

Board of County Commission  
Carter County, Tennessee  
REGULAR SESSION  
Monday, October 15, 2018 at 6:00 PM

11-19-18  
**APPROVED**  
w/Corrections Noted  
Pg. 305 , Pg 308

**Call to Order** – Chairman, Ray Lyons, called the meeting to order.

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

Name of Configuration File: C:\RollCall-Pro\Configurations\Oct 15 2018 Commission Meeting.rcc

Date and Time of New Session: 10/15/2018 6:03:56 PM

Beginning Roll Call for New Session:

Willie Campbell is Present

Mark Blevins is Present

Robert Acuff is Present

Nancy Brown is Present

Mike Hill is Present

Patty Woodby is Present

Bradley Johnson is Present

Ronnie Trivett is Present

Charles Von Cannon is Present

Isaiah Grindstaff is Present

Jerry Proffitt is Present

Austin Jaynes is absent

Ross Garland is Present

Layla Ward is Present

Ginger Holdren is Present

Randall Jenkins is Present

Gary Bailey is Present

Travis Hill is Present

Sonja Culler is Present

Ray Lyons is Present

Aaron Frazier is absent

Robin McKamey is absent

Kelly Collins is Present

Rick Richardson is Present

Number of Voters PRESENT for Roll Call: 21

Number of Voters ABSENT for Roll Call: 3

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

**Approval of Agenda**

Motion was made by Randall Jenkins, seconded by Mark Blevins, to approve the Agenda as presented for October 15, 2018. (Item # 1) Recorded on page 310

Roll Call Vote as follows (Item # 1):

**1. Vote Results for: Item No. 1**

Time of Vote: 6:04:30 PM

Type of Vote: MAJORITY NEEDED TO PASS

Willie Campbell voted: Y

Mark Blevins voted: Y

Robert Acuff voted: Y

Nancy Brown voted: Y

Mike Hill voted: Y

Patty Woodby voted: Y

Bradley Johnson voted: Y

Ronnie Trivett voted: Y

Charles Von Cannon voted: Y

Isaiah Grindstaff voted: Y

Jerry Proffitt voted: Y

Austin Jaynes was Absent

Ross Garland voted: Y

Layla Ward voted: Y

Ginger Holdren voted: Y

Randall Jenkins voted: Y

Gary Bailey voted: Y

Travis Hill voted: Y

Sonja Culler voted: Y

Ray Lyons voted: Y

Aaron Frazier was Absent

Robin McKamey was Absent

Kelly Collins voted: Y

Rick Richardson voted: Y

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

**Number of Abstain Votes: 0**

**Leader marked Austin Jaynes as present at: 6:04:47 PM**

**Opening Prayer** – Commissioner Willie Campbell

**Pledge of Allegiance** – was led by Commissioner Rick Richardson.

**Recognition of Elected & Appointed Officials/Guest** – was made by Chairman Lyons. He requested those present to stand and be recognized.

**Motion was made by Ross Garland, seconded by Rick Richardson, to accept as presented, the September 17, 2018, Carter County Commission Minutes, Regular Session (Item # 2)**

Commissioner Charles VonCannon, stated he voted "Y" on Resolution No. 718 as listed on page 218 of the September 17, 2018 minutes. He requested to change his vote to "A" due to the fact he was a business owner and this could be a conflict of interest.

The vote could not be changed. However, Commissioner VonCannon requested this to be entered as a matter of record.

Chairman Lyons called for a roll call vote.

Roll Call Vote as follows (Item #2):

**2. Vote Results for: Item No. 2**

Time of Vote: 6:08:42 PM

Type of Vote: MAJORITY NEEDED TO PASS

Willie Campbell voted: Y

Mark Blevins voted: Y

Robert Acuff voted: Y

Nancy Brown voted: Y

Mike Hill voted: Y

Patty Woodby voted: Y

Bradley Johnson voted: Y

Ronnie Trivett voted: Y

Charles Von Cannon voted: Y

Isaiah Grindstaff voted: Y

Jerry Proffitt voted: Y

Austin Jaynes voted: Y

Ross Garland voted: Y

Layla Ward voted: Y

Ginger Holdren voted: Y

Randall Jenkins voted: Y

Gary Bailey voted: Y

Travis Hill voted: Y

Sonja Culler voted: Y

Ray Lyons voted: Y

Aaron Frazier was Absent

Robin McKamey was Absent

Kelly Collins voted: Y

Rick Richardson voted: Y

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

**Number of Abstain Votes: 0**

**Public Comments** -(5 minutes per person)

Stella Largent – Spoke concerning Carter County Constables.

**Leader marked Robin McKamey as present at: 6:12:09 PM**

Charles Mattioli, spoke on behalf of the Parks and Recreation Committee in regards to the land purchased for a sports park located off Mary Patton Highway.

Steve Bradshaw, spoke on behalf of Mr. Wayne Hodge from Goodlettsville, TN. This was concerning the unknown whereabouts of files sent to former Carter County Mayor, Leon Humphrey. Copies of documents listing them as being in regards to the Estate of Pelhamm Humphries, were distributed to the Commissioners.

Gunther Goerr, as well as Shannon Morton, and William Grant, also spoke concerning Carter County Constable issues.

Roy Livingston, addressed budget procedures in regards to employee raises and bonuses.

**Approval of Notaries and Bonds**

**Motion was made by Mike Hill, seconded by Nancy Brown, to approve the following notaries and bonds as follows : (Item # 3)**

Katherine Bradley	Sonia C. Swift	Samentha Presnell
Janet Webb	Patrick Steve Carpenter	Brenda Jester
Craig Larimer	Patsy H. Lewis	Larry Taylor
William S. Blevins	Tracy Tanner Harris	Janet R. Brumit
*****	Teresa Woods	*****

Roll Call Vote as follows (Item # 3):

**3. Vote Results for: Item No. 3**

Time of Vote: 6:34:35 PM

Type of Vote: MAJORITY NEEDED TO PASS

- Willie Campbell voted: Y
- Mark Blevins voted: Y
- Robert Acuff voted: Y
- Nancy Brown voted: Y
- Mike Hill voted: Y
- Patty Woodby voted: Y
- Bradley Johnson voted: Y
- Ronnie Trivett voted: Y
- Charles Von Cannon voted: Y
- Isaiah Grindstaff voted: Y
- Jerry Proffitt voted: Y
- Austin Jaynes voted: Y
- Ross Garland voted: Y
- Layla Ward voted: Y
- Ginger Holdren voted: Y
- Randall Jenkins voted: Y
- Gary Bailey voted: Y
- Travis Hill voted: Y
- Sonja Culler voted: Y
- Ray Lyons voted: Y
- Aaron Frazier was Absent
- Robin McKamey voted: Y

Kelly Collins voted: Y

Rick Richardson voted: Y

**Passed (23 Y - 0 N - 0 A - 1 Absent)**

**Number of Abstain Votes: 0**

**Approval of 2019 Carter County Calendar**

**Motion was made by Ronnie Trivett, seconded by Randall Jenkins, to approve the Carter County Holidays 2019 Calendar as presented. (Item # 4) Recorded on page 311**

Roll Call Vote as follows (Item # 4):

**4. Vote Results for: Item No. 4**

Time of Vote: 6:35:06 PM

Type of Vote: MAJORITY NEEDED TO PASS

Willie Campbell voted: Y

Mark Blevins voted: Y

Robert Acuff voted: Y

Nancy Brown voted: Y

Mike Hill voted: Y

Patty Woodby voted: Y

Bradley Johnson voted: Y

Ronnie Trivett voted: Y

Charles Von Cannon voted: Y

Isaiah Grindstaff voted: Y

Jerry Proffitt voted: Y

Austin Jaynes voted: Y

Ross Garland voted: Y

Layla Ward voted: Y

Ginger Holdren voted: Y

Randall Jenkins voted: Y

Gary Bailey voted: Y

Travis Hill voted: Y

Sonja Culler voted: Y

Ray Lyons voted: Y

Aaron Frazier was Absent

Robin McKamey voted: Y

Kelly Collins voted: Y

Rick Richardson voted: Y

**Passed (23 Y - 0 N - 0 A - 1 Absent)**

**Number of Abstain Votes: 0**

**Chairman Ray Lyons, called for recess at this time allowing for Attorney/Client discussion in regards to issues raised regarding the constables and Carter County Sheriff Dexter Lunceford.**

Chairman Ray Lyons, called for the Courtroom to be cleared of everyone except for Joshua Hardin Carter County Attorney, Carter County Commissioners, and County Mayor, Rusty Barnett.

Following the Attorney/Client discussion, the meeting was called **back to order** and a Roll Call (Session #2) was taken once again as listed below.

Name of Configuration File: C:\RollCall-Pro\Configurations\

**Oct 15 2018 Commission Meeting Part 2.rcc**

Date and Time of New Session: 10/15/2018 7:26:59 PM

**Beginning Roll Call for New Session:**

Willie Campbell is Present

Mark Blevins is Present

Robert Acuff is Present

Nancy Brown is Present

Mike Hill is Present

Patty Woodby is Present

Bradley Johnson is Present

Ronnie Trivett is Present

Charles Von Cannon is Present

Isaiah Grindstaff is Present

Jerry Proffitt is Present

Austin Jaynes is Present

Ross Garland is Present

Layla Ward is Present

Ginger Holdren is Present

Randall Jenkins is Present

Gary Bailey is Present

Travis Hill is Present

Sonja Culler is Present

Ray Lyons is Present

Aaron Frazier is absent

Robin McKamey is Present

Kelly Collins is Present

Rick Richardson is Present

**Number of Voters PRESENT for Roll Call: 23**

**Number of Voters ABSENT for Roll Call: 1**

Chairman, Ray Lyons requested County Attorney, Joshua Hardin schedule a meeting with the Attorney representing Carter County Constables to resolve issues.

**Election of School Board Member to Fill Vacancy for 1<sup>st</sup> District**

Chairman Lyons, stated five applications had been received for the vacancy of the School Board in the 1<sup>st</sup> District, (Hunter, Midway and Unaka). Each applicant was extended the opportunity to address the Commission stating qualifications and reason they are interested in the position.

The following spoke briefly to the Commission: Charles "Keith" Bowers, Sr., Bonnie Brooke Peters, and Adam Patrick Taylor. This followed with a question/answer session with Commissioners. Applicants, Wesley James Greer, and Ronald Earl Reed, were not present. Commissioner Randall Jenkins, received an email from Wesley Greer stating that he had made prior plans with family (which had be scheduled for some time) and was unable to be in attendance tonight. Commissioner Jenkins read and shared the email with the Commission expressing Mr. Greer's desire to be considered for the School Board position.

The floor was now opened by Chairman Lyons, for nominations to the Carter County School Board Education 1<sup>st</sup> District as follows (no second is required):

Commissioner Travis Hill, nominated Wesley Greer  
Commissioner, Mark Blevins, nominated Keith Bowers, Sr.  
Commissioner, Nancy Brown, nominated Bonnie Peters

**Motion was made by Isaiah Grindstaff, seconded by Robert Acuff, to cease nominations. (Session 2, Item #1)**

**Roll Call Vote as follows (Session 2, Item #1):**

1. Vote Results for: Item No. 1

Time of Vote: 7:50:55 PM

Type of Vote: MAJORITY NEEDED TO PASS

Willie Campbell voted: Y  
Mark Blevins voted: Y  
Robert Acuff voted: Y  
Nancy Brown voted: Y  
Mike Hill voted: Y  
Patty Woodby voted: Y  
Bradley Johnson voted: Y  
Ronnie Trivett voted: Y  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
Jerry Proffitt voted: Y  
Austin Jaynes voted: Y  
Ross Garland voted: Y  
Layla Ward voted: Y  
Ginger Holdren voted: Y  
Randall Jenkins voted: Y  
Gary Bailey voted: Y  
Travis Hill voted: Y  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Aaron Frazier was Absent  
Robin McKamey voted: Y  
Kelly Collins voted: Y  
Rick Richardson voted: Y

**Passed (23 Y - 0 N - 0 A - 1 Absent)**

**Number of Abstain Votes: 0**

Chairman Lyons called for a voice vote with each Commissioner voicing the name of whom they wished to vote for as follows:

Voting for Keith Bowers, Sr.: Mark Blevins, Willie Campbell, Robert Acuff, Mike Hill, Patty Woodby, Brad Johnson, Ronnie Trivett, Charles VonCannon, Austin Jaynes, Isaiah Grindstaff, Jerry Proffitt, Ginger Holdren, Layla Ward, Gary Bailey, Ray Lyons, Sonja Culler, Robin McKamey, and Kelly Collins. (18 Votes for Keith Bowers, Sr.)

Voting for Wesley Greer: Ross Garland, and Travis Hill. (2 Votes for Wesley Greer)

Voting for Bonnie Peters: Randall Jenkins and Rick Richardson. (2 Votes for Bonnie Peters)

Absent: Aaron Frazier

Passing: None

**Keith Bowers, Sr. was elected to the Carter County Board of Education representing the 1<sup>st</sup> District receiving the majority votes of eighteen (18) votes.**

**Election of Industrial Development Board Member**

Chairman Ray Lyons, stated only one (1) application had been received for this position.

**Motion was made by Austin Jaynes, seconded by Sonja Culler, to approve and appoint Robert Earl Stout to the Industrial Development Board. (Session # 2, Item # 2)**

Chairman Lyons opened the floor for discussion giving Mr. Stout the opportunity to address the Commission. Mr. Stout was not in attendance however.

Chairman Lyons called for a roll call vote.

**Roll Call Vote as follows (Session # 2, Item # 2):**

2. Vote Results for: Item No. 2

Time of Vote: 7:53:33 PM

Type of Vote: MAJORITY NEEDED TO PASS

Willie Campbell voted: Y

Mark Blevins voted: N

Robert Acuff voted: A

Nancy Brown voted: Y

Mike Hill voted: Y

Patty Woodby voted: Y

Bradley Johnson voted: N

Ronnie Trivett voted: Y

Charles Von Cannon voted: Y

Isaiah Grindstaff voted: Y

Jerry Proffitt voted: Y

Austin Jaynes voted: Y

Ross Garland voted: Y

Layla Ward voted: Y

Ginger Holdren voted: Y

Randall Jenkins voted: Y

Gary Bailey voted: Y  
Travis Hill voted: Y  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Aaron Frazier was Absent  
Robin McKamey voted: Y  
Kelly Collins voted: Y  
Rick Richardson voted: Y

**Passed (20 Y - 2 N - 1 A - 1 Absent)**

**Number of Abstain Votes: 1**

**Resolutions**

- a. ***Requesting Tennessee General Assembly To Amend the Post-Mortem Examination Act***

Commissioner Mike Hill, requested County Attorney, Joshua Hardin present a brief summary of the Resolution rather than read the entire Resolution. Without opposition, Attorney Hardin gave a summary and presented the Resolution for consideration.

**Motion** was made by Ronnie Trivett, seconded by Isaiah Grindstaff, to approve a presented, **RESOLUTION No. 719**

**“A RESOLUTION REQUESTING THAT THE TENNESSEE GENERAL ASSEMBLY AMEND THE POST-MORTEM EXAMINATION ACT CODIFIED AT TENNESSEE CODE ANNOTATED 38-7-101, ET SEQ.” (Session # 2, Item # 3)**

Recorded on pages 312-313

**Roll Call Vote as follows (Session # 2, Item # 3):**

3. Vote Results for: Item No. 3

Time of Vote: 8:11:05 PM

Type of Vote: MAJORITY NEEDED TO PASS

Willie Campbell voted: Y  
Mark Blevins voted: Y  
Robert Acuff voted: Y  
Nancy Brown voted: Y  
Mike Hill voted: Y  
Patty Woodby voted: Y  
Bradley Johnson voted: Y  
Ronnie Trivett voted: Y  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
Jerry Proffitt voted: Y  
Austin Jaynes voted: Y  
Ross Garland voted: Y  
Layla Ward voted: Y

Ginger Holdren voted: Y  
Randall Jenkins voted: Y  
Gary Bailey voted: Y  
Travis Hill voted: Y  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Aaron Frazier was Absent  
Robin McKamey voted: Y  
Kelly Collins voted: Y  
Rick Richardson voted: Y

**Passed (23 Y - 0 N - 0 A - 1 Absent)**

**Number of Abstain Votes: 0**

**Mayoral Report** – Mayor, Rusty Barnett presented the report. Entered as a matter of record on pages 314-315

**Committee Reports**

**Agriculture Committee** – Ross Garland, County Liaison presented a brief report. No recommendations were presented.

**Budget Committee** Ross Garland, Chairman presented the following recommendations.

**Motion was made by Ross Garland, seconded by Ronnie Trivett, to restore funding to the Highway Department (\$61,765), EMA (\$20,000), and the Senior Citizen's Center (\$600). Funding to be provided with Unclaimed Property received from the state (\$75,761) and unassigned fund balance (\$6,604).**

A “friendly amendment” was made by Commissioner, Robert Acuff requesting that the three (3) items in this motion be voted on separately. The friendly amendment was accepted.

**Motion was made by Ross Garland, seconded by Ronnie Trivett, to restore funding of \$61,765 from the funding provided from Unclaimed Property received from the state, to the Highway Department. Nothing (\$0) coming from fund balance.(See Session # 2, Item # 5)**

Discussion followed. It was stated the amount of funding from Unclaimed Property received from the state was less than previously expected. It was also stated the jail was in lock down, therefore no inmates were available to help at the Recycle Center or at the Animal Shelter causing a loss in services.

**Question on the Motion** was called for by Commissioner Ronnie Trivett, to cease discussion. (Session # 2, Item # 4)

**Roll Call Vote as follows (Session # 2, Item # 4):**

4. Vote Results for: Item No. 4

Time of Vote: 8:12:10 PM

Type of Vote: MAJORITY NEEDED TO PASS

Willie Campbell voted: Y

Mark Blevins voted: Y  
Robert Acuff voted: N  
Nancy Brown voted: Y  
Mike Hill voted: Y  
Patty Woodby voted: Y  
Bradley Johnson voted: N  
Ronnie Trivett voted: Y  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
Jerry Proffitt voted: Y  
Austin Jaynes voted: Y  
Ross Garland voted: Y  
Layla Ward voted: Y  
Ginger Holdren voted: Y  
Randall Jenkins voted: N  
Gary Bailey voted: Y  
Travis Hill voted: Y  
Sonja Culler voted: N  
Ray Lyons voted: Y  
Aaron Frazier was Absent  
Robin McKamey voted: Y  
Kelly Collins voted: N  
Rick Richardson voted: Y

**Passed (18 Y - 5 N - 0 A - 1 Absent)**

**Number of Abstain Votes: 0**

**Motion was back on the floor (as previously stated) to restore funding of \$61,765 from the funding provided from Unclaimed Property received from the state, to the Highway Department. \$0 coming from fund balance. (Session # 2, Item # 5)**

**Roll Call Vote as follows (Session # 2, Item # 5):**

5. Vote Results for: Item No. 5

Time of Vote: 8:13:34 PM

Type of Vote: MAJORITY NEEDED TO PASS

Willie Campbell voted: A  
Mark Blevins voted: Y  
Robert Acuff voted: N  
Nancy Brown voted: Y  
Mike Hill voted: N  
Patty Woodby voted: Y  
Bradley Johnson voted: N  
Ronnie Trivett voted: Y  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y

Jerry Proffitt voted: Y  
Austin Jaynes voted: N  
Ross Garland voted: Y  
Layla Ward voted: Y  
Ginger Holdren voted: N  
Randall Jenkins voted: Y  
Gary Bailey voted: N  
Travis Hill voted: Y  
Sonja Culler voted: N  
Ray Lyons voted: Y  
Aaron Frazier was Absent  
Robin McKamey voted: Y  
Kelly Collins voted: Y  
Rick Richardson voted: N

**Passed (14 Y - 8 N - 1 A - 1 Absent)**

**Number of Abstain Votes: 1**

**Motion** was made by Ross Garland, seconded by Isaiah Grindstaff, to fund \$20,000 from the funding provided from Unclaimed Property received from the state to EMA with \$6,304 coming from fund balance and \$13,696 from the funding provided from Unclaimed Property received from the state. (Session # 2, Item # 6)

Discussion followed. Commissioner Sonja Culler voiced objection stating two departments could not provide services to citizens due to lack of funding. It was stated that inmates were not available due to lock down. Sheriff Dexter Lunceford stressed that inmates were not employees and could not be relied on.

**Roll Call Vote as follows (Session # 2, Item # 6):**

6. Vote Results for: Item No. 6

Time of Vote: 8:22:47 PM

Type of Vote: MAJORITY NEEDED TO PASS

Willie Campbell voted: Y  
Mark Blevins voted: N  
Robert Acuff voted: N  
Nancy Brown voted: Y  
Mike Hill voted: N  
Patty Woodby voted: Y  
Bradley Johnson voted: N  
Ronnie Trivett voted: Y  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
Jerry Proffitt voted: Y  
Austin Jaynes voted: N  
Ross Garland voted: Y  
Layla Ward voted: Y  
Ginger Holdren voted: N

Randall Jenkins voted: Y  
Gary Bailey voted: N  
Travis Hill voted: Y  
Sonja Culler voted: N  
Ray Lyons voted: Y  
Aaron Frazier was Absent  
Robin McKamey voted: N  
Kelly Collins voted: N  
Rick Richardson voted: N

Passed (12 Y - 11 N - 0 A - 1 Absent

**\*CLERKS NOTE: MOTION FAILED-- 13 Y- Needed to pass**

Number of Abstain Votes: 0

**Motion was made by Ross Garland, seconded by Mike Hill, to fund \$600 to the Senior Citizen's Center. Funding to be provided with Unclaimed Property received from the state. (Session # 2, Item # 7)**

**Roll Call Vote as follows (Session # 2, Item # 7):**

7. Vote Results for: Item No. 7

Time of Vote: 8:25:16 PM

Type of Vote: MAJORITY NEEDED TO PASS

Willie Campbell voted: Y  
Mark Blevins voted: Y  
Robert Acuff voted: Y  
Nancy Brown voted: Y  
Mike Hill voted: Y  
Patty Woodby voted: Y  
Bradley Johnson voted: Y  
Ronnie Trivett voted: Y  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
Jerry Proffitt voted: Y  
Austin Jaynes voted: Y  
Ross Garland voted: Y  
Layla Ward voted: Y  
Ginger Holdren voted: Y  
Randall Jenkins voted: Y  
Gary Bailey voted: Y  
Travis Hill voted: Y  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Aaron Frazier was Absent  
Robin McKamey voted: Y  
Kelly Collins voted: Y

Rick Richardson voted: Y

**Passed (23 Y - 0 N - 0 A - 1 Absent)**

**Number of Abstain Votes: 0**

**Motion was made by Ross Garland, seconded by Ginger Holdren, to approve funding of \$25,000 to the Parks and Recreation Board for creation of a park on county owned property. Funds will come from the General Fund's unassigned fund balance. (Session # 2, Item # 8)**

Discussion followed concerning the use of the land at this location.

**Roll Call Vote as follows (Session # 2, Item # 8):**

8. Vote Results for: Item No. 8

Time of Vote: 8:36:06 PM

Type of Vote: MAJORITY NEEDED TO PASS

Willie Campbell voted: N

Mark Blevins voted: N

Robert Acuff voted: N

Nancy Brown voted: N

Mike Hill voted: N

Patty Woodby voted: Y

Bradley Johnson voted: Y

Ronnie Trivett voted: N

Charles Von Cannon voted: N

Isaiah Grindstaff voted: Y

Jerry Proffitt voted: Y

Austin Jaynes voted: Y

Ross Garland voted: Y

Layla Ward voted: Y

Ginger Holdren voted: N

Randall Jenkins voted: Y

Gary Bailey voted: Y

Travis Hill voted: Y

Sonja Culler voted: N

Ray Lyons voted: Y

Aaron Frazier was Absent

Robin McKamey voted: Y

Kelly Collins voted: Y

Rick Richardson voted: Y

**Passed (14 Y - 9 N - 0 A - 1 Absent)**

**Number of Abstain Votes: 0**

**Motion was made by Ross Garland, seconded by Travis Hill, to approve county employee bonuses**

**of \$250 (full-time) and \$150 (part-time) for a total of \$82,012.71 coming from General Fund's unassigned fund balance. (Session # 2, Item # 9)**

Commissioners (or ones spouse) that are county employees were advised this motion would have an affect on their income and would be considered as a conflict of interest. Also discussed was the number of County Employees on the Commission and Committees that vote to abstain, and its affect on the total vote needed to pass a motion.

Discussion followed noting this motion was for a one time bonus and not a raise.

**Roll Call Vote as follows (Session # 2, Item # 9):**

9. Vote Results for: Item No. 9

Time of Vote: 8:48:36 PM

Type of Vote: MAJORITY NEEDED TO PASS

Willie Campbell voted: A  
Mark Blevins voted: Y  
Robert Acuff voted: N  
Nancy Brown voted: A  
Mike Hill voted: N  
Patty Woodby voted: A  
Bradley Johnson voted: Y  
Ronnie Trivett voted: N  
Charles Von Cannon voted: N  
Isaiah Grindstaff voted: A  
Jerry Proffitt voted: N  
Austin Jaynes voted: N  
Ross Garland voted: Y  
Layla Ward voted: A  
Ginger Holdren voted: Y  
Randall Jenkins voted: N  
Gary Bailey voted: N  
Travis Hill voted: Y  
Sonja Culler voted: N  
Ray Lyons voted: Y  
Aaron Frazier was Absent  
Robin McKamey voted: Y  
Kelly Collins voted: Y  
Rick Richardson voted: Y

**Tie Vote (9 Y - 9 N - 5 A - 1 Absent)**

**(CLERKS NOTE: MOTION FAILED 10 Y NEEDED TO PASS)**

**Number of Abstain Votes: 5**

Commissioner Nancy Brown noted she has a child that is a county employee, therefore she chose to abstain on the above vote.

**Motion was made by Ross Garland, seconded by Kelly Collins, to approve school department para-**

**professional bonuses of \$250 (full-time) and \$150 (part-time) for a total of \$106,412.63 (General Purpose School Fund) and \$19,120.05 (Central Cafeteria Fund). Bonuses will be paid from unassigned fund balance of each fund. (Session # 2, Item # 10) Recorded on page 316**

**Roll Call Vote as follows (Session # 2, Item # 10):**

10. Vote Results for: Item No. 10

Time of Vote: 8:57:39 PM

Type of Vote: MAJORITY NEEDED TO PASS

Willie Campbell voted: A  
Mark Blevins voted: Y  
Robert Acuff voted: Y  
Nancy Brown voted: A  
Mike Hill voted: Y  
Patty Woodby voted: Y  
Bradley Johnson voted: N  
Ronnie Trivett voted: N  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
Jerry Proffitt voted: N  
Austin Jaynes voted: N  
Ross Garland voted: Y  
Layla Ward voted: Y  
Ginger Holdren voted: Y  
Randall Jenkins voted: Y  
Gary Bailey voted: A  
Travis Hill voted: Y  
Sonja Culler voted: N  
Ray Lyons voted: Y  
Aaron Frazier was Absent  
Robin McKamey voted: Y  
Kelly Collins voted: Y  
Rick Richardson voted: Y

**Passed (15 Y - 5 N - 3 A - 1 Absent)**

**Number of Abstain Votes: 3**

**Motion was made by Ross Garland, seconded by Ronnie Trivett, to establish a reserve/restricted fund balance account from revenue (in excess of \$75,000 monthly) for boarding federal and state inmates to be used by the Sheriff's Office. Funds can only be used as they are received by the county. The County Commission can choose to utilize the restricted funds in emergency situations for purposes other than those described above. (Session # 2, Item # 11)**

This motion was stated as being needed to correct the wordage of a motion made during the June 2018 Commission meeting. (Ref: Item # 25 June 2018 Minutes pages 69-70)

**Roll Call Vote as follows (Session # 2, Item # 11):**

11. Vote Results for: Item No. 11

Time of Vote: 8:58:11 PM

Type of Vote: MAJORITY NEEDED TO PASS

Willie Campbell voted: Y  
Mark Blevins voted: Y  
Robert Acuff voted: Y  
Nancy Brown voted: N  
Mike Hill voted: Y  
Patty Woodby voted: Y  
Bradley Johnson voted: Y  
Ronnie Trivett voted: Y  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: A  
Jerry Proffitt voted: Y  
Austin Jaynes voted: Y  
Ross Garland voted: Y  
Layla Ward voted: Y  
Ginger Holdren voted: Y  
Randall Jenkins voted: Y  
Gary Bailey voted: Y  
Travis Hill voted: Y  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Aaron Frazier was Absent  
Robin McKamey voted: Y  
Kelly Collins voted: Y  
Rick Richardson voted: Y

**Passed (21 Y - 1 N - 1 A - 1 Absent)**

**Number of Abstain Votes: 1**

**Motion was made by Ross Garland, seconded by Travis Hill, to approve General Fund 101 Amendment # 4 (Item # 1-13) for a total of \$39,191.92 with 2 items and \$5,700 coming from fund balance. Funds will be used for sheriff's travel (\$3,000), items for drones (\$2,100), and enrollment fees for the County Officials Certificate Training Program (\$600). No new money. (Session # 2, Item # 12) Recorded on pages 317-318**

**Roll Call Vote as follows (Session # 2, Item # 12):**

12. Vote Results for: Item No. 12

Time of Vote: 9:00:46 PM

Type of Vote: MAJORITY NEEDED TO PASS

Willie Campbell voted: Y  
Mark Blevins voted: Y

Robert Acuff voted: Y  
Nancy Brown voted: Y  
Mike Hill voted: Y  
Patty Woodby voted: Y  
Bradley Johnson voted: Y  
Ronnie Trivett voted: Y  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
Jerry Proffitt voted: Y  
Austin Jaynes voted: Y  
Ross Garland voted: Y  
Layla Ward voted: Y  
Ginger Holdren voted: Y  
Randall Jenkins voted: Y  
Gary Bailey voted: Y  
Travis Hill voted: Y  
Sonja Culler voted: N  
Ray Lyons voted: Y  
Aaron Frazier was Absent  
Robin McKamey voted: Y  
Kelly Collins voted: Y  
Rick Richardson voted: Y

**Passed (22 Y - 1 N - 0 A - 1 Absent)**

**Number of Abstain Votes: 0**

Commissioner Sonja Culler requested it be made a matter of record, that she intended to vote Y on the above motion and voted incorrectly on the RollCall-Pro keypad.

**Motion was made by Ross Garland, seconded by Isaiah Grindstaff, to approve Solid Waste/Sanitation Fund 116 Amendment # 1 with 1 item, for a total of \$26,299.45 with \$0 coming from Fund Balance. (Session # 2, Item # 13) Recorded on page 318**

**Roll Call Vote as follows (Session # 2, Item # 13):**

13. Vote Results for: Item No. 13

Time of Vote: 9:01:05 PM

Type of Vote: MAJORITY NEEDED TO PASS

Willie Campbell voted: Y  
Mark Blevins voted: Y  
Robert Acuff voted: Y  
Nancy Brown voted: Y  
Mike Hill voted: Y  
Patty Woodby voted: Y  
Bradley Johnson voted: Y  
Ronnie Trivett voted: Y

Charles Von Cannon voted: Y

Isaiah Grindstaff voted: Y

Jerry Proffitt voted: Y

Austin Jaynes voted: Y

Ross Garland voted: Y

Layla Ward voted: Y

Ginger Holdren voted: Y

Randall Jenkins voted: Y

Gary Bailey voted: Y

Travis Hill voted: Y

Sonja Culler voted: Y

Ray Lyons voted: Y

Aaron Frazier was Absent

Robin McKamey voted: Y

Kelly Collins voted: Y

Rick Richardson voted: Y

**Passed (23 Y - 0 N - 0 A - 1 Absent)**

**Number of Abstain Votes: 0**

**Motion** was made by Ross Garland, seconded by Sonja Culler, to approve Drug Control Fund # 122 Amendment # 1 with 2 Items, for a total of \$2,043.59. Nothing coming from Fund Balance. (Session # 2, Item # 14) Recorded on page 319

**Roll Call Vote as follows (Session # 2, Item # 14):**

14. Vote Results for: Item No. 14

Time of Vote: 9:01:40 PM

Type of Vote: MAJORITY NEEDED TO PASS

Willie Campbell voted: Y

Mark Blevins voted: Y

Robert Acuff voted: Y

Nancy Brown voted: Y

Mike Hill voted: Y

Patty Woodby voted: Y

Bradley Johnson voted: Y

Ronnie Trivett voted: Y

Charles Von Cannon voted: Y

Isaiah Grindstaff voted: Y

Jerry Proffitt voted: Y

Austin Jaynes voted: Y

Ross Garland voted: Y

Layla Ward voted: Y

Ginger Holdren voted: Y

Randall Jenkins voted: Y

Gary Bailey voted: Y

Travis Hill voted: Y

Sonja Culler voted: Y

Ray Lyons voted: Y

Aaron Frazier was Absent

Robin McKamey voted: Y

Kelly Collins voted: Y

Rick Richardson voted: Y

**Passed (23 Y - 0 N - 0 A - 1 Absent)**

**Number of Abstain Votes: 0**

**Motion was made by Ross Garland, seconded by Kelly Collins, to approve General Purpose School Fund 141 Amendment # 2, with 2 items for a total of \$11,111.00 to allocate funds for Family Resource Center (\$5,865.00) coming from unassigned Fund Balance, and allocate funds from a safety grant (\$5,246.00). (Session # 2, Item # 15) Recorded on page 316**

**Roll Call Vote as follows (Session # 2, Item # 15):**

15. Vote Results for: Item No. 15

Time of Vote: 9:02:34 PM

Type of Vote: MAJORITY NEEDED TO PASS

Willie Campbell voted: Y

Mark Blevins voted: Y

Robert Acuff voted: Y

Nancy Brown voted: Y

Mike Hill voted: Y

Patty Woodby voted: Y

Bradley Johnson voted: Y

Ronnie Trivett voted: Y

Charles Von Cannon voted: Y

Isaiah Grindstaff voted: Y

Jerry Proffitt voted: Y

Austin Jaynes voted: Y

Ross Garland voted: Y

Layla Ward voted: Y

Ginger Holdren voted: Y

Randall Jenkins voted: Y

Gary Bailey voted: Y

Travis Hill voted: Y

Sonja Culler voted: Y

Ray Lyons voted: Y

Aaron Frazier was Absent

Robin McKamey voted: Y

Kelly Collins voted: Y

Rick Richardson voted: Y

**Passed (23 Y - 0 N - 0 A - 1 Absent)**

**Number of Abstain Votes: 0**

**Motion** was made by Ross Garland, seconded by Sonja Culler,

**to accept donations to the Animal Shelter for July (231.35), August (\$1,305) and September (\$245.00) 2018 totaling \$1,781.35 and**

**July (\$0), August (\$1,112.94), and September (\$159.65) 2018 donations to the Drug Fund totaling \$1272.59 and**

**the Non-Cash Donations (Wal-mart) for August (approximately \$1,749.83) and September (approximately \$1,233.31) 2018, totaling \$2,983.14 to the Animal Shelter.**

**(Session # 2, Item # 16)**

**Roll Call Vote as follows (Session # 2, Item # 16):**

16. Vote Results for: Item No. 16

Time of Vote: 9:04:01 PM

Type of Vote: MAJORITY NEEDED TO PASS

Willie Campbell voted: Y

Mark Blevins voted: Y

Robert Acuff voted: Y

Nancy Brown voted: Y

Mike Hill voted: Y

Patty Woodby voted: Y

Bradley Johnson voted: Y

Ronnie Trivett voted: Y

Charles Von Cannon voted: Y

Isaiah Grindstaff voted: Y

Jerry Proffitt voted: Y

Austin Jaynes voted: Y

Ross Garland voted: Y

Layla Ward voted: Y

Ginger Holdren voted: Y

Randall Jenkins voted: Y

Gary Bailey voted: Y

Travis Hill voted: Y

Sonja Culler voted: Y

Ray Lyons voted: Y

Aaron Frazier was Absent

Robin McKamey voted: Y

Kelly Collins voted: Y

Rick Richardson voted: Y

**Passed (23 Y - 0 N - 0 A - 1 Absent)**

**Number of Abstain Votes: 0**

**Motion** was made by Ross Garland, seconded by Rick Richardson, to approve **General Purpose School Fund 141 Amendment # 1 with 3 items for a total of \$126,278.63 coming from the unassigned Fund Balance. Funds will be used for substitute nurses, background checks for current employees, and the para-professionals bonuses as previously approved.**

(Session # 2, Item # 17) Recorded on page 319

**Roll Call Vote as follows (Session # 2, Item # 17):**

17. Vote Results for: Item No. 17

Time of Vote: 9:07:47 PM

Type of Vote: MAJORITY NEEDED TO PASS

Willie Campbell voted: Y

Mark Blevins voted: Y

Robert Acuff voted: Y

Nancy Brown voted: Y

Mike Hill voted: Y

Patty Woodby voted: Y

Bradley Johnson voted: Y

Ronnie Trivett voted: Y

Charles Von Cannon voted: Y

Isaiah Grindstaff voted: Y

Jerry Proffitt voted: Y

Austin Jaynes voted: Y

Ross Garland voted: Y

Layla Ward voted: Y

Ginger Holdren voted: Y

Randall Jenkins voted: Y

Gary Bailey voted: A

Travis Hill voted: Y

Sonja Culler voted: Y

Ray Lyons voted: Y

Aaron Frazier was Absent

Robin McKamey voted: Y

Kelly Collins voted: Y

Rick Richardson voted: Y

**Passed (22 Y - 0 N - 1 A - 1 Absent)**

**Number of Abstain Votes: 1**

**Motion** was made by Ross Garland, seconded by Jerry Proffitt, to approve the renewal of the ETSU Forensic Center Contract for pathology services. It was noted that \$124,681.04 was allocated for 2018-2019 and anything over that amount requires funding from General Fund (Session #2, Item # 18) Recorded on pages 321-326

Discussion followed. It was recommended that changes of this mandated requirement needed to be considered and addressed at the state level.

**Roll Call Vote as follows (Session # 2, Item # 18):**

18. Vote Results for: Item No. 18

Time of Vote: 9:13:42 PM

Type of Vote: MAJORITY NEEDED TO PASS

Willie Campbell voted: Y  
Mark Blevins voted: Y  
Robert Acuff voted: Y  
Nancy Brown voted: Y  
Mike Hill voted: Y  
Patty Woodby voted: Y  
Bradley Johnson voted: Y  
Ronnie Trivett voted: Y  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
Jerry Proffitt voted: N  
Austin Jaynes voted: Y  
Ross Garland voted: Y  
Layla Ward voted: Y  
Ginger Holdren voted: Y  
Randall Jenkins voted: Y  
Gary Bailey voted: Y  
Travis Hill voted: Y  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Aaron Frazier was Absent  
Robin McKamey voted: Y  
Kelly Collins voted: Y  
Rick Richardson voted: Y

**Passed (22 Y - 1 N - 0 A - 1 Absent)**

**Number of Abstain Votes: 0**

**Motion was made by Ross Garland, seconded by Ginger Holdren, to approve \$20,000 in matching funds coming from fund balance, for a solid waste grant through the Tennessee Department of Environment and Conservation. The grant funding will be used for upgrades to the landfill's Roan Mountain Convenience Center. (Session # 2, Item # 19)**

Discussion followed noting that maximum funding from the state would be \$100,000 with the county required to match twenty percent (20%).

**Roll Call Vote as follows (Session # 2, Item # 19):**

19. Vote Results for: Item No. 19

Time of Vote: 9:15:42 PM

Type of Vote: MAJORITY NEEDED TO PASS

Willie Campbell voted: Y  
Mark Blevins voted: Y  
Robert Acuff voted: Y  
Nancy Brown voted: Y  
Mike Hill voted: Y  
Patty Woodby voted: Y  
Bradley Johnson voted: Y  
Ronnie Trivett voted: Y  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
Jerry Proffitt voted: Y  
Austin Jaynes voted: Y  
Ross Garland voted: Y  
Layla Ward voted: Y  
Ginger Holdren voted: Y  
Randall Jenkins voted: Y  
Gary Bailey voted: Y  
Travis Hill voted: Y  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Aaron Frazier was Absent  
Robin McKamey voted: Y  
Kelly Collins voted: Y  
Rick Richardson voted: Y

**Passed (23 Y - 0 N - 0 A - 1 Absent)**

**Number of Abstain Votes: 0**

**Motion was made by Ross Garland, seconded by Robert Acuff, to approve transfer of \$8,000 from the jail Training Line Item to the Patrol Travel Line Item to pay for lodging expenses and the per diem for officers attending training. (Session # 2, Item # 20)**

**Roll Call Vote as follows (Sessions # 2, Item # 20):**

20. Vote Results for: Item No. 20

Time of Vote: 9:23:57 PM

Type of Vote: MAJORITY NEEDED TO PASS

Willie Campbell voted: Y  
Mark Blevins voted: Y  
Robert Acuff voted: Y  
Nancy Brown voted: Y  
Mike Hill voted: Y  
Patty Woodby voted: Y  
Bradley Johnson voted: Y

Ronnie Trivett voted: Y  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: A  
Jerry Proffitt voted: Y  
Austin Jaynes voted: Y  
Ross Garland voted: Y  
Layla Ward voted: Y  
Ginger Holdren voted: Y  
Randall Jenkins voted: Y  
Gary Bailey voted: Y  
Travis Hill voted: Y  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Aaron Frazier was Absent  
Robin McKamey voted: Y  
Kelly Collins voted: Y  
Rick Richardson voted: Y

**Passed (22 Y - 0 N - 1 A - 1 Absent)**

**Number of Abstain Votes: 1**

**Motion was made by Ross Garland, seconded by Layla Ward, to reconsider the vote (see Roll Call Vote Session 2, Item # 5) allocating the funding to the Highway Department in the amount of \$61,765 provided from Unclaimed Property, as previously approved. (Session # 2, Item # 21)**

Discussion followed concerning the need for part time employees at the Animal Shelter and at the recycle center.

**Roll Call Vote as follows (Session # 2, Item # 21):**

21. Vote Results for: Item No. 21

Time of Vote: 9:28:16 PM

Type of Vote: MAJORITY NEEDED TO PASS

Willie Campbell voted: N  
Mark Blevins voted: N  
Robert Acuff voted: Y  
Nancy Brown voted: N  
Mike Hill voted: Y  
Patty Woodby voted: Y  
Bradley Johnson voted: Y  
Ronnie Trivett voted: Y  
Charles Von Cannon voted: N  
Isaiah Grindstaff voted: N  
Jerry Proffitt voted: Y  
Austin Jaynes voted: Y

Ross Garland voted: Y  
Layla Ward voted: Y  
Ginger Holdren voted: Y  
Randall Jenkins voted: N  
Gary Bailey voted: Y  
Travis Hill voted: Y  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Aaron Frazier was Absent  
Robin McKamey voted: Y  
Kelly Collins voted: Y  
Rick Richardson voted: Y

**Passed (17 Y - 6 N - 0 A - 1 Absent)**

**Number of Abstain Votes: 0**

**Motion was made by Gary Bailey, to give \$ 20,000 to the Landfill/Re-Cycle Center and the Animal Shelter (\$10,000 each) for the use of hiring a of a part-time employee for each.**

**Motion failed to receive a second.**

Discussion followed concerning the amount of funding available.

**Motion was made by Bradley Johnson, seconded by Mike Hill, to refer action back to the Budget Committee for a recommendation regarding the funding of part time employees for the Landfill and Animal Shelter. (Session # 2, Item # 22)**

**Roll Call Vote as follows (Session # 2, Item # 22):**

**22. Vote Results for: Item No. 22**

Time of Vote: 9:30:01 PM

Type of Vote: MAJORITY NEEDED TO PASS

Willie Campbell voted: N  
Mark Blevins voted: N  
Robert Acuff voted: Y  
Nancy Brown voted: Y  
Mike Hill voted: Y  
Patty Woodby voted: Y  
Bradley Johnson voted: Y  
Ronnie Trivett voted: N  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
Jerry Proffitt voted: Y  
Austin Jaynes voted: Y  
Ross Garland voted: Y  
Layla Ward voted: Y  
Ginger Holdren voted: Y

Randall Jenkins voted: Y  
Gary Bailey voted: Y  
Travis Hill voted: Y  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Aaron Frazier was Absent  
Robin McKamey voted: Y  
Kelly Collins voted: Y  
Rick Richardson voted: Y

**Passed (20 Y - 3 N - 0 A - 1 Absent)**

**Number of Abstain Votes: 0**

**Motion was made by Sonja Culler, seconded by Robin McKamey, to hire two part time employees, temporary (one for the Animal Shelter, and one for the Landfill/Re-Cycle Center) for at least two months until the Budget, Landfill and Animal Shelter Committees can meet to resolve the problem. (Session # 2, Item # 23)**

**Roll Call Vote as follows (Session # 2, Item # 23):**

**23. Vote Results for: Item No. 23**

Time of Vote: 10:05:16 PM

Type of Vote: MAJORITY NEEDED TO PASS

Willie Campbell voted: N  
Mark Blevins voted: Y  
Robert Acuff voted: Y  
Nancy Brown voted: N  
Mike Hill voted: N  
Patty Woodby voted: N  
Bradley Johnson voted: Y  
Ronnie Trivett voted: N  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: A  
Jerry Proffitt voted: Y  
Austin Jaynes voted: Y  
Ross Garland voted: Y  
Layla Ward voted: Y  
Ginger Holdren voted: Y  
Randall Jenkins voted: N  
Gary Bailey voted: N  
Travis Hill voted: N  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Aaron Frazier was Absent  
Robin McKamey voted: Y  
Kelly Collins voted: Y

Rick Richardson voted: Y

**Passed (14 Y - 8 N - 1 A - 1 Absent)**

**Number of Abstain Votes: 1**

**Carter County Expenditure Budget Report for the Month of September 2018** was provided to Carter County Commissioners by Brad Burke, Director of Finance. Included in the report were the Account Numbers, Account Description, Budget Amounts, Budget Amendments, and Amended Budgets, Month-to-day expenditures, Outstanding encumbrances, and Unencumbered Balances.

**Carter County Trustee's Report for July 2018 thru September 2018** was provided to Carter County Commissioners by County Trustee, Randall Lewis. Included in the report were M-T-D Cash Receipts and Disbursements and Balances.

**Recess**

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

**Committee Reports (Cont')**

**Building and Grounds** – Chairman, Rick Richardson. Minutes of the last meeting were unavailable. Layla Ward was introduced as Vice-Chairman. No recommendations were presented.

**Education Committee** – Chairwoman, Robin McKamey presented a brief report. Vice-Chairman, Ginger Holdren and Austin Jaynes, secretary for the Committee was introduced by Chairwoman McKamey. No recommendations were presented.

It was noted enrollment in Carter County Schools was down seventy-four students which effects funding. It was also suggested that the School Board Committee minutes be made available in the Commissioners packets.

**Financial Management** – Bradley Johnson, Chairman. Chairman Johnson apologized that the minutes of the previous meeting was not in the packets. Ginger Holdren will serve as Vice-Chairwoman for the committee.

Chairman Johnson stated discussion was presented during the meeting concerning the need for a wage survey of Carter County Employees be reconsidered. He welcomed commissioners to submit ideas concerning this issue. It was also stated that increased services required increased funding.

**Health and Welfare Committee** – Chairman Dr. Robert Acuff, Vice-Chairwoman Layla Ward. Committee Chairman, Dr. Acuff extended a thank-you to fellow Commissioners for the Resolution passed tonight as recommended by the Health and Welfare Committee. No other were to be recommendations were presented.

**Highway Committee** – Chairman Charles VonCannon, Vice-Chairman Austin Jaynes Vice-Chairman. Chairman VonCannon presented a report noting of projects that were being completed. No recommendations were presented.

**Landfill Committee** – Chairwoman Sonja Culler, Vice-Chair Mark Blevins. Chairwoman Culler presented the following motion upon recommendation from the Committee.

**Motion** was made by Sonja Culler, seconded by Mike Hill, to grant Landfill Director Benny Lyons, authorization to submit an application for a \$100,000 grant for the Landfill Department. This requires a county match of \$20,000 if awarded. If awarded, this money will be used to redesign the Roan Mountain recycling facility. (Session # 2, Item # 24) It was noted the plans for the facility were drawn by the students of Hampton High School.

Commissioner Ginger Holdren, spoke concerning the Field Trip to the Landfill in which she was "blown away" by what is taking place in Carter County. She encouraged each Commissioner to explore each department as decisions are being made for those departments.

**Roll Call Vote as follows (Session # 2, Item # 24):**

24. Vote Results for: Item No. 24

Time of Vote: 10:10:34 PM

Type of Vote: MAJORITY NEEDED TO PASS

Willie Campbell voted: Y

Mark Blevins voted: Y

Robert Acuff voted: Y

Nancy Brown voted: Y

Mike Hill voted: Y

Patty Woodby voted: Y

Bradley Johnson voted: Y

Ronnie Trivett voted: Y

Charles Von Cannon voted: Y

Isaiah Grindstaff voted: Y

Jerry Proffitt voted: Y

Austin Jaynes voted: Y

Ross Garland voted: Y

Layla Ward voted: Y

Ginger Holdren voted: Y

Randall Jenkins voted: Y

Gary Bailey voted: Y

Travis Hill voted: Y

Sonja Culler voted: Y

Ray Lyons voted: Y

Aaron Frazier was Absent

Robin McKamey voted: Y

Kelly Collins voted: Y

Rick Richardson voted: Y

**Passed (23 Y - 0 N - 0 A - 1 Absent)**

**Number of Abstain Votes: 0**

**Animal Shelter Board** – October meeting -- no Quorum present.

**Law Enforcement** – Jerry Proffitt Chairman, Bradley Johnson Vice-Chairman. A brief report was presented. However, no recommendations were made..

**Nominating Committee** – Patty Woodby Chairwoman, Travis Hill Vice Chairman, Kelly Collins, Secretary. ***Committee appointments*** and recommendations were presented for consideration as follows:

**Agriculture Committee** – No appointment necessary as terms do not expire until January 1, 2019.

**Elizabethton/Carter County Animal Shelter Board**

**Motion** was made by Patty Woodby, seconded by Mike Hill, to appoint **Kelly Collins, Sonja Culler, and Dr. Robert Acuff to the three Commission seats on the Elizabethton/Carter County Animal Shelter Board. (Session # 2, Item # 25)**

**Roll Call Vote as follows (Session # 2, Item # 25):**

25. Vote Results for: Item No. 25

Time of Vote: 10:11:15 PM

Type of Vote: MAJORITY NEEDED TO PASS

Willie Campbell voted: Y

Mark Blevins voted: Y

Robert Acuff voted: Y

Nancy Brown voted: Y

Mike Hill voted: Y

Patty Woodby voted: Y

Bradley Johnson voted: Y

Ronnie Trivett voted: Y

Charles Von Cannon voted: Y

Isaiah Grindstaff voted: Y

Jerry Proffitt voted: Y

Austin Jaynes voted: Y

Ross Garland voted: Y

Layla Ward voted: Y

Ginger Holdren voted: Y

Randall Jenkins voted: Y

Gary Bailey voted: Y

Travis Hill voted: Y

Sonja Culler voted: Y

Ray Lyons voted: Y

Aaron Frazier was Absent

Robin McKamey voted: Y

Kelly Collins voted: Y

Rick Richardson voted: Y

**Passed (23 Y - 0 N - 0 A - 1 Absent)**

**Number of Abstain Votes: 0**

Carter County Tomorrow Board

**Motion was made by Ross Garland, seconded by Jerry Proffitt, to appoint Sonja Culler, and Patty Woodby as representatives for the County Commission on the Carter County Tomorrow Board. (Session # 2, Item # 26)**

**Roll Call Vote as follows (Session # 2, Item # 26):**

26. Vote Results for: Item No. 26

Time of Vote: 10:11:55 PM

Type of Vote: MAJORITY NEEDED TO PASS

Willie Campbell voted: Y  
Mark Blevins voted: Y  
Robert Acuff voted: Y  
Nancy Brown voted: Y  
Mike Hill voted: Y  
Patty Woodby voted: Y  
Bradley Johnson voted: Y  
Ronnie Trivett voted: Y  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
Jerry Proffitt voted: Y  
Austin Jaynes voted: Y  
Ross Garland voted: Y  
Layla Ward voted: Y  
Ginger Holdren voted: Y  
Randall Jenkins voted: Y  
Gary Bailey voted: Y  
Travis Hill voted: Y  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Aaron Frazier was Absent  
Robin McKamey voted: Y  
Kelly Collins voted: Y  
Rick Richardson voted: Y

**Passed (23 Y - 0 N - 0 A - 1 Absent)**

**Number of Abstain Votes: 0**

Planning Commission

**Motion was made by Sonja Culler, seconded by Mike Hill, to accept, on the request of Planning Director Chris Schuettler, and the recommendation by the Nominating Committee, to accept the appointments of Bobbie Gouge-Deitz to represent the 5<sup>th</sup> District, and Kelly Collins to represent the 8<sup>th</sup> district. These terms will expire 2023, and allow Sonja Culler and Dr. Robert Acuff to remain on the Planning Commission with term expiring 2022. (Session # 2, Item # 27)**

**Roll Call Vote (Session # 2, Item # 27):**

27. Vote Results for: Item No. 27

Time of Vote: 10:12:25 PM

Type of Vote: MAJORITY NEEDED TO PASS

Willie Campbell voted: Y  
Mark Blevins voted: Y  
Robert Acuff voted: Y  
Nancy Brown voted: Y  
Mike Hill voted: Y  
Patty Woodby voted: Y  
Bradley Johnson voted: Y  
Ronnie Trivett voted: Y  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
Jerry Proffitt voted: Y  
Austin Jaynes voted: Y  
Ross Garland voted: Y  
Layla Ward voted: Y  
Ginger Holdren voted: Y  
Randall Jenkins voted: Y  
Gary Bailey voted: Y  
Travis Hill voted: Y  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Aaron Frazier was Absent  
Robin McKamey voted: Y  
Kelly Collins voted: Y  
Rick Richardson voted: Y

**Passed (23 Y - 0 N - 0 A - 1 Absent)**

**Number of Abstain Votes: 0**

Chamber of Commerce

No appointment necessary. Ross Garland currently serves on the board and his term is unexpired.

Beer Board

No appointments were presented until research completed. Appointments will be presented next month following recommendation.

Carter County Board of Health

**Motion was made by Patty Woodby, seconded by Kelly Collins, to appoint Robin McKamey as Commission representative on the Carter County Board of Health.  
(Session # 2, Item # 28)**

**Roll Call Vote as follows (Session # 2, Item # 28):**

28. Vote Results for: Item No. 28

Time of Vote: 10:13:34 PM

Type of Vote: MAJORITY NEEDED TO PASS

Willie Campbell voted: Y  
Mark Blevins voted: Y  
Robert Acuff voted: Y  
Nancy Brown voted: Y  
Mike Hill voted: Y  
Patty Woodby voted: Y  
Bradley Johnson voted: Y  
Ronnie Trivett voted: Y  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
Jerry Proffitt voted: Y  
Austin Jaynes voted: Y  
Ross Garland voted: Y  
Layla Ward voted: Y  
Ginger Holdren voted: Y  
Randall Jenkins voted: Y  
Gary Bailey voted: Y  
Travis Hill voted: Y  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Aaron Frazier was Absent  
Robin McKamey voted: Y  
Kelly Collins voted: Y  
Rick Richardson voted: Y

**Passed (23 Y - 0 N - 0 A - 1 Absent)**

**Number of Abstain Votes: 0**

**Parks and Recreation Board**

**Motion was made by Patty Woodby, seconded by Isaiah Grindstaff, to accept the recommendation to place Randall Jenkins as Commission Liaison on the Parks and Recreation Board.  
(Session # 2, Item # 29)**

**Roll Call Vote as follows (Session # 2, Item # 29):**

29. Vote Results for: Item No. 29

Time of Vote: 10:14:18 PM

Type of Vote: MAJORITY NEEDED TO PASS

Willie Campbell voted: Y  
Mark Blevins voted: Y  
Robert Acuff voted: Y

Nancy Brown voted: Y  
Mike Hill voted: Y  
Patty Woodby voted: Y  
Bradley Johnson voted: Y  
Ronnie Trivett voted: N  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
Jerry Proffitt voted: Y  
Austin Jaynes voted: Y  
Ross Garland voted: Y  
Layla Ward voted: Y  
Ginger Holdren voted: Y  
Randall Jenkins voted: Y  
Gary Bailey voted: Y  
Travis Hill voted: Y  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Aaron Frazier was Absent  
Robin McKamey voted: Y  
Kelly Collins voted: Y  
Rick Richardson voted: Y

**Passed (22 Y - 1 N - 0 A - 1 Absent)**

**Number of Abstain Votes: 0**

Records Commission

**Motion was made by Ginger Holdren, seconded by Sonja Culler, to accept and confirm the Rusty Barnett Mayoral appointment of Patty Woodby, as Commission representative on the Records Commission and Etta Mayse as Genealogist. (Session # 2, Item # 30)**

*Mays*

Roll Call Vote as follows (Session # 2, Item # 30):

29. Vote Results for: Item No. 29

Time of Vote: 10:14:18 PM

Type of Vote: MAJORITY NEEDED TO PASS

Willie Campbell voted: Y  
Mark Blevins voted: Y  
Robert Acuff voted: Y  
Nancy Brown voted: Y  
Mike Hill voted: Y  
Patty Woodby voted: Y  
Bradley Johnson voted: Y  
Ronnie Trivett voted: N  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y

Jerry Proffitt voted: Y  
Austin Jaynes voted: Y  
Ross Garland voted: Y  
Layla Ward voted: Y  
Ginger Holdren voted: Y  
Randall Jenkins voted: Y  
Gary Bailey voted: Y  
Travis Hill voted: Y  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Aaron Frazier was Absent  
Robin McKamey voted: Y  
Kelly Collins voted: Y  
Rick Richardson voted: Y

**Passed (22 Y - 1 N - 0 A - 1 Absent)**

**Number of Abstain Votes: 0**

*Elizabethton/Carter County Public Library Board*

**Motion was made by Patty Woodby, seconded by Austin Jaynes, to reappoint Dan Winters to the Library Board. (Session # 2, Item # 31)**

**Roll Call Vote as follows (Session # 2, Item # 31):**

**31. Vote Results for: Item No. 31**

Time of Vote: 10:15:13 PM

Type of Vote: MAJORITY NEEDED TO PASS

Willie Campbell voted: Y  
Mark Blevins voted: Y  
Robert Acuff voted: Y  
Nancy Brown voted: Y  
Mike Hill voted: Y  
Patty Woodby voted: Y  
Bradley Johnson voted: Y  
Ronnie Trivett voted: Y  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
Jerry Proffitt voted: Y  
Austin Jaynes voted: Y  
Ross Garland voted: Y  
Layla Ward voted: Y  
Ginger Holdren voted: Y  
Randall Jenkins voted: Y  
Gary Bailey voted: Y  
Travis Hill voted: Y  
Sonja Culler voted: Y

Ray Lyons voted: Y  
Aaron Frazier was Absent  
Robin McKamey voted: Y  
Kelly Collins voted: Y  
Rick Richardson voted: Y

**Passed (23 Y - 0 N - 0 A - 1 Absent)**

**Number of Abstain Votes: 0**

**Motion was made by Patty Woodby, seconded by Austin Jaynes, to appoint Travis Hill as Commission Liaison to the Elizabethton/Carter County Public Library Board. (Session # 2 Item # 32)**

**Roll Call Vote as follows (Session # 2, Item # 32)**

32. Vote Results for: Item No. 32

Time of Vote: 10:15:34 PM

Type of Vote: MAJORITY NEEDED TO PASS

Willie Campbell voted: Y  
Mark Blevins voted: Y  
Robert Acuff voted: Y  
Nancy Brown voted: Y  
Mike Hill voted: Y  
Patty Woodby voted: Y  
Bradley Johnson voted: Y  
Ronnie Trivett voted: Y  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
Jerry Proffitt voted: Y  
Austin Jaynes voted: Y  
Ross Garland voted: Y  
Layla Ward voted: Y  
Ginger Holdren voted: Y  
Randall Jenkins voted: Y  
Gary Bailey voted: Y  
Travis Hill voted: Y  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Aaron Frazier was Absent  
Robin McKamey voted: Y  
Kelly Collins voted: Y  
Rick Richardson voted: Y

**Passed (23 Y - 0 N - 0 A - 1 Absent)**

**Number of Abstain Votes: 0**

Civil Service Board

corrected  
11-19-18  
PWH

Motion was made by Patty Woodby, seconded by Mark Blevins, to accept the <sup>Recommendation</sup> appointments made by Sheriff Dexter Lunceford to the Civil Service Board as follows: Walt Pierce (3 Year Term), Wendell Treadway (2 Year Term), and James Whaley (1 Year Term) (Session # 2, Item # 33)

Discussion addressed concerning some of these being former employees of the Sheriff's Department and could be a conflict. County Attorney, Joshua Hardin not that he was aware of any.

**Roll Call Vote as follows (Session # 2, Item # 33):**

33. Vote Results for: Item No. 33

Time of Vote: 10:16:49 PM

Type of Vote: MAJORITY NEEDED TO PASS

Willie Campbell voted: Y

Mark Blevins voted: Y

Robert Acuff voted: Y

Nancy Brown voted: Y

Mike Hill voted: Y

Patty Woodby voted: Y

Bradley Johnson voted: Y

Ronnie Trivett voted: Y

Charles Von Cannon voted: Y

Isaiah Grindstaff voted: Y

Jerry Proffitt voted: Y

Austin Jaynes voted: Y

Ross Garland voted: Y

Layla Ward voted: Y

Ginger Holdren voted: Y

Randall Jenkins voted: Y

Gary Bailey voted: Y

Travis Hill voted: Y

Sonja Culler voted: N

Ray Lyons voted: Y

Aaron Frazier was Absent

Robin McKamey voted: Y

Kelly Collins voted: Y

Rick Richardson voted: Y

**Passed (22 Y - 1 N - 0 A - 1 Absent)**

**Number of Abstain Votes: 0**

No other appointments or recommendations were presented the nominating committee.

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

**Rules and By-Law Committee** – Randall Jenkins, Chairman, Layla Ward, Vice-Chairwoman.  
Chairman, Jenkins apologized for lack of minutes from the previous meeting being unavailable. He stated a representative from TCAT had previously been available to do the minutes. However, they declined to do them this year.

**County Attorney's Report** – Joshua Hardin, County Attorney's report October 2018 entered into the minutes on page 320.

**Commissioner Comments**

Commission Chairman, Ray Lyons expressed thanks to Abby Frye, Mayor Rusty Barnett, County Attorney Joshua Hardin for working with him and giving guidance with so many different things. He also thanked everyone for their patience and working with him.

Commissioner Ross Garland, extended a thank-you to Abby Frye for a job well done in taking of the Budget Committee minutes.

Mayor Rusty Barnett, informed the Commission that a heat pump was down on the north end of the building. Repairmen are scheduled to begin work on Tuesday.

Commissioner Kelly Collins, spoke concerning the Commissioners being absent at meetings. It is their duty to contact someone, in their district, to represent them in their absence.

Commissioner Robin McKamey, addressed the Commission challenging volunteerism at the Animal Shelter.

Commissioner Randall Jenkins, as well as other commissioners spoke concerning committee meeting minutes.

Commissioner Patty Woodby, addressed the Commission concerning consideration being given to County Employees raises and salaries as a top issue.

Commissioner Ross Garland, spoke concerning committee minutes being available on the website

Mayor Rusty Barnett, spoke concerning a need for job descriptions.

**Adjourn**

**Motion** was made by Sonja Culler, seconded by Ross Garland, to adjourn. By majority voice vote, motion carried and court adjourned at 10:29 PM.

**AGENDA**  
**Board of County Commissioners**  
**Carter County, Tennessee**  
**REGULAR SESSION**  
**Monday, October 15, 2018 at 6:00 PM**

1. Call to Order
2. Courthouse Emergency Egress Plan- **EMA Director Gary Smith**

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3. Roll Call- County Clerk
4. Approval of Agenda
5. Opening Prayer- **Commissioner Willie Campbell**
6. Pledge of Allegiance
7. Recognition of Elected & Appointed Officials/Guests
8. Acceptance of September Meeting Minutes
9. Public Comments- **5 minutes per person**
10. Approval of Notaries & Bonds
11. Approval of 2019 Carter County Calendar
12. Election of School Board Member to Fill Vacancy for 1<sup>st</sup> District
13. Election of Industrial Development Board Member
14. Resolutions
  - A. Requesting Tennessee General Assembly To Amend the Post-Mortem Examination Act
15. Mayoral Report – **Mayor Rusty Barnett**
16. Committee Reports
17. County Attorney Report
18. Commissioner Comments
19. Adjourn

# **CARTER COUNTY HOLIDAYS**

## **2019**

<b>New Year's Day</b>	<b>Tuesday, January 1, 2019</b>
<b>Martin Luther King Jr. Day</b>	<b>Monday, January 21, 2019</b>
<b>President's Day</b>	<b>Monday, February 18, 2019</b>
<b>Good Friday</b>	<b>Friday, April 19, 2019</b>
<b>Memorial Day</b>	<b>Monday, May 27, 2019</b>
<b>Independence Day</b>	<b>Thursday, July 4, 2019</b>
<b>Labor Day</b>	<b>Monday, September 2, 2019</b>
<b>Veterans Day</b>	<b>Monday, November 11, 2019</b>
<b>Thanksgiving Holiday</b>	<b>Thursday, November 28, 2019</b> <b>Friday, November 29, 2019</b>
<b>Christmas Holiday</b>	<b>Tuesday, December 24, 2019</b> <b>Wednesday, December 25, 2019</b> <b>Thursday, December 26, 2019</b>

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR CARTER COUNTY, TENNESSEE

REGULAR MEETING, MONDAY, OCTOBER 15, 2018

RESOLUTION NO. 719

"A RESOLUTION REQUESTING THAT THE TENNESSEE GENERAL ASSEMBLY AMEND THE POST-MORTEM EXAMINATION ACT CODIFIED AT TENNESSEE CODE ANNOTATED § 38-7-101, ET SEQ."

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

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

WHEREAS, of particular concern to the Board of County Commissioners for Carter County is the substantial rising costs associated with autopsies since the passage of the Post-Mortem Examination Act, which is codified at T.C.A. § 38-7-101, et seq. (hereinafter referred to as "the Act"); and

WHEREAS, the Act altered the traditional methods by which deaths under suspicious circumstances were investigated and by which autopsies were requested and conducted in each county; and

WHEREAS, the Act has resulted in an increase in the number of autopsies performed and a drastic increase in the costs associated with the same in Carter County and other surrounding counties, and has further led to the unfortunate result of permitting the Medical Examiner whom the county must compensate for each autopsy performed to be given the authority to conduct an autopsy without request from the District Attorney General or any other law enforcement authority charged with investigating and/or prosecuting crimes associated with deaths under suspicious circumstances; and

WHEREAS, the Board believes it to be in the best interests of the citizens of Carter County to request that the Tennessee General Assembly amend the Act to vest the authority to request an autopsy solely with the District Attorney General for each particular county, who may request the same upon investigation and in consultation with the appropriate law enforcement authorities.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners for Carter County, Tennessee, meeting in regular session on this the 15<sup>th</sup> day of October, 2018, with a lawful quorum of said Board being present and with a majority voting in the affirmative as follows:

1. That by this Resolution the Board respectfully requests that those State Legislators representing Carter County in the Tennessee General Assembly carefully review and investigate the substantial rising numbers and costs of autopsies that are performed in Carter County and other similarly situated counties since the passage of the Act.
2. That by this Resolution the Board respectfully requests that those State Legislators representing Carter County in the Tennessee General Assembly support legislation which would amend the Act to require that autopsies be performed only upon the request of the District Attorney General for each particular county, who may request the same upon investigation and in consultation with the appropriate law enforcement authorities.

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

Reviewed and approved by the Health and Welfare Committee on 10/2/18.

Robert L. Aug  
Committee Chairperson



Adopted this 15<sup>th</sup> day of October, 2018.

CARTER COUNTY, TENNESSEE  
BOARD OF COUNTY COMMISSIONERS

APPROVED:

By: Ray Lyons  
RAY LYONS, CHAIRMAN  
BOARD OF COUNTY COMMISSIONERS

APPROVED:

By: Russell Barnett  
RUSSELL BARNETT  
CARTER COUNTY MAYOR

VETOED:

By: \_\_\_\_\_  
RUSSELL BARNETT  
CARTER COUNTY MAYOR

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

VETO OVERRIDE VOTE:

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

APPROVED WITH SUCCESSFUL  
OVERRIDE VOTE:

By: \_\_\_\_\_  
RAY LYONS, CHAIRMAN  
BOARD OF COUNTY COMMISSIONERS

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

ATTEST:

Mary Gouge  
MARY GOUGE  
CARTER COUNTY CLERK

APPROVED AS TO FORM:

Joshua A. Hardin  
JOSHUA A. HARDIN  
CARTER COUNTY ATTORNEY

### **Carter County Mayor's Report to Commission on 10/15/2018**

- I want to start off by commending our first responders – volunteer firefighters, Carter County Emergency and Rescue Squad, Carter County Sheriff's Office, Carter County Highway Department, the crews from the electric department – for their work during the recent flooding in Roan Mountain. I witnessed first-hand how dedicated our services are. I want to give a big thank you to all of the citizens who helped out as well throughout the whole county! Together we are a team!
- Speaking of the Highway Department, we have an employee of the Carter County Highway Department celebrating a milestone anniversary today. Willie Campbell marked 40 years of service to the county and its citizens today. The Department hosted a celebration for him this afternoon, but I want to recognize him again this evening for everything he has done for our community over the years. Thank you Willie.
- Through a partnership with the Carter County Emergency and Rescue Squad we were able to place an AED unit at the Highway Department and one at the Carter County Election Commission. We hope these units will never be needed but in the event of a cardiac emergency an AED unit can mean the difference between life and death. My goal is to have an AED unit in every county building, and we are still working on writing a grant to allow us to get the remaining AED units we need.
- The Design Sensory Team will be visiting Carter County this week as they continue to work on a branding and marketing strategy and wayfinding signage through the Tourism grants which Carter County received.

- I signed the contract on the Community Block Development Grant to help with the construction of the new Emergency Operations Center. We recently had a meeting with First Tennessee Development District and the architects to ensure the project is staying on track. Later this month we will be meeting with state officials to discuss the project.
- We recently met with a developer who is interested in developing a project around Watauga Lake that would help promote tourism as well as create jobs for our community. There is not a lot I can say publicly about this potential project right now as it is still in the conceptual phase but if you would like to know more about it I would be happy to speak with you privately.
- This week we will be moving the Commissioner's mailboxes upstairs from Mary Gouge's Office into the Mayor's Office. We will also be setting up a work station for anyone on the Commission to use to return phone calls, conduct research on the internet or meet with constituents. We have a computer we will be setting up for you all to use, we are just waiting on our service provider to set up the internet port for the computer.



**Carter County**  
**General Fund 101**  
**Fiscal Year Ending June 30, 2019**  
**Budget Amendment #4**  
**October 15, 2018**

Item #1	52400-161	Secretaries		0.00	1,568.63	Decrease
	52400-106	Deputy(ies)		1,568.63	0.00	Increase
<i>To reallocate salaries for the trustee's office.</i>						
Item #2	44530	Sale of Equipment		0.00	2,000.00	Increase
	52300-718	Motor Vehicles		2,000.00	0.00	Increase
<i>To allocate funds received by Assessor for vehicle sold to planning department.</i>						
Item #3	44170	Miscellaneous Refunds		0.00	400.00	Increase
	54110-353	Towing Services		400.00	0.00	Increase
<i>To allocate funds received by sheriff's department for towing bills</i>						
Item #4	46990	Other State Revenue		0.00	50.00	Increase
	54110-716	Law Enforcement Equipment		50.00	0.00	Increase
<i>To allocate funds received by sheriff's department for confiscated driver's license</i>						
Item #5	44170	Miscellaneous Refunds		0.00	22.50	Increase
	54210-422	Food Supplies		22.50	0.00	Increase
<i>To allocate a refund received by the jail</i>						
Item #6	44560	Damages Recovered From Individuals		0.00	251.40	Increase
	54210-335	Maintenance & Repair Services - Buildings		251.40	0.00	Increase
<i>To allocate payment for vandalism to the jail</i>						
Item #7	49700	Insurance Recovery		0.00	2,229.66	Increase
	54110-338	Maintenance & Repair Services - Vehicles		2,229.66	0.00	Increase
<i>To allocate insurance received for repairs to vehicle #33</i>						
Item #8	42910	Proceeds From Confiscated Property		0.00	1,950.00	Increase
	54110-338	Maintenance & Repair Services - Vehicles		1,950.00	0.00	Increase
<i>To allocate settlement received for a seized vehicle</i>						

Item #9	47990	Other Direct Federal Revenue		0.00	529.80	Increase
	54110-106	Deputy(ies)		529.80	0.00	Increase
<i>To recognize funds received from DOJ for accrued overtime</i>						
Item #10	34625-034	Committed for Public Safety (inmate telephones)		0.00	5,100.00	Decrease
	54110-355	Travel		3,000.00	0.00	Increase
	54110-716	Law Enforcement Equipment		2,100.00	0.00	Increase
<i>To allocate funds for travel by the sheriff to TSA (\$3,000) and to purchase items for drone (\$2,100)</i>						
Item #11	48110	Prisoner Board		0.00	23,968.48	Increase
	54210-160	Guards		20,000.00	0.00	Increase
	54110-338	Maintenance & Repair Services - Vehicles		3,968.48	0.00	Increase
<i>To allocate reimbursements from the federal government for prisoner transports to salaries and for repairs and maintenance of federal inmate transport vehicles.</i>						
Item #12	44170	Miscellaneous Refunds		0.00	521.45	Increase
	53100-355	Circuit Court-Travel		521.45	0.00	Increase
<i>To recognize refund from the State of TN for prior year travel expenses related to CCFO training</i>						
Item #13	39000	Unassigned Fund Balance		0.00	600.00	Decrease
	51100-320	Dues and Memberships		600.00	0.00	Increase
<i>To allocate funds for Commissioners Woodby and Ward for enrollment fees associated with the County Officials Certificate Training Program.</i>						
				Total	39,191.92	39,191.92
				From Fund Balance		5,700.00

Carter County						
Solid Waste/Sanitation Fund 116						
Fiscal Year Ending June 30, 2019						
Budget Amendment #1						
October 15, 2018						
Item #1	55754-359	Disposal Fees		0.00	26,299.45	Decrease
	55754-147	Truck Drivers		16,720.00	0.00	Increase
	55754-201	Social Security		1,036.64	0.00	Increase
	55754-204	State Retirement		2,497.97	0.00	Increase
	55754-206	Life Insurance		24.00	0.00	Increase
	55754-207	Medical Insurance		5,621.60	0.00	Increase
	55754-208	Dental Insurance		156.80	0.00	Increase
	55754-212	Medicare		242.44	0.00	Increase
<i>To reallocate funds to pay a truck driver for the trash hauling truck</i>						
				Total	26,299.45	26,299.45
				From Fund Balance		0.00

Carter County							
Drug Control Fund #122							
Fiscal Year Ending June 30, 2019							
Budget Amendment #1							
October 15, 2018							
Item #1	48610	Donations			0.00	1,272.59	Increase
	54110-401	Animal Food and Supplies			1,272.59	0.00	Increase
<i>To recognize donations for K-9</i>							
Item #2	42910	Proceeds From Confiscated Property			0.00	771.00	Increase
	54110-358	Remittance of Revenue Collected			771.00	0.00	Increase
<i>To recognize a cash seizure that was returned to the defendant</i>							
					Total	2,043.59	2,043.59
					From Fund Balance		0.00

