unanticipated or which typically include very short notices, large group gatherings such as rock concerts, demonstrations, and organization rendezvous. Upon authorization by a Forest Service representative listed in Section I-A for requested services of this nature, reimbursement shall be made at the rates



specified in Section I-B. Deputies assigned to this type of incident will normally coordinate their activities with the designated officer in charge of the incident.

This includes but is not limited to situations which are normally unanticipated or which typically include very short notice, large group gatherings such as rock concerts, demonstrations, and organizational rendezvous.

IV. BILLING FREQUENCY:

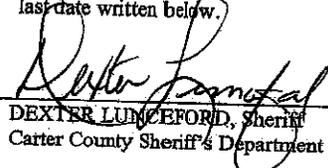
See Cooperative Law Enforcement Agreement Provisions II-H and III-B for additional information.

- A. Monthly. The Billing Frequency is as follows: By the 10th of each month. Include the agreement number on all invoices and correspondences.
- B. The following is a breakdown of the total estimated costs associated with this Annual Operating Plan.

Category	Estimated Costs	Not to Exceed by %
Patrol Activities	\$10,560.00	N/A
Total	\$10,560.00	N/A

- C. Any remaining funding in this Annual Operating Plan may be carried forward to the next fiscal year and will be available to spend through the term of the Cooperative Law Enforcement Agreement, or deobligated at the request of the U.S. Forest Service. *See Cooperative Law Enforcement Agreement Provision IV-D.*

In witness whereof, the parties hereto have executed this Annual Operating Plan as of the last date written below.



 DEXTER LUNCFORD, Sheriff
 Carter County Sheriff's Department

3-28-18

 Date

_____ Date
 DERRICK JASAL MORRIS, Forest Supervisor,
 U.S. Forest Service, Cherokee National Forest



Michael E. Donaldson
Special Agent in Charge, R8, LEI

Date

The authority and format of this agreement have been reviewed and approved for signature.


JO ANN MCGEE

3/22/2018

Date

U.S. Forest Service Grants Management Specialist

Burden Statement

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0217. The time required to complete this information collection is estimated to average 3 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.



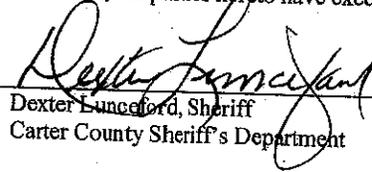
Forest Service, however; Carter County Sheriff's Office shall ensure adequate safeguards and controls exist to protect loss or theft. The cooperators shall be financially responsible for any loss at original acquisition cost less depreciation at the termination of the agreement. The cooperators is/are responsible for all operating and maintenance costs for equipment that the U.S. Forest Service has reimbursed Carter County Sheriff's Office for and/or transferred to Carter County Sheriff's Office under the AD-107 process or equivalent.

- L. Equipment and supplies approved for purchase under this agreement are available only for use as authorized. The U.S. Forest Service reserves the right to transfer title to the U.S. Forest Service of equipment and supplies, with a current per-unit fair market value in excess of \$5,000.00, purchased by Carter County Sheriff's Office using any Federal funding. Upon expiration of this agreement Carter County Sheriff's Office shall forward an equipment and supply inventory to the U.S. Forest Service, listing all equipment purchased throughout the life of the project and unused supplies. The U.S. Forest Service will issue disposition instructions within 120 calendar days, in accordance with equipment regulations contained in 7 CFR 3016.32.
- M. When no equipment or supplies are approved for purchase under an Annual Operating Plan, U.S. Forest Service funding under this agreement is not available for reimbursement of Carter County Sheriff's Office's purchase of equipment or supplies.
- N. When State conservation agencies have the responsibility for public protection in addition to their normal enforcement responsibility, their public protection enforcement activities may be included in Annual Operating Plans and are then eligible for reimbursement. Reimbursement is not authorized to State Conservation Agencies for enforcement of fish and game laws in connection with activities on NFS lands.
- O. Pursuant to 31 U.S.C. 3716 and 7 CFR, Part 3, Subpart B, any funds paid to Carter County Sheriff's Office in excess of the amount to which Carter County Sheriff's Office is/are finally determined to be entitled under the terms and conditions of the award constitute a debt to the federal Government. If not paid within a reasonable period after the demand for payment, the Federal awarding agency may reduce the debt by:
1. Making an administrative offset against other requests for reimbursements.
 2. Withholding advance payments otherwise due to Carter County Sheriff's Office.
 3. Taking other action permitted by statute.
- Except as otherwise provided by law, the Federal awarding agency shall charge interest on an overdue debt in accordance with 4 CFR, Chapter II "Federal Claims Collection Standards" and 31 U.S.C. Chapter 37.
- P. Modifications within the scope of the agreement shall be made by mutual consent of the parties, by the issuance of a written modification, signed and dated by both parties, prior



to any changes being performed. The U.S. Forest Service is not obligated to fund any changes not properly approved in advance.

- Q. Either party, in writing, may terminate this agreement in whole, or in part, at any time before the date of expiration. Neither party shall incur any new obligations for the terminated portion of this agreement after the effective date and shall cancel as many obligations as is possible. Full credit shall be allowed for each party's expenses and all noncancelable obligations properly incurred up to the effective date of termination.
- R. This agreement in no way restricts the U.S. Forest Service or Carter County Sheriff's Office from participating in similar activities with other public or private agencies, organizations, and individuals.
- S. In accordance with Executive Order (EO) 13513, "Federal Leadership on Reducing Text Messaging While Driving," any and all text messaging by Federal employees is banned: a) while driving a Government owned vehicle (GOV) or driving a privately owned vehicle (POV) while on official Government business; or b) using any electronic equipment supplied by the Government when driving any vehicle at any time. All cooperators, their employees, volunteers, and contractors are encouraged to adopt and enforce policies that ban text messaging when driving company owned, leased or rented vehicles, POVs or GOVs when driving while on official Government business or when performing any work for or on behalf of the Government.
- T. Any information furnished to the U.S. Forest Service under this agreement is subject to the Freedom of Information Act (5 U.S.C. 552).
- U. This agreement is executed as of the date of the last signature and, unless sooner terminated, shall be effective for a period of five years through 30 September 2023.
- V. AUTHORIZED REPRESENTATIVES. By signature below, each party certifies that the individuals listed in this document as representatives of the individual parties are authorized to act in their respective areas for matters related to this agreement. In witness whereof, the parties hereto have executed this agreement as of the last date written below.


 Dexter Luncford, Sheriff
 Carter County Sheriff's Department

3-28-18
Date

 Derrick Jasal Morris, Forest Supervisor
 U.S. Forest Service, Cherokee National Forest

Date



Rodall Denton

Carter County
County Commissioner

4-3-18

Date

Michael E. Donaldson
Special Agent in Charge, R8 LE&I

Date

The authority and format of this agreement have been reviewed and approved for signature.

JoAnn McGee
JO ANN MCGEE

U.S. Forest Service Grants & Agreements Specialist

3/22/2018

Date

Burden Statement

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Full-Time Regular Employees

<u>Years of Service as of Anniversary Date</u>	<u>Length of Vacation With Pay</u>
<u>1 Through 9 Years</u>	<u>10 Days</u>
<u>10 Through 19 Years</u>	<u>15 Days</u>
<u>20 Years or more</u>	<u>20 Days</u>

3.3 Sick Leave

Earning and Accumulating Sick Days - Sick leave will be considered a privilege and not a right. Full-time Regular employees will receive full pay during incapacity caused by illness if sick leave is taken. Sick leave is earned at the rate of one day per month (12 days per year) beginning on the date of full time regular employment; however, an employee shall not be credited with any sick leave, and shall not be permitted to utilize the same, until he or she has completed six (6) full months of full time regular employment. On the six month anniversary date of full time regular employment the employee shall be credited with six (6) sick leave days. Sick leave days have no cash value and the employee shall not be paid for accumulated sick leave credit days, but shall be able to request that all unused sick leave days be credited toward their retirement (in accordance with Tennessee Consolidated Retirement System Regulations).

Use of Sick Leave - An employee may use accumulated sick leave after successful completion of the first six (6) months of full time regular employment for absence due to his or her own illness or injury or that of an immediate family member. Sick leave may also be used for appointments with a licensed doctor, dentist, or recognized practitioners. Employees who become ill during the period of their vacation may request that their vacation be temporarily terminated and the time changed to sick leave.

Notice of Sick Leave - Employees are required to notify the employer as early as possible on the first day of their sick leave absence. Any employee sick for three (3) or more continuous days shall furnish their employer with a doctor's certificate, certifying they were unable to work.

3.4 Sick Leave Donation Policy

Policy Purpose - The purpose of this policy is to provide an opportunity for Carter County employees to donate excess accrued sick leave to another Carter County employee in times of need if certain conditions are met. The sick leave donation program is completely voluntary and no employee shall be either rewarded or reprimanded in any way whatsoever based upon their individual decision to participate or not. No employee may directly or indirectly solicit any other employee for a donation of sick leave. An individual county employee will be permitted to donate his or her excess accrued sick leave directly to another county employee, regardless of department, under the following conditions: