

UTILITIES & CABLE COMMITTEE

MINUTES

February 7, 2011

In attendance were: Richard Renfro, Joel Street, Gebe Ritchie, John Lewis, Charles Von Cannon, Pat Hicks, Steve Lowrance, and Scott Sams sitting in for Sonja Culler.

The meeting was called to order by Chairman Pat Hicks.

One correction to November 22, 2010 meeting minutes: The minutes stated Pat Hicks and Richard (Dickie) Renfro were going to meet with Mayor Humphrey regarding Century Link and some customer problems. Mr. Hicks stated they were not going to meet about customer problems but to discuss extending Broadband Connection to Carter County.

Motion to approve minutes was made by Steve Lowrance, second by John Lewis.
Motion carried.

Old Business

Information Report received from CTAS-Chairman Hicks addressed questions from the last meeting regarding the scope and authority of the Utilities Committee. Mr. Hicks stated that he has contacted CTAS and researched the matter, his findings are as follows: By the United States Constitution there are only two levels of government, a national government and a state government; local governments exist solely at the pleasure of the states. Any authority the committee has derives from state government. We have no implied powers; we only have expressed powers. Those expressed powers can be found in three places:

1. Tennessee Constitution
2. Tennessee Code Annotated which is Statutory Law
3. Private Act which is passed by Legislature

Mr. Hicks also stated that all policy making and administration are carried out by the board and the Utility Management Review Board will hear appeals from citizens. Rick Hall at CTAS referenced three pieces of legislation regarding Cell Towers. The only authority we have as a committee is in the area of zoning and planning the location of the Cell Towers, which would go to the Zoning and Planning Committee.

Cable Contracts-Chairman Hicks stated that in 2008 the state enacted the Competitive Cable and Video Service Act; this law became effective July 1, 2008. This changed the way cable companies are franchised in the state of Tennessee. Cable companies are now allowed to seek a franchise through the state rather than the local government. In September 2008 Charter Communications opted to go to a state franchise, previously they had entered into a local contract with the County in 2002. Charter now has a state contract and we will not be entering into any contract with them. The Comcast file shows the county entered into a ten year contract

in 2002 and will expire in 2012. It is possible they also went for a state franchise after 2008. Mr. Hicks stated with the Board's permission he would call Comcast and require accurate information as to the contact person for government relations. No objections were made by the board. Cable problems that are not resolved locally can be answered through the Tennessee Regulatory Commission; there is also an online form to make a complaint. Mr. Hicks plans to develop a directory for the Commissioners to help Citizens with information on cable companies and other utilities, including contact numbers.

New Business

Pat Hicks plans to develop a directory for the Commissioners to help Citizens with information including contact numbers on cable companies, water utilities, Watauga Regional Water Authority, power companies and telephone companies.

Mayor Humphrey stated that the funds are available through grants or loans to provide extensive Broadband Connection in the county. Mr. Joe Woody had previously called the Mayor to offer information on Broadband Connection as well as the latest legislation. The Mayor said that he would contact Mr. Woody and ask him to attend the next meeting. Once we have access it would help with our schools, business and industry. Individuals would be able to go to a website and assess our county as to what is available.

Suggestion was made by Pat Hicks to move the Utilities Meeting to March 1 following the Landfill Meeting at 10:00am.

Pat Hicks was recognized for his efforts in researching the cable. The directory would be a great help to the citizens as well as offices in the courthouse.

Motion to adjourn was made by Dickie Renfro, second by Charles Von Cannon.

Respectively submitted,
Debbie Street