

CARTER COUNTY COMMISSION MEETING, REGULAR SESSION, APRIL 20, 2009

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BE IT REMEMBERED, that the County Commission of Carter County, Elizabethton, Tennessee, met in Regular Session on April 20, 2009, at 7:00 P.M. in the main courtroom of the Carter County Courthouse. Present and presiding were the Honorable Johnny Holder, County Mayor/Chairman; the Honorable Keith Bowers, Jr., County Attorney; and the Honorable Mary Gouge, County Clerk. The following Commissioners were present: Gebe Ritchie, Lawrence Hodge, Nancy Brown, Jeff McKinney, R. L. Miller, Jim Whaley, Harry Sisk, Jerry Pearman, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Dickie Renfro, Terry Montgomery, Ken Arney, Larry McKinney, Lynn Tipton, Sonja Culler, Richard Tester, Bill Armstrong, Robert Davis and Robert Gobble. Charlie Bayless was absent.

ROLL CALL.....QUORUM PRESENT
PRAYER.....LAWRENCE HODGE
PLEDGE.....ROBERT DAVIS



Carter County Commission

Johnny L. Holder
County Chairman
Lawrence Hodge
Vice-Chairman

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**PUBLIC NOTICE OF A REGULAR SESSION
OF THE CARTER COUNTY COMMISSION**

NOTICE IS HEREBY GIVEN to all members of the Carter County Commission, to all residents of the County of Carter, Tennessee, and to all persons interested, that the Regular Session of the Carter County Commission will be held Monday, April 20th, 2009, 7:00 p.m., Main Courtroom, Carter County Courthouse, 801 E. Elk Avenue, Elizabethton, Tennessee.

Agenda

- Call to Order
- Roll Call
- Opening Prayer
- Pledge of Allegiance
- Acceptance of Minutes from Previous Meeting
- Recognition of Elected Officials/Guests
- Public Comments
- Carter County Tomorrow-Don Hurst
- Notaries/Bonds
- Old Business
 - Fill Vacancy of 1st District Commissioner
 - Fill Vacancy of Judicial Commissioner
- Disposal of Obsolete Items
- Committee Reports/Recommendations
- Commissioner Comments
- Adjourn

All matters that may be normally considered may be taken up and acted on at such meetings.

Johnny Holder, County Chairman
Carter County, Tennessee

Motion was made by Jerry Pearman, seconded by Jeff McKinney to accept the minutes from the March 16, 2009, meeting of the Commission as presented. By voice roll call vote, motion duly carried.

Students from area high schools known as the "Clean Team" were introduced to the Commissioners at this time. Marisa Potter explained that these students had composed songs and dances to perform for 4th and 5th graders in the elementary schools which would make them conscious of the need to stop littering.

Under Public Comments, Roy Livingston commented on the dollars missing from the landfill and urged all taxpayers to keep an eye on this situation. Linda Whitehead, owner of the Carter at Main Restaurant across the street from the jail questioned how the county intended to handle the parking situation created by the new jail construction. Apparently people have been using the parking lot at her business for courthouse business. She stated that she would be re-opening the restaurant again and would not be responsible or liable for persons using her parking lot that were not patrons of the restaurant.

Carter County Tomorrow President Don Hurst reported that STL Distribution, the world's largest distributor of Christian literature, would be locating in the Frank Shaffer building. He stated that they would employ about 150 workers but as they would be moving a number of their present employees, he was not sure how many Carter Countians would be hired.

On motion by Gebe Ritchie, seconded by Robert Davis, the following Notaries were approved by voice roll call vote:

Thurman Howard King	Dennis McKesson
K. Nannette Carver	Jim Muse
Cameron L. Hyder	Steven John Head
Kenneth Wandell	Gerald Hardin
Kimberly A. Long	Kelly Ensor
Susan Finney	

On motion by Jerry Pearman, seconded by Harry Sisk, Benny Lyons was appointed to fill the remaining term of Ed Buckles on the Municipal Solid Waste Board ending March 2011 by voice roll call vote.

On motion by Harry Sisk, seconded by Jerry Pearman and by voice roll call vote, Ralph Watson was reappointed to the Planning Commission for a term expiring 2013 and Jack Campbell was newly appointed for a term also ending 2013. A "no" vote was noted by the Clerk for Nancy Brown.

Next on the agenda was the election of a Commissioner in the 1st District to fill the unexpired term of Jack Buckles who recently resigned. Mayor Holder stated that Robert Robinson, Jr. had withdrawn his name as a candidate and that the remaining candidates were Art Smithdeal, Dwight Lacey and Paul Mottern. Motion was made and seconded to nominate each of the candidates and the roll call vote was as follows:

DWIGHT LACEY: Nancy Brown, L. C. Tester, Ken Arney & Bill Armstrong
PAUL MOTTERN: Gebe Ritchie, Lawrence Hodge, Jeff Mckinney, R. L. Miller, Jim Whaley, Harry Sisk, Jerry Pearman, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Dickie Renfro, Terry Montgomery, Larry McKinney, Lynn Tipton, Sonja Culler, Robert Davis & Robert Gobble
ART SMITHDEAL: Richard Tester

There being 4 votes for Dwight Lacey, 17 votes for Paul Mottern and 1 vote for Art Smithdeal, Paul Mottern was duly elected to serve as Commissioner for the 1st District.

Due to the resignation of Steve Galyon as a Judicial Commissioner, a replacement was needed to be appointed. Suzanne Galyon had submitted her name for the appointment and motion was made by Harry Sisk, seconded by R. L. Miller to approve her. Motion was then made by Tom Bowers, seconded the Ken Arney to TABLE Mr. Sisk's motion due to the fact this position had not been advertised and allow any interested persons to apply. Roll call vote to TABLE as follows:

AYES: Nancy Brown, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Dickie Renfro, Terry Montgomery, Ken Arney, Lynn Tipton, Sonja Culler, Richard Tester, Bill Armstrong, Robert Davis & Robert Gobble
NAYS: Gebe Ritchie, Lawrence Hodge, Jeff McKinney, R. L. Miller, Jim Whaley, Harry Sisk, Jerry Pearman & Larry McKinney
PASSING: 0
ABSENT: Charlie Bayless

There being 14 ayes, 8 nays, 0 passing and 1 absent, motion to TABLE duly carried.

At the request of Sheriff Mathes, motion was made by Gebe Ritchie, seconded by Lawrence Hodge to approve the disposal of a list of outdated and broken equipment by his department. Items to be taken to the Carter County/Elizabethton Landfill. By voice roll call vote, motion duly carried.

On recommendation of the Highway Committee, motion was made by Jerry Pearman, seconded by Lawrence Hodge to change the speed limit on Taylortown Road from 35 mph to 25 mph and to recommend to the Tennessee Department of Transportation for the speed limit on the Stoney Creek Highway 91 to be raised from 40 mph to 50 mph. By voice roll call vote, motion duly carried.

On recommendation of the Budget Committee, motion was made by Bill Armstrong, seconded by Harry Sisk to approve the July 1, 2008 audited fund balances. Roll call vote as follows:

AYES: Gebe Ritchie, Lawrence Hodge, Nancy Brown, Jeff McKinney, R. L. Miller, Jim Whaley, Harry Sisk, Jerry Pearman, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Dickie Renfro, Terry Montgomery, Ken Arney, Larry McKinney, Lynn Tipton, Sonja Culler, Richard Tester, Bill Armstrong, Robert Davis & Robert Gobble
 NAYS: 0
 PASSING: 0
 ABSENT: Charlie Bayless

There being 22 ayes, 0 nays, 0 passing and 1 absent, motion duly carried.

On recommendation of the Budget Committee, motion was made by Bill Armstrong, seconded by Harry Sisk, to approve the General Fund Budget Amendment #6 as presented. Roll call vote as follows:

AYES: Gebe Ritchie, Lawrence Hodge, Nancy Brown, Jeff McKinney, R. L. Miller, Jim Whaley, Harry Sisk, Jerry Pearman, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Dickie Renfro, Terry Montgomery, Ken Arney, Larry McKinney, Lynn Tipton, Sonja Culler, Richard Tester, Bill Armstrong, Robert Davis & Robert Gobble
 NAYS: 0
 PASSING: 0
 ABSENT: Charlie Bayless

There being 22 ayes, 0 nays, 0 passing and 1 absent, motion duly carried.

**GENERAL FUND
 BUDGET AMENDMENT #6 2008-09
 20-Apr-09**

Item #1	39000	Fund Balance	\$ 12,000.00	Decrease	
	51100-191	Commission Board Member Fees		\$ 12,000.00	Increase
County Commission Fees					
Item #2	40110	Property Tax	\$ 8,496.00	Decrease	
	51300-540	Tax Relief		\$ 8,496.00	Increase
To recognize County Tax Relief Program					
Item #3	39000	Fund Balance	\$ 13,824.75	Decrease	
	51400-331	Legal Fees		\$ 13,824.75	Increase
Additional Fees for Sheriff's Dept Law Suite					
Item #4	39000	Fund Balance	\$ 21,350.00	Decrease	
	54240-309	Juvenile Contracts with State		\$ 21,350.00	Increase
Additional funds needed for Juvenile Detention Center					
Item #5	47660	State Grant	\$ 52,785.90	Decrease	
	58130-321	Engineering Services		\$ 3,842.62	Increase
	58130-499	Other Supplies & Materials		\$ 45,466.00	Increase
	58130-599	Other Charges		\$ 3,477.28	Increase
State Funds for HOME Grant					

Item #6	46420	State Aid Program	\$ 180,300.65	Decrease	
	58190-399-61	Contracted Services		\$ 173,175.65	Increase
	58190-599-61	Other Charges		\$ 7,125.00	Increase

State funds for Water Storage Tank Grant

Item #7	39000	Fund Balance	\$ 15,351.61	Decrease	
	58600-205	Employee Insurance		\$ 15,351.61	Increase

To cover cost of retiree's insurance

Item #8	51720-599-59	Storm Water Fees	\$ 2,135.00	Decrease	
	51720-355	Travel		\$ 2,135.00	Increase

To cover travel for conference & meetings on Storm Water

Item #9	44140	Sale of Maps	\$ 356.00	Decrease	
	52300-599	Other Charges		\$ 356.00	Increase

Recognize sale of maps Assessor of Property

Item #10	44170	Refunds	\$ 125.60	Decrease	
	21347	Employee Insurance Deductions		\$ 125.60	Increase

Refund from American General Life Insurance

Item #11	44170	Refunds	\$ 26.50	Decrease	
	21345	Employee Insurance Deductions		\$ 26.50	Increase

Refund from AFLAC

TOTAL			\$ 306,752.01	Decrease	
	\$62,526.36	From Fund Balance		\$ 306,752.01	Increase

On recommendation of the Budget Committee, motion was made by Bill Armstrong, seconded by Lawrence Hodge to approve the Schools Fund 141 Budget Amendment #6 as presented. Roll call vote as follows:

AYES: Gebe Ritchie, Lawrence Hodge, Nancy Brown, Jeff McKinney, R. L. Miller, Jim Whaley, Harry Sisk, Jerry Pearman, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Dickie Renfro, Terry Montgomery, Ken Arney, Larry McKinney, Lynn Tipton, Sonja Culler, Richard Tester, Bill Armstrong, Robert Davis & Robert Gobble

NAYS: 0

PASSING: 0

ABSENT: Charlie Bayless

There being 22 ayes, 0 nays, 0 passing and 1 absent, motion duly carried.

**Carter County Schools Fund 141
Budget Amendment # 6 2008-09**

Item # 1	71300	116 Vocational Teachers		5,000	Decrease
	72230	105 Vocational Supervisor	5,000		Increase

To budget additional cost in supervisor position due to retirement payout

Item # 2	72215	161 Secretary(S)	450		Increase
	72215	189 Other Salaries & Wages	5,000		Increase
	72215	201 Social Security	200		Increase
	72215	204 State Retirement	700		Increase
	72215	210 Unemployment Compensation	50		Increase
	72215	399 Other Contracted Services	1,500		Increase
	72215	599 Other Charges	300		Increase
				8,200	

To budget reimbursement funds for Siam Alternative Program

Item # 3	72810	121 Data Processing Personnel	10,500		Increase	
	72810	201 Social Security	500		Increase	
	72810	212 Employer Medicare	100		Increase	
	72810	336 Maintenance & Repair - Equip	3,000		Increase	
	72810	355 Travel	3,000		Increase	
	72810	524 In-Service Staf Development	800		Increase	
	44170	Misc. Refunds (E-Rate)		17,900		Increase

To budget additional funds for computer repair tech

Item # 4	72220	336 Maint & Repair Equipment		500	Decrease
	72220	399 Other Contracted Services	500		Increase

To reallocate funds within the special education account

Item # 5	76100	707 Building Improvements	297,512		Increase
	39000	Fund Balance		297,512	Decrease

To budget funds for Hampton High Roof Repair

On recommendation of the Buildings and Grounds Committee, motion was made by Bill Armstrong, seconded by Jeff McKinney to amend line item 106 to line item 499 in the Register of Deed's budget in the amount of \$560.00 to install an alarm on the back door of that office. Roll call vote as follows:

AYES: Gebe Ritchie, Lawrence Hodge, Nancy Brown, Jeff McKinney, R. L. Miller, Jim Whaley, Harry Sisk, Jerry Pearman, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Dickie Renfro, Terry montgomery, Ken Arney, Larry McKinney, Lynn Tipton, Sonja Culler, Richard Tester, Bill Armstrong, Robert Davis & Robert Gobble

NAYS: 0

PASSING: 0

ABSENT: Charlie Bayless

There being 22 ayes, 0 nays, 0 passing and 1 absent, motion duly carried.

At the request of Sheriff Mathes and on recommendation of the Budget Committee, motion was made by Bill Armstrong, seconded by Robert Davis to move \$19,260 out of fund balance to line item 718 to purchase two ATV's and \$15,740 from fund balance to line item 319 for confidential funds in the Drug Fund.

Roll call vote as follows:

AYES: Gebe Ritchie, Lawrence Hodge, Nancy Brown, Jeff McKinney, R. L. Miller, Jim Whaley, Harry Sisk, Jerry Pearman, L.C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Dickie Renfro, Terry Montgomery, Ken Arney, Larry McKinney, Lynn Tipton, Sonja Culler, Richard Tester, Bill Armstrong, Robert Davis & Robert Gobble
NAYS: 0
PASSING: 0
ABSENT: Charlie Bayless

There being 22 ayes, 0 nays, 0 passing and 1 absent, motion duly carried.

On recommendation of the Law Enforcement Committee, motion was made by Bill Armstrong, seconded by Harry Sisk to approve putting the funds from the Sheriff's Department auction, an amount of \$17,814.67, in a reserve account to be used along with any Homeland Security funds and any other available grants to purchase new computers. This is to be contingent on these funds not being used in the 2008-2009 fiscal year. Roll call vote as follows:

AYES: Gebe Ritchie, Lawrence Hodge, Nancy Brown, Jeff McKinney, R. L. Miller, Jim Whaley, Harry Sisk, Jerry Pearman, L.C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Dickie Renfro, Terry Montgomery, Ken Arney, Larry McKinney, Lynn Tipton, Sonja Culler, Richard Tester, Bill Armstrong, Robert Davis & Robert Gobble
NAYS: 0
PASSING: 0
ABSENT: Charlie Bayless

There being 22 ayes, 0 nays, 0 passing and 1 absent, motion duly carried.

Gebe Ritchie requested that the proper committee look into "Welcome to Carter County" signs. He stated that there was not one welcome sign at the main entrances to Carter County and were needed to put on a friendly face for visitors.

At this time Mayor Holder addressed allegations made by Nancy Brown at the April meeting that money was being spent out of the Maintenance Fund improperly. She stated that snacks, drinks and other questionable items were being purchased and displayed receipts showing this. Mayor Holder explained that such items were purchased for the inmates that worked at the courthouse and in fact the county was saving approximately \$94,000 a year by not having to pay wages to an employee for the work that the inmates do. He also stated that a receipt discovered by Commissioner Brown for a plastic jeep in the amount of \$1.57 actually pertained to a key made at Wal-Mart for a vehicle.

Motion was made by Jerry Pearman, seconded by Lawrence Hodge to adjourn. By voice roll call vote, motion carried.