

CARTER COUNTY COMMISSION MEETING, REGULAR SESSION, JANUARY 18, 2011

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BE IT REMEMBERED, that the County Commission of Carter County, Elizabethton, Tennessee, met in Regular Session on January 18, 2011, at 10:00 A.M. in the main courtroom of the Carter County Courthouse. Present and presiding were the Honorable Leon Humphrey, County Mayor/Chairman and the Honorable Keith Bowers, Jr., County Attorney. The following Commissioners were present: Paul Mottern, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Dickie Renfro, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks and Robert Gobble.

After Court was called to order, the Mayor asked Sheriff Mathes to address the Commissioners and audience regarding the stricter than normal security measures that were taken as everyone was entering the courtroom. He stated that due to the recent shooting in Tuscan, Arizona where several persons were shot and six (6) persons were killed while they attended a public gathering the security would be tighter at the Commission meetings. He asked that all knives, guns and objects that may be considered a weapon be left at home. He thanked everyone for their patience and asked them to inform him of any security issues they may become aware of.

ROLL CALL.....QUORUM PRESENT

PRAYER.....LAWRENCE HODGE

PLEDGE.....ROBERT GOBBLE

Motion was made by Gebe Ritchie, seconded by Dickie Renfro to approve the minutes of the December 20, 2010, Commission meeting as presented. By voice roll call vote, motion duly carried.

At this time Mayor Humphrey recognized the elected officials and their guests in the audience by asking them to stand. He thanked them for all that they did for the betterment of the County.

Mayor Humphrey requested a moment of silence for victims of the shooting in Tuscan, Arizona, where Congresswoman Giffords was critically wounded as well as thirteen (13) more injured and six (6) persons killed while Ms. Giffords was meeting publicly with her constituents.

Under Public Comments, Ms. Barbara Miller was recognized by the Chair. Ms. Miller informed the Commissioners that she lived in a house that was four (4) years old, paid taxes in the amount of \$1625 plus yearly and had all utilities with the exception of water. After being questioned by several Commissioners, it was determined that her water service was with the South Elizabethton Utility District. Russell Kyte, Commissioner of the 7th District, stated that he and the other two Commissioners from that district would visit the utility district to find out the reason Ms. Miller had been refused water by them. The Mayor stated that he would go with Commissioner Kyte if needed.

Billie Dabbondanza was recognized by the Chair and addressed the Commission on behalf of the Carter County Citizens in Action. She stated that at the last Planning Commission

meeting a motion was made to take Public Comments off the agenda. She voiced her disapproval of the motion stating that citizens that elected the officials should be able to ask questions regardless, as long as it was tactfully done. Noting that it was felt a violation of freedom of speech, she recommended that Public Participation be put on the agenda to allow the discussion of items not on the agenda. She suggested that individuals speaking be allowed three (3) minutes and individuals speaking on behalf of a group be allowed five (5) minutes. Roy Livingston, also recognized by the Chair, stated that the Planning Commission voted to take away the people's rights, also voicing his disapproval.

Motion was made by Ronnie Trivett, seconded by Gebe Ritchie to have Public Comments on the agenda of all committee meetings. Roll call vote as follows:

AYES: Paul Mottern, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Dickie Renfro, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks & Robert Gobble

NAYS: 0

PASSING: 0

ABSENT: Charlie Bayless

There being 23 ayes, 0 nays, 0 passing and 1 absent, motion duly carried. Jo Ann Blankenship requested that if someone did want to bring something up that may require some research that they notify the chairman of that committee in advance as a courtesy.

The County Mayor read the following Resolution No. 538 authorizing the County Mayor to make and sign an application for Community Development Block Grant funds in the amount of \$500,000 to assist in the water line rehabilitation serving an area within the North Elizabethton Water Co-Op Division. Motion was made by Steve Lowrance, seconded by Nancy Brown to adopt the resolution as presented. Roll call vote as follows:

AYES: Paul Mottern, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Dickie Renfro, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks & Robert Gobble

NAYS: 0

PASSING: 0

ABSENT: Charlie Bayless

There being 23 ayes, 0 nays, 0 passing and 1 absent, motion duly carried.

**A RESOLUTION OF THE CARTER COUNTY LEGISLATIVE BODY TO
AUTHORIZE THE COUNTY MAYOR TO MAKE AND SIGN AN APPLICATION FOR
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

RESOLUTION NO. 538

WHEREAS, the Carter County Commission recognizes the need for a water line rehabilitation of the existing water system for Watauga River Regional Water Authority; and

WHEREAS, Carter County does not have the financial resources to correct the water problems without the assistance of grant funds; and

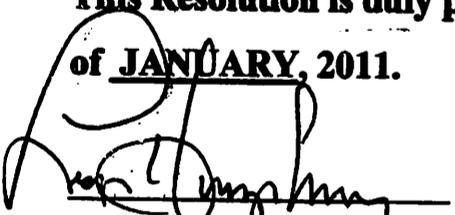
WHEREAS, the Carter County Commission understands that the Tennessee Small Cities' Community Development Block Grant (CDBG) program provides assistance to municipalities for this purpose; and

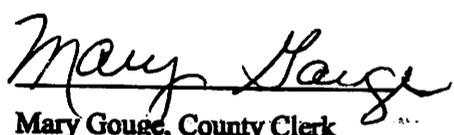
WHEREAS, Tennessee Code annotated Section 8-4-401 authorizes cities and counties to use the CDBG program.

NOW, THEREFORE, BE IT RESOLVED that the Carter County Commission, meeting in regular session on the 18th day of JANUARY, 2011, a quorum being present and a majority voting in the affirmative, hereby authorizes the County Mayor to make and sign an application for \$500,000 of CDBG funds to assist in the water line rehabilitation to serve an area within the North Elizabethton Water Co-Op Division at an estimated total cost of \$538,000 with Watauga River Regional Water Authority committing the \$38,000 match on behalf of Carter County.

BE IT FURTHER RESOLVED that the County supports matching funds for the project in the amount of \$38,000 to be provided by Watauga River Regional Water Authority .

**This Resolution is duly passed and approved on the 18th day
of JANUARY, 2011.**


Leon Humphrey, County Mayor


Mary Gouge, County Clerk

Motion was made by Dickie Renfro, seconded by Lawrence Hodge to defer the reading of Resolution No. 539 to establish an Audit Committee for Carter County. By voice roll call vote, motion duly carried. One (1) nay vote was noted by the Clerk from Tom Bowers. Commissioner Bowers stated that the resolution seemed to contradict itself in Section 2 where it states that members of the Audit Committee were to be comprised of County Commissioners, Citizens of Carter County, or a combination of both. He stated that the next line said that no elected official could serve on the committee and in his opinion that made it unclear when it came to County Commissioners being able to serve. Motion was made by Tom Bowers, seconded by L. C. Tester to approve the resolution with the amendment that it be stated that no elected official with the exception of County Commissioners could serve on the committee. Roll call vote as follows:

AYES: Paul Mottern, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Dickie Renfro, Ken Arney, Steve Chambers, John Lewis, Scott Sams, Bill Armstrong, Pat Hicks & Robert Gobble

NAYS: Sonja Culler & Russell Kyte

PASSING: 0

ABSENT: Charlie Bayless

There being 21 ayes, 2 nays, 0 passing and 1 absent, motion duly carried.

**RESOLUTION NO. 539
RESOLUTION TO ESTABLISH AN AUDIT COMMITTEE
FOR CARTER COUNTY**

WHEREAS, *Tennessee Code Annotated (T.C.A.)* Section 9-3-405, encourages county governments to establish an independent Audit Committee, and provides that the Tennessee Comptroller of the Treasury (Comptroller) may require an Audit Committee in counties that (1) are in noncompliance with the accounting and financial reporting standards required by the Governmental Accounting Standards Board or (2) have recurring findings from the annual audit for three or more consecutive years that are determined by the Comptroller's office to be a material weakness in internal control or material noncompliance with government auditing standards; and

WHEREAS, the Comptroller and the Government Finance Officers Association of the United States and Canada recommends that all county governments establish an Audit Committee as a best practice and to assist the County Commission in the oversight of the public funds and financial reporting process; and

WHEREAS, the Carter County Commission realizes the need, especially in today's current environment of fewer available resources, for increased transparency and accountability of public funds, and that the County Commission is ultimately responsible for ensuring that management is meeting its internal control and financial reporting responsibilities; and

WHEREAS, the County Commission finds it to be in the best interests of Carter County to establish an Audit Committee;

NOW THEREFORE BE IT RESOLVED by the County Commission of Carter County, meeting this 18th day of January, 2011, that:

SECTION 1. Pursuant to the provisions of T.C.A. § 9-3-405, the County Commission of Carter County does hereby establish an Audit Committee to provide independent review and oversight of the county's financial reporting processes and the county's internal controls, a review of the external auditor's report and follow up on management's corrective action, and compliance with laws, regulations, and ethics.

SