

**Carter County Commission**  
**Regular Session ---- August 27, 2018**

**Call to Order** – Chairman, Robert Acuff, called the meeting to order.

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

**Roll Call – County Clerk:** as follows:

Name of Configuration File: C:\RollCall-Pro\Configurations\August 27 2018 Commission Meeting.rcc

Date and Time of New Session: 8/27/2018 6:02:18 PM

Beginning Roll Call for New Session:

Leon Humphrey is absent \*\*Clerk's Note: This should have been marked as present.

Willie Campbell is Present

Buford Peters is Present

Robert Acuff is Present

Nancy Brown is Present

Mike Hill is Present

Al Meehan is Present

Bradley Johnson is Present

Ronnie Trivett is Present

Charles Von Cannon is Present

Isaiah Grindstaff is Present

L.C. Tester is Present

Danny Ward is Present

Ross Garland is Present

Bobbie Gouge-Dietz is Present

Timothy Holdren is Present

Randall Jenkins is Present

John Lewis is Present

Larry Miller is Present

Sonja Culler is Present

Ray Lyons is Present

Scott Simerly is absent

Robert Carroll is Present

Kelly Collins is Present

Cody McQueen is absent

**Number of Voters PRESENT for Roll Call: 22 (\*This should read 23)**

**Number of Voters ABSENT for Roll Call: 3 (\*This should read 2)**

**Approval of Agenda**

**Motion** was made by Mike Hill, seconded by Bobbie Gouge-Dietz, to approve tonight's agenda as presented. (Item # 1) Recorded on page: 188

Roll Call Vote as follows (Item # 1):

1. Vote Results for: Item No. 1

Time of Vote: 6:06:02 PM

Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey was absent \*Clerk's Note: This should have been marked as present.

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 was Absent  
Robert Carroll voted: Y  
Kelly Collins voted: Y  
Cody McQueen was Absent

Passed (22 Y - 0 N - 0 A - 3 Absent) (\*This should read 2)  
Number of Abstain Votes: 0

A Moment of Silence in memory of former U.S. Senator, John McCain which passed away August 25, 2018 following a battle with brain cancer, was led by Commissioner Bradley Johnson.

Opening Prayer – was led by Commissioner Willie Campbell.

Pledge of Allegiance – was led by Commissioner Bobbie Gouge-Dietz.

Recognition of Elected and Appointed Officials/Guest – was made by Chairman Acuff. Those present were requested to stand and be recognized at this time.

Acceptance of Minutes from the July 16, 2018 Commission Meeting and the August 6, 2018 Special Called Meeting

A correction to the July 16, 2018 minutes was requested by Mike Hill, on page 115 to Kelly Collins name, adding the “s” to Collins.

Motion was made by Mike Hill, seconded by Kelly Collins, to accept with correction as requested, the minutes from July 16, 2018 Regular Session Commission Meeting. (Item # 2)

Roll Call Vote as follows (Item # 2):

2. Vote Results for: Item No. 2

Time of Vote: 6:07:26 PM

Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey was absent \*Clerk's Note: This should have been marked as present.

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 was Absent  
Robert Carroll voted: Y

Kelly Collins voted: Y  
Cody McQueen was Absent

**Passed (22 Y - 0 N - 0 A - 3 Absent) (\*This should read 2)**  
**Number of Abstain Votes: 0**

A correction to the August 6, 2018 minutes was requested by Robert Acuff, on page 178 in regards to Resolution No. 707. The amount of the note should read \$500,000.00.

**Motion** was made by Mike Hill, seconded by Danny Ward, to **accept with correction as requested, the minutes from the August 6, 2018 Special Called Session Commission Meeting. (Item # 3)**

Roll Call Vote as follows (Item # 3):

3. Vote Results for: Item No. 3

Time of Vote: 6:13:11 PM

Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey was absent \*Clerk's Note: This should have been marked as present.

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 was Absent

Robert Carroll voted: Y

Kelly Collins voted: Y

Cody McQueen was Absent

**Passed (22 Y - 0 N - 0 A - 3 Absent) (\*This should read 2)**  
**Number of Abstain Votes: 0**

**Public Comments**

Scott Snell of the 5<sup>th</sup> District, spoke wishing to clarify that the option of payments available on property tax will include interest if not paid in full by the due date.

Jack Buckles of the 4<sup>th</sup> District, current Chief of the Stoney Creek Volunteer Fire Department, spoke bringing attention to the need for, as well as urging the consolidation of emergency services in Carter County.

Shannon Posada, Director of the Elizabethton/Carter County Animal Shelter spoke extending appreciation and many thanks, from herself as well as her staff, to Commissioner Buford Peters for his hard work done in connection with the shelter. She invited everyone to visit and tour shelter.

Notaries / Bonds

Motion was made by Sonja Culler, seconded by Mike Hill, to approve as presented the Notaries/Bonds as follows: (Item # 4)

Holly S. Wagner	Celeste Meade	Debra Rasnick
Lora A. Adkins	Olen C. Pate	Lindsey Covington
Thomas R. Banks	Michelle Hitechew	David W. Bush
*****	Craig Sheets	*****

Leader marked Leon Humphrey as present at: 6:13:18 PM

(\*Clerks Note: Leon Humphrey was present at the beginning of the meeting. However, the Roll Call-Pro Keypad was not marked present at that time.)

Roll Call Vote as follows (Item # 4):

4. Vote Results for: Item No. 4

Time of Vote: 6:19:13 PM

Type of Vote: MAJORITY NEEDED TO PASS

- Leon Humphrey voted: Y
- 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 was Absent
- 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

Health and Welfare – Chairman Tim Holdren

- a. *Resolution to Approve and Adopt a Multi-Jurisdictional Hazard Mitigation Plan for Carter County*

Motion was made by Timothy Holdren, seconded by Ronnie Trivett, to accept as presented **RESOLUTION No. 713**

**“A RESOLUTION APPROVING AND ADOPTING THE CARTER COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN AS DEVELOPED FOR THE CITY OF ELIZABETHTON, CITY OF WATAUGA, AND CARTER COUNTY, TENNESSEE.” (Item # 5)**

Recorded on pages 189 - 191

Roll Call Vote as follows (Item # 5):

5. Vote Results for: Item No. 5

Time of Vote: 6:22:16 PM

Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote

Willie Campbell voted: Y

Buford Peters voted: Y

Robert Acuff voted: Y

Nancy Brown voted: Y

Mike Hill voted: Y

Al Meehan voted: 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 was Absent

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. ***Resolution Making Appropriations for Various Funds, Departments, Institutions, Offices and Agencies of Carter County***

Motion was made by Sonja Culler, seconded by Nancy Brown, to approve as presented

**RESOLUTION No. 714**

**“A RESOLUTION MAKING APPROPRIATIONS FOR THE VARIOUS FUNDS, DEPARTMENTS, INSTITUTIONS, OFFICES AND AGENCIES OF CARTER COUNTY, TENNESSEE FOR THE FISCAL YEAR BEGINNING JULY 1, 2018 AND ENDING JUNE 30, 2019.” (Item # 6)**

Recorded on pages 192 – 199

Roll Call Vote as follows (Item # 6):

6. Vote Results for: Item No. 6

Time of Vote: 6:22:46 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

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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 was Absent  
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**

*b. Resolution Fixing the Tax Levy in Carter County*

Motion was made by Sonja Culler, seconded by Bobbie Gouge-Dietz, to approve as presented,  
**RESOLUTION No. 715**

**“ A RESOLUTION FIXING THE TAX LEVY IN CARTER COUNTY,  
TENNESSEE, FOR THE FISCAL YEAR BEGINNING JULY 1, 2018  
(2018-2019).” (Item # 7) Recorded on pages 200 - 201**

Roll Call Vote as follows (Item # 7):

7. Vote Results for: Item No. 7

Time of Vote: 6:25:14 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: N  
L.C. Tester voted: Y  
Danny Ward voted: Y  
Ross Garland voted: Y  
Bobbie Gouge-Dietz voted: Y  
Timothy Holdren voted: Y  
Randall Jenkins voted: Y  
John Lewis voted: Y  
Larry Miller voted: Y  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Scott Simerly was Absent  
Robert Carroll voted: N  
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 Ronnie Trivett, to early retire capital outlay notes with principal balance of \$126,872.94. Total principal and interest payment will be \$128,053.72 if paid by August 28, 2018. (Item # 8)

During discussion, it was noted that this is the total of school notes and would be coming from the General Fund Unassigned Fund Balance to pay these debts off.

Roll Call Vote as follows (Item # 8):

8. Vote Results for: Item No. 8

Time of Vote: 6:25:36 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 was Absent

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**

**Motion** was made by Sonja Culler, seconded by Al Meehan, to take the check from Tennessee Unclaimed Property in the amount of \$94,702.12 and to reserve 20% (\$18,940.42) of these funds for potential claims in the future. (Item # 9)

Roll Call Vote as follows (Item # 9):

9. Vote Results for: Item No. 9

Time of Vote: 6:27:53 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: N  
Larry Miller voted: Y  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Scott Simerly was Absent  
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 Ronnie Trivett, to fund Courthouse Security Project totaling \$600,000 as follows : \$150,000 from Litigation Tax Reserve and \$450,000 from General Fund Unassigned Fund Balance. (Item # 10)**

Roll Call Vote as follows (Item # 10):  
10. Vote Results for: Item No. 10  
Time of Vote: 6:29:24 PM  
Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote  
Willie Campbell voted: Y  
Buford Peters voted: N  
Robert Acuff voted: N  
Nancy Brown voted: Y  
Mike Hill voted: Y  
Al Meehan voted: Y  
Bradley Johnson voted: Y  
Ronnie Trivett voted: Y  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
L.C. Tester voted: Y  
Danny Ward voted: 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: N  
Ray Lyons voted: Y  
Scott Simerly was Absent  
Robert Carroll voted: N  
Kelly Collins voted: Y  
Cody McQueen was Absent

**Passed (16 Y - 6 N - 0 A - 2 Absent)**  
**Number of Abstain Votes: 0**

**Motion was made by Sonja Culler, seconded by Isaiah Grindstaff, to approve General Fund 101 Amendment # 2, Item 1-3 for a total of \$130,380.50 with two items and \$129,880.50 coming from fund balance. Funds will be used for inmate medical bills of \$125,000 and vehicle repairs. (Item # 11) Recorded on page 202**

Roll Call Vote (Item # 11):  
11. Vote Results for: Item No. 11  
Time of Vote: 6:30:10 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  
Randall Jenkins voted: Y  
John Lewis voted: N  
Larry Miller voted: Y  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Scott Simerly was Absent  
Robert Carroll voted: N  
Kelly Collins voted: Y  
Cody McQueen was Absent

**Passed (19 Y - 3 N - 0 A - 2 Absent)**  
**Number of Abstain Votes: 0**

**Motion was made by Sonja Culler, seconded by Bobbie Gouge-Dietz, to approve Highway Fund 131 Amendment # 1, item 1, for a total of \$586,987.03 with one item and \$11,739.74 coming from fund balance. State grant funds of \$575,247.29 will also be used for this bridge construction (Main St. over Doe River). (Item # 12) Recorded on page 202**

Roll Call Vote as follows (Item # 12:)  
12. Vote Results for: Item No. 12  
Time of Vote: 6:31:16 PM  
Type of Vote: MAJORITY NEEDED TO PASS

Leon Humphrey does not vote  
Willie Campbell voted: Y  
Buford Peters voted: Y  
Robert Acuff voted: Y  
Nancy Brown voted: Y  
Mike Hill voted: Y  
Al Meehan voted: 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 was Absent  
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 Ray Lyons, to approve the monetary and product donations made to the Animal Shelter. NOTE-donations of \$227,000 and \$2,000 were received August 6, 2018, for construction of dog runs and to assist with the expenses related to HVAC repairs, respectively. (Item # 13)**

Roll Call Vote as follows (Item # 13):  
13. Vote Results for: Item No. 13  
Time of Vote: 6:33:39 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 was Absent  
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 Al Meehan, to approve a request from Susan Robinson, Director of Economic and Community Development, allowing her to continue a Signage Project for the industrial parks in the county which she has been working on with the TVA. No funds were requested. (Item # 14)**

14. Vote Results for: Item No. 14  
Time of Vote: 7:17:45 PM  
Type of Vote: MAJORITY NEEDED TO PASS

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

L.C. Tester voted: Y  
Danny Ward voted: Y  
Ross Garland voted: Y  
Bobbie Gouge-Dietz voted: Y  
Timothy Holdren voted: Y  
Randall Jenkins voted: Y  
John Lewis voted: Y  
Larry Miller voted: Y  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Scott Simerly was Absent  
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**

**Mayoral Report** – Mayor, Leon Humphrey had no report to present.

**Committee Reports / Recommendations**

Several Committee chairs presented brief reports noting that the minutes reflected the same. No additional recommendations were presented. Thank-you's were extended by many for the progress complete.

Planning Commission announced that the August 28 meeting had been cancelled. The next meeting would be September 24, 2018 at 3:00 PM.

**County Attorney's Report** – Joshua Hardin, County Attorney's report August 2018 entered into the minutes on page 203.

**Commissioner Comments** – Well wishes and congratulations was voiced by many during Commissioner Comments. It was also stated the Commissioner's should be very proud of their accomplishments.

Incoming Commissioners were advised to listen and move forward. Do your best and don't lose the momentum. Take advantage of available opportunities.

**Adjourn**

**Motion** was made to adjourn by John Lewis. Chairman, Robert Acuff **adjourned the meeting at 7:30 PM.**

**AGENDA**  
**CARTER COUNTY, TENNESSEE**  
**Board of County Commissioners**  
**REGULAR SESSION**  
**Monday, August 27, 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 July 16, 2018 Commission Meeting and the August 6, 2018 Special Called Meeting
9. Public Comments
10. Notaries and Bonds
11. Health and Welfare -- Chairman Tim Holdren
  - a. Resolution to Approve and Adopt a Multijurisdictional Hazard Mitigation Plan for Carter County
12. Budget Items for Consideration -- Chairwoman Sonja Culler
  - a. Resolution Making Appropriations for Various Funds, Departments, Institutions, Offices and Agencies of Carter County
  - b. Resolution Fixing the Tax Levy in Carter County
  - c. Regular Monthly Budget Items
13. Mayoral Report
14. Committee Reports/Recommendations \*
15. County Attorney Report
16. Commissioner Comments
17. Adjourn
  - Agriculture -- Commissioner Garland
  - Animal Shelter -- Commissioner Peters
  - Budget -- Chairwoman Culler
  - Building and Grounds -- Chairman Grindstaff
  - Education -- Chairman Ward
  - Financial Management -- Chairman Ward
  - Health and Welfare -- Chairman Holdren
  - Highway -- Chairman Hill
  - Landfill -- Chairwoman Deitz
  - Law Enforcement -- Chairman Jenkins
  - Nominating -- Chairman Meehan
  - Parks and Recreation -- Commissioner Jenkins
  - Rules and By-Laws -- Chairman Jenkins
  - Planning -- Director Schuttler

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR CARTER COUNTY, TENNESSEE

REGULAR MEETING, MONDAY, AUGUST 27, 2018

RESOLUTION NO. 713

"A RESOLUTION APPROVING AND ADOPTING THE CARTER COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN AS DEVELOPED FOR THE CITY OF ELIZABETHTON, CITY OF WATAUGA, AND CARTER COUNTY, TENNESSEE."

WHEREAS, our lives, residential and commercial properties, businesses, and infrastructure are at always at risk to be impacted by a variety of natural hazards, including floods, thunderstorms, earthquakes, wildfires, tornadoes, etc.; and

WHEREAS, Hazard Mitigation Planning has created an operational framework for reducing losses from these hazards in a cost-effective, environmentally sound manner; and

WHEREAS a Hazard Mitigation Planning process was undertaken locally in order to maintain eligibility for multiple sources of federal mitigation funding programs that support loss-reduction activities; and

WHEREAS, a Hazard Mitigation Planning Steering Committee analyzed the hazards that threaten our community, determined our level of vulnerability to those hazards, and evaluated alternatives to minimize or eliminate the impact of said hazards; and

WHEREAS, Carter County has adopted policies and regulations that must be implemented following any incident that results in significant damages that would impact rebuilding and redevelopment; and

WHEREAS, the Board of County Commissioners desires to keep the county in good standing in the National Flood Insurance Program (NFIP) and the NFIP's Community Rating System, and formally establishing our Hazard Mitigation Plan reduces the cost of flood insurance for our constituents that either are required or desire to purchase the same; and

WHEREAS, the Carter County Emergency Management Agency has developed a Multi-Jurisdictional Hazard Mitigation Plan for Carter County and all municipalities therein which is compliant with all state and federal requirements of the Tennessee Emergency Management Agency (TEMA) and the Federal Emergency Management Agency (FEMA); and

WHEREAS, said Plan has been made available to the public by publication on the Carter County, Tennessee website and may be reviewed in the office of the Carter County Emergency Management Agency; and

WHEREAS, the Board did solicit public input regarding the Plan and allowed for comment at a public hearing.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners for Carter County, Tennessee, meeting in regular session on this the 27<sup>th</sup> day of August, 2018, with a lawful quorum of said Board being present and with a majority voting in the affirmative that the Board does hereby fully approve and adopt the Carter County Multi-Jurisdictional Hazard Mitigation Plan as developed and published by the Carter County Emergency Management Agency which identifies protective and mitigation measures that will lessen our exposure to future hazard losses while contributing to other community goals and objectives as identified in the respective community plans, policies and regulations.

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 any part of past Resolutions in conflict with this Resolution are hereby rescinded to the extent that a such conflict exists.

**AUGUST TERM 2018**

Reviewed and approved by the Health and Welfare Committee on 8/7/2018.

*Tom Holden*  
Committee Chairperson

Adopted this 27<sup>th</sup> day of August, 2018.

CARTER COUNTY, TENNESSEE  
BOARD OF COUNTY COMMISSIONERS

APPROVED:

By: *Robert V. Acuff*  
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 Gouge*  
MARY GOUGE

CARTER COUNTY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
JOSHUA A. HARDIN  
CARTER COUNTY ATTORNEY

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**AUGUST TERM 2018**

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR CARTER COUNTY, TENNESSEE

REGULAR MEETING, MONDAY, AUGUST 27, 2018

RESOLUTION NO. 714

"A RESOLUTION MAKING APPROPRIATIONS FOR THE VARIOUS FUNDS, DEPARTMENTS, INSTITUTIONS, OFFICES AND AGENCIES OF CARTER COUNTY, TENNESSEE FOR THE FISCAL YEAR BEGINNING JULY 1, 2018 AND ENDING JUNE 30, 2019."

SECTION 1. BE IT RESOLVED by the Board of County Commissioners for Carter County, Tennessee, assembled in regular session on this the 27<sup>th</sup> day of August, 2018, with a lawful quorum of said Board being present and with a majority voting in the affirmative that the amounts hereafter set out are hereby appropriated for the purpose of meeting the expenses of the various funds, departments, institutions, offices and agencies of Carter County, Tennessee, for the capital outlay, and for meeting the payment of principal and interest on the county's debt maturing during the fiscal year beginning July 1, 2018 and ending June 30, 2019, according to the following schedule:

GENERAL FUND

County Commission	\$ 93,643.40
Board of Equalization	5,628.75
County Mayor	210,155.96
County Attorney	60,738.00
Election Commission	397,173.31
Register of Deeds	273,173.91
Planning	342,602.04
County Buildings	590,492.52
Accounting and Budgeting	461,973.73
Property Assessor	444,903.72
Reappraisal	108,808.36
County Trustee	371,007.32
County Clerk	475,937.31
Circuit Court	763,150.48
General Sessions Court	258,772.62
Drug Court	8,854.25
Chancery Court	358,453.03
Other Administration of Justice (Juries)	26,500.00
Sheriff	4,512,973.82
Jail	3,513,202.28
Juvenile Services	210,090.35
Fire Prevention and Control	415,000.00
Rescue Squad	272,700.00



Other Emergency Management (EMA)	\$ 131,531.38
Inspection and Regulation	5,742.73
County Corner/Medical Examiner	15,103.00
Other Public Safety	3,724.30
Local Health Center	171,011.62
Rabies and Animal Control	338,677.39
Ambulance/Emergency Medical Services (911)	203,663.00
Crippled Children Services	27,809.00
General Welfare Assistance	12,000.00
Other Local Welfare Services	7,400.00
Other Public Health	133,519.98
Senior Citizens Assistance	45,580.00
Libraries	65,600.00
Parks and Fair Boards	37,000.00
Other Social, Cultural & Recreational	17,000.00
Agricultural Extension Service	116,218.20
Flood Control	1,950.00
Other Agriculture & Natural Resources	21,999.50
Tourism	90,000.00
Other Economic & Community Development	53,262.00
Veteran Services	50,588.42
Miscellaneous	219,000.00
Litter and Trash Collection	48,515.36
Transfers	242,000.36
<b>Total General Fund</b>	<b>16,234,831.41</b>

**COURTHOUSE AND JAIL MAINTENANCE FUND**

County Buildings	5,600.00
Other Administration of Justice	4,800.00
Miscellaneous	100.00
<b>Total Courthouse and Jail Maintenance</b>	<b>10,500.00</b>

**SOLID WASTE/SANITATION FUND**

Convenience Centers	67,006.51
Recycling Center	100,839.92
Landfill Operation and Maintenance	867,153.93
Miscellaneous	10,000.00
<b>Total Solid Waste/Sanitation Fund</b>	<b>1,045,000.36</b>

HEALTH DEPARTMENT FUND

Local Health Center \$ 169,000.00  
Total Health Department 169,000.00

DRUG CONTROL FUND

Drug Enforcement 39,000.00  
Miscellaneous 800.00  
Total Drug Control Fund 39,800.00

SPORTS AND RECREATION FUND

Parks and Fair Boards 25,000.00  
Total Sports and Recreation Fund 25,000.00

HIGHWAY/PUBLIC WORKS FUND

Administration 419,248.77  
Highway & Bridge Maintenance 2,549,698.71  
Operation & Maintenance of Equipment 699,393.76  
Other Charges 110,000.00  
Employee Benefits 66,441.07  
Capital Outlay 401,000.00  
Total Highway/Public Works Fund 4,245,782.31

GENERAL PURPOSE SCHOOL FUND

Regular Instruction Program 21,301,310.99  
Alternative Instruction Program 177,753.34  
Special Education Program 3,660,702.87  
Vocational Education Program 1,511,864.64  
Health Services 432,671.48  
Other Student Support 1,298,040.05  
Regular Instruction Program 1,455,929.50  
Alternative Instruction Programs 123,747.50  
Special Education Program 387,724.25  
Vocational Education Program 169,657.54  
Technology 375,520.74  
Board of Education 857,132.00  
Office of the Superintendent 456,651.97  
Office of the Principal 2,647,180.40  
Fiscal Services 154,000.00

Operation of Plant	\$ 2,834,876.27
Maintenance of Plant	741,070.74
Transportation	2,239,002.15
Community Services	201,126.41
Regular Capital Outlay	262,380.67
<b>Total General Purpose School Fund</b>	<b>41,288,343.51</b>
 <b><u>CENTRAL CAFETERIA FUND</u></b>	
Food Services	3,606,607.25
<b>Total Central Cafeteria Fund</b>	<b>3,606,607.25</b>
 <b><u>HEAD START FUND</u></b>	
Operation of Plant	1,481.00
Childhood Education	1,114,131.87
<b>Total Head Start Fund</b>	<b>1,115,612.87</b>
 <b><u>GENERAL DEBT SERVICE FUND</u></b>	
General Government Debt Service	1,703,749.26
Education Debt Service	336,739.00
<b>Total General Debt Service Fund</b>	<b>2,040,488.26</b>

BE IT FURTHER RESOLVED, that the budget for the School Federal Projects fund shall be the budget approved for separate projects within No Child Left Behind (NCLB), Individuals with Disabilities Education Act (IDEA-Part B and Preschool), Carl Perkins Vocational fund and other federal grants by the Carter County Board of Education.

SECTION 2. BE IT FURTHER RESOLVED, that there are also hereby appropriated certain portions of the commissions and fees for collecting taxes and licenses and for administering other funds which the Trustee, County Clerk, Circuit Court Clerk, Clerk and Master, Register, Sheriff and the officially authorized deputies and assistants of each may be entitled to receive under state laws heretofore or hereafter enacted. Expenditures out of commissions and/or fees collected by the Trustee, County Clerk, Circuit Court Clerk, Clerk and Master, Register, and Sheriff may be made for such purposes and in such amounts as may be authorized by existing law or by valid order of any court having power to make such appropriations. Any excess commissions and/or fees collected over and above the expenditures duly and conclusively authorized

shall be paid over to the Trustee and converted into the General Fund as provided by law.

BE IT FURTHER RESOLVED, that if any fee officials, as enumerated in T.C.A Section 8-22-101, operate under the provisions of T.C.A. Section 8-22-104 the provisions of the preceding paragraph shall not apply to those particular officials.

**SECTION 3.** BE IT FURTHER RESOLVED, that any amendment to the budget, except for amendments to the budget for funds under supervision of the Director of Schools, shall be approved as provided in T.C.A. Section 5-9-407. The Director of Schools must receive approval of the Board of Education for transfers within each major category of the budget, and approval of both the Board of Education and Board of County Commissioners for transfers between major categories as required by law.

One copy of each amendment shall be filed with the County Clerk, one copy with the Chairman of the Budget Committee, and one copy with each divisional or departmental head concerned. The reason(s) for each transfer shall be clearly stated; however, this section shall in no case whatsoever be construed as authorizing transfers from one fund to another, but shall apply solely to transfers within a certain fund.

**SECTION 4.** BE IT FURTHER RESOLVED, that any appropriations made by this resolution which cover the same purpose for which a specific appropriation is made by statute is made in lieu of but not in addition to said statutory appropriation. The salary, wages, or remuneration of each officer, employee, or agent of the County shall not be in excess of the amounts authorized by existing law or as set forth in the estimate of expenditures which accompanies this resolution. Provided, however, that appropriations for such salaries, wages, or other remuneration hereby authorized shall in no case be construed as permitting expenditures for an office, agency, institution, division or department of the County in excess of the appropriation made herein for such office, agency, institution, division or department of the County. Such appropriation shall constitute the limit to the expenditures for any office, agency, institution, division or department for the fiscal year ending June 30, 2019. The aggregate expenditures for any item of appropriation shall in no instance be more than the amount herein appropriated for such item.

**SECTION 5.** BE IT FURTHER RESOLVED, that any resolution which may hereafter be presented to the Board of County Commissions providing for appropriations in addition to those made by this Budget Appropriation Resolution shall specifically provide sufficient revenue or other funds actually to be provided during the year in which the expenditure is to be made to meet such additional appropriation. Said appropriating resolution shall be submitted to and approved

by the Comptroller of the Treasury after its adoption as provided by T.C.A. Section 9-21-403.

**SECTION 6.** BE IT FURTHER RESOLVED, that the County Mayor and County Clerk are hereby authorized to borrow money on revenue anticipation notes provided such notes are first approved by the Comptroller of the Treasury to pay for the expenses herein authorized until the taxes and other revenue for the fiscal year 2018-2019 have been collected. The proceeds of loans for each individual fund shall not exceed 60% of the appropriations of each individual fund and shall be used only to pay the expenses and other requirements of the fund for which the loan is made. The loan shall be paid out of revenue from the fund for which money is borrowed. The notes evidencing the loans authorized under this section shall be issued under the applicable sections of Title 9, Chapter 21, of the Tennessee Code Annotated. Said notes shall be signed by the County Mayor and countersigned by the County Clerk and shall mature and be paid in full without renewal not later than June 30, 2019.

**SECTION 7.** BE IT FURTHER RESOLVED, that the delinquent county property taxes for the year 2016 and prior years and the interest and penalty thereon collected during the year ending June 30, 2019 shall be apportioned to the various County funds according to the subdivision of the tax levy for the year 2016. The Clerk and Master and the Trustee are hereby authorized and directed to make such apportionment accordingly.

**SECTION 8.** BE IT FURTHER RESOLVED, that all encumbered balances of appropriations remaining at the end of the year shall lapse, and be of no further effect, at the end of the fiscal year on June 30, 2019.

**SECTION 9.** BE IT FURTHER RESOLVED, that any resolution or part of a resolution which heretofore has been passed by the Board of County Commissioners which is in conflict with any provision of this resolution shall be and the same is hereby repealed.


**SECTION 10.** BE IT FURTHER RESOLVED, that this resolution shall take effect from and after its passage and its provisions shall be in force from and after July 1, 2018. This resolution shall be spread upon the minutes of the Board of County Commissioners.

**Adopted this 27<sup>th</sup> day of August, 2018.**

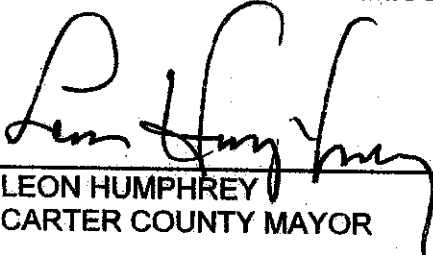
CARTER COUNTY, TENNESSEE  
BOARD OF COUNTY COMMISSIONERS

**AUGUST TERM 2018**

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:

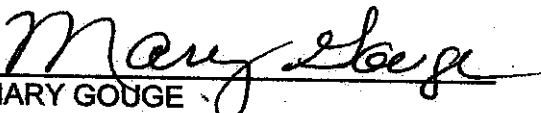
\_\_\_\_\_ YES VOTES  
\_\_\_\_\_ NO VOTES  
\_\_\_\_\_ ABSTAIN VOTES

APPROVED WITH SUCCESSFUL  
OVERRIDE VOTE:

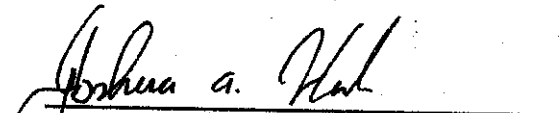
By: \_\_\_\_\_  
ROBERT V. ACUFF, CHAIRMAN  
BOARD OF COUNTY COMMISSIONERS

Date: \_\_\_\_\_

ATTEST:

  
MARY GOUGE  
CARTER COUNTY CLERK

APPROVED AS TO FORM:

  
JOSHUA A. HARDIN  
CARTER COUNTY ATTORNEY

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BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR CARTER COUNTY, TENNESSEE

REGULAR MEETING, MONDAY, AUGUST 27, 2018

RESOLUTION NO. 715

"A RESOLUTION FIXING THE TAX LEVY IN CARTER COUNTY, TENNESSEE, FOR THE FISCAL YEAR BEGINNING JULY 1, 2018 (2018-2019)."