Carter County							
General Purpose School Fund 141							
Fiscal Year Ending June 30, 2019							
Budget Amendment #1							
October 15, 2018							
Item #1	39000	Unassigned Fund Balance			0.00	5,500.00	Decrease
	72120-189	Health Services - Other Salaries and Wages			5,500.00	0.00	Increase
<i>To allocate funds for substitute nurses</i>							
Item #2	71100-188-04001	Bonus Payments			88,650.00	0.00	Increase
	71100-201-04001	Social Security			5,496.30	0.00	Increase
	71100-204-04001	State Retirement			10,980.90	0.00	Increase
	71100-212-04001	Employer Medicare			1,285.43	0.00	Increase
	39000	Unassigned Fund Balance			0.00	106,412.63	Decrease
<i>To allocate funds for a bonus for paraprofessionals</i>							
Item #3	39000	Unassigned Fund Balance			0.00	14,366.00	Decrease
	72310-533	Criminal Investigation of Applicants-TBI			14,366.00	0.00	Increase
<i>To allocate funds for background checks required for 440 current school department employees</i>							
					Total	126,278.63	126,278.63
					From Fund Balance		126,278.63

COUNTY ATTORNEY REPORT  
OCTOBER 2018

General Litigation update:

1. Richardson v. Carter County  
Carter County Circuit Court  
Case No. C14412

Other Work performed/ongoing:

1. Research completed and opinions rendered for various county office holders and commissioners as requested.
2. Election Office - Research and assist with School Board and Constable vacancy issues.
3. Mayor's Office - Review of CDBG agreement; Review of ETSU forensic contract; Research various issues as requested.
4. EMA Office - Finalize approvals of Hazard mitigation Plan for various entities; Review of lease agreement and research re: EOC lease.
5. County Commission - correspondence with 911 Board Attorney to finalize contract; Research Industrial Development Board vacancy; Research multiple committee appointment questions.
6. Highway Department - Research employee fringe benefit issues; Research adopt a highway program for Road Superintendent; Phone calls/correspondence with Road Superintendent and others regarding county ROW issues.
7. Circuit Court Clerk - Research and provide assistance with records requests.
8. Planning Department - Research Storm Water Resolution questions.
9. Register of Deeds - Research instrument e-recording issue.
10. Sheriff's Office - Research of constable radio and NCIC access issues.
11. Rules and Bylaws Committee - Attended committee meeting.
12. Health and Welfare Committee - Attended committee meeting; Draft of Post Mortem Examination Act Resolution.
13. Law Enforcement Committee - Attended committee meeting.
14. Buildings and Grounds Committee - Attended committee meeting.
15. Education/Landfill Committees - Attended committee meetings.
16. Highway Committee - Attended committee meeting.
17. Financial management Committee - Attended committee meeting.
18. Budget/Nominating Committees - Attended committee meetings.

**AGREEMENT**

**Between**

**East Tennessee State University**

**And**

**Carter County, Tennessee**

This Agreement is made and entered into as of the \_\_\_\_ day of \_\_\_\_\_, 2018, by and between Carter County ("County") and East Tennessee State University, a state-owned university, on behalf of its Quillen College of Medicine, Division of Forensic Pathology, operating at the William L. Jenkins Forensic Center ("ETSU").

**I. SCOPE OF SERVICES:**

1. ETSU shall, within 90 days of contract execution:
  - i. Provide county medical examiner and death investigators 365 days per year, 7 days per week, 24 hours per day, in order to determine medical examiner jurisdiction and direct case disposition during the term of the contract.
  - ii. Provide autopsies for County upon request of the county medical examiner, district attorney general and anyone authorized by the county medical examiner or district attorney general or by law to order an autopsy.
  - iii. Maintain National Association of Medical Examiners ("NAME") Accreditation.
  - iv. Conduct death investigations in accordance with Tennessee statutes, rules, guidelines, policies and procedures.
  - v. Dispatch a death investigator employed by ETSU to select scenes (homicides, sudden unexpected deaths in infants/children (including suspected abuse), multiple decedents, high profile cases, in custody deaths, and unusual circumstances).
  - vi. Ensure that death investigators meet the qualifications as set out in Tenn. Code Ann. § 38-7-104 and WLJFC standard operating procedures.
  - vii. Ensure that the on-scene medical death investigators respond to scenes in a timely manner (generally within 45 minutes of notification of death).

- viii. Provide all building maintenance necessary for the William L. Jenkins Forensic Center ("WLJFC").
  - ix. Provide information technology support to WLJFC.
  - x. Provide initial and continuing forensic training to county death investigators and deputy county medical examiners at the forensic center.
  - xi. Provide a monthly report to the County Mayor's Office detailing the total autopsy equivalents for the previous complete month and the County's running total for the year compared to the annual maximum number of cases.
2. County shall, within 90 days of contract execution:
- i. Appoint an ETSU forensic pathologist as county medical examiner if agreed to by county mayor and confirmed by the county legislative body, and recommend from a convention of physicians located in County in accordance with the provisions of Tenn. Code Ann. § 38-7-104.
  - ii. Provide county death investigators and ensure that county death investigators meet the qualifications as set out in Tenn. Code Ann. § 38-7-104 and WLJFC standard operating procedures.
  - iii. Notify ETSU, verbally and in writing, of anticipated changes in current on-scene death investigator personnel.
  - iv. Notify county death investigators and deputy county medical examiners that all cases reported to the medical examiner's office shall be discussed with ETSU staff while County officials are present at the death scene, or as soon as practical when communication is limited by geography. Final authorization for case disposition shall be made by ETSU.
  - v. Maintain the capacity to conduct death investigations 365 days a year, 7 days a week, 24 hours a day in accordance with the requirements of Tenn. Code Ann. § 38-7-101 – 38-7-119 and WLJFC standard operating procedures.
  - vi. Conduct death investigations in accordance with Tennessee statutes, rules, guidelines, policy and procedures.
  - vii. Provide/maintain body transportation services that have capacity to respond to death scenes in a timely manner and are able to transport the body directly from the scene to the forensic center.

- viii. Replenish disposable items for the field medical death investigators such as evidence bags, body bags, identification tags with chain of custody documentation, and personal protective equipment.
- ix. Ensure that the on-scene medical death investigators have access to computer and digital camera.
- x. Ensure that the on-scene medical death investigators have the capacity to call the forensic center while at the scene and/or establish alternative communication if remote region prohibits cell or land line use (i.e. dispatch).
- xi. Ensure that the on-scene medical death investigators respond to scenes in a timely manner (generally within 30 minutes of notification of death).
- xii. Require death investigators and deputy county medical examiners to participate in all orientations and training events presented by ETSU.

II. CONTRACT TERM AND TERMINATION:

1. This Agreement is for a period of 1 year commencing on \_\_\_\_\_ and expiring on \_\_\_\_\_. Parties shall commence performance of execution of this Agreement on or before October 1, 2018.
2. This Agreement may be immediately terminated by an party upon the occurrence of the following events:
  - i. A court of competent jurisdiction determines that the Agreement violates any law of regulation; or
  - ii. The loss or suspension of any license, accreditation or authorization that is required in order for a party to perform its obligations under this agreement.
3. Notwithstanding any other provision in this agreement, this Agreement may be terminated by a party without cause upon 180 days written notice.
4. ETSU may immediately terminate the Agreement if County fails to perform its obligations under this agreement in a timely or proper manner. Notwithstanding the foregoing provision, County shall not be relived of liability to ETSU for damages sustained by virtue of any breach of this agreement.

III. PAYMENT TERMS AND CONDITIONS:

1. Maximum Liability. The payment rates in Section III. 3 shall constitute the base compensation due ETSU per month. The payment rates include, but are not limited to, all applicable taxes, fees, overheads, and all other direct and indirect costs incurred or to be incurred by ETSU.

This base compensation covers a maximum of 67 cases. Once the allotted number of cases has been exceeded, each additional case will cost the County \$1,800.00.

The maximum liability represents available funds for payment to ETSU and does not guarantee payment of any such funds to ETSU under this Agreement unless ETSU performs said work outlined in Section I.1. of this Agreement. Upon performance in accordance with Section I.1., ETSU shall be paid in accordance with the payment rates detailed in section III.3.

2. Payment Methodology. ETSU shall be compensated based on the payment rates herein for services provided.
  - i. ETSU's compensation shall be contingent upon the satisfactory completion of service defined in section I.1.
  - ii. ETSU shall be compensated for service based upon the following payment rates:

Carter County

Service Description	Base Amount (per compensable increment)
Medical Examiner Year 1	\$9,129.00 per Month
Building Debt Payment Year 1	\$337.92 per Month
<b>Year 1 Total</b>	<b>\$9,466.92 per Month</b>

IV. GENERAL PROVISIONS:

1. Modification and Amendment. This Agreement may be modified only by a written amendment executed and approved by all parties hereto in accordance with applicable Tennessee laws and regulations.
2. Prohibition of Joint Venture. The parties shall not engage in a joint venture with each other as a result of this agreement. It is expressly acknowledged by the parties hereto that such parties are independent contracting entities and that nothing in this Agreement shall be construed to create an employer/employee relationship or to allow either to exercise control or direction of the manner or method by which the other transacts its business affairs or provides its usual services.

3. Legal Compliance. The parties hereto agree to act in compliance in all material respects with all applicable federal, state and local laws, including applicable regulations, administrative orders, which shall specifically include: 42 U.S.C. § 1395nn (the "Stark Law"), 31 U.S.C. § 3729 (the "False Claims Act"), or any similar provision relating to kickbacks, illegal referrals, illegal billings, privacy, and applicable regulations relating to health care, the health care industry, the provision of health care services, third-party reimbursements and public health and safety.
4. Liability. Each party shall be solely liable for payment of its portion of all claims, liability, costs, expenses, demands, settlements, or judgements resulting from negligence, actions or omissions of itself or those for whom it is legally responsible relating to or arising under this Agreement. Any and all monetary claims against the State of Tennessee, its officers, agents, and employees in performing any responsibility specifically required under the terms of this Agreement shall be submitted to the Tennessee Claims Commission and liability shall be limited in accordance with the provisions of Tennessee law.
5. Cooperation. Each party agrees to cooperate with and assist each other Party with any complaints or investigations arising out of or in connection with the services provided under this Agreement. Nothing in this Agreement shall be construed to prevent any employee or part from testifying at an administrative hearing, deposition or in court in response to lawful subpoena.
6. Nondiscrimination: Parties shall comply with federal and state laws which prohibit discrimination against individuals because of race, creed, color, sex, religion, age, national origin, disability or veteran status.
7. Notices. Any notice required or permitted to be given hereunder may be given by personal delivery or by registered or certified mail, and if given by mail, shall be deemed sufficiently given when deposited in the United States Mail, proper postage prepaid, registered or certified, return receipt requested, and addressed as follows:

Carter County:  
Carter County Mayor's Office  
801 East Elk Avenue, Suite 201  
Elizabethton, TN 37643

ETSU:  
East Tennessee State University  
Quillen College of Medicine  
Finance and Administration  
PO Box 70420  
Johnson City, TN 37614-0569  
ATTN: Rusty Lewis, Executive Associate Dean/Finance and Administration

8. Governing Law. This Agreement shall be interpreted in accordance with the laws of the State of Tennessee.

In consideration of the terms and conditions above, the undersigned execute this Agreement for the purpose of binding the Parties to the Provisions of the Agreement.

East Tennessee State University

Carter County, Tennessee

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Dr. John B. Schweitzer  
Chair, Department of Pathology

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Carter County Mayor

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Dr. William A. Block, Jr.  
Interim Dean, College of Medicine

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Dr. Wilsie S. Bishop  
Vice President, Division of Health Affairs