SECTION 1. BE IT RESOLVED by the Board of County Commissioners for Carter County, Tennessee, meeting in regular session on this the 27<sup>th</sup> day of August, 2018, with a lawful quorum of said Board being present and with a majority voting in the affirmative, that the combined property tax rate of Carter County, Tennessee for the fiscal year beginning July 1, 2018, and ending June 30, 2019, shall be \$2.47 on each \$100.00 of taxable property, which is to provide revenue for each of the following funds and otherwise conform to the following levies:

<u>FUND RATE</u>	
County Schools	\$ 0.70489
City Schools	\$ 0.36734
County General Fund	\$ 1.13904
Debt Service	\$ 0.13500
County Road Fund	<u>\$ 0.12373</u>
<b>Total</b>	<b>\$ 2.47000</b>

SECTION 2. BE IT FURTHER RESOLVED, that there is hereby levied a gross receipts tax as provided by law. The proceeds of the gross receipts tax herein levied shall accrue to the General Fund.

SECTION 3. 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.

SECTION 4. BE IT FURTHER RESOLVED, that this Resolution shall take effect from and after its passage, the public welfare requiring it. This Resolution shall be spread upon the minutes of the Board of County Commissioners for Carter County, Tennessee, in the county clerk's records.

Adopted this 27<sup>th</sup> day of August, 2018.

CARTER COUNTY, TENNESSEE  
BOARD OF COUNTY COMMISSIONERS

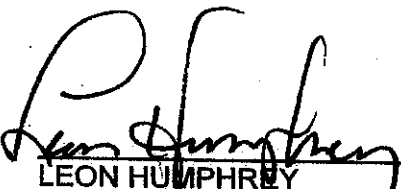
APPROVED:

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:

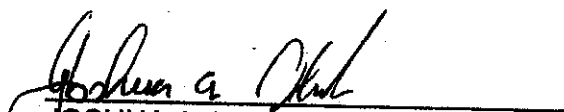
By: \_\_\_\_\_  
ROBERT V. ACUFF, CHAIRMAN  
BOARD OF COUNTY COMMISSIONERS

Date: \_\_\_\_\_

ATTEST:

  
MARY SOUZE  
CARTER COUNTY CLERK

APPROVED AS TO FORM:

  
JOSHUA A. HARDIN  
CARTER COUNTY ATTORNEY

**AUGUST TERM** 2018



COUNTY ATTORNEY REPORT  
AUGUST 2018

General Litigation update:

1. Endo Health Solutions, Inc., et al. v. Alpha Bay, et al. (opioid litigation)
2. 2016 Carter County Delinquent Tax Suit

Other Work performed/ongoing:

1. Research completed and opinions rendered for various county office holders and commissioners as requested.
2. County Commission – Multiple revisions of all Resolutions relating to budget following passage, veto, and special called meeting. Research regarding budget and adoption procedures; Assist with notices for meetings; Research, compile and assemble 2018 Commissioner Reference manuals.
3. Property Assessor – Research regarding assessment issues.
4. Sheriff's Office – Meetings, emails, calls and research regarding inmate medical issues; Conference call and revision of Verizon Wireless contract; Meet with Sheriff and review of information for civil service board hearing.
5. Highway Department – Research and Draft Resolution for Road Superintendent.
6. Courthouse Security Committee – Attended committee meeting; Meet with clerk re: unclaimed property.
7. EMA Office – Draft of Hazzard Mitigation Plan Resolution; Review of Plan.
8. Finance Department – Assistance provided with multiple public records request issues; Assist with seizure/auction issue.
9. Trustee's Office – Research and assist with public records request.
10. Animal Shelter – Review shelter expansion contract.
11. Parks and Rec Board – Research and assist with financial management questions.
12. Circuit Court Clerk – Research and provide assistance with public records requests.
13. Election Office – Research and assist with public records request issue.
14. Planning Office – Extensive review of litter compliant files, develop template checklists, affidavits and meet with Planning Director to review files.
15. General Sessions Court – Research issues requested by Judge Bowers.
16. Highway Committee- Attended Committee meeting.
17. County Clerk's Office – Assistance provided with employee resignation issues.
18. Attend Committee meetings for Health and Welfare, Rules and Bylaws, Buildings and Grounds, Landfill and Education Committees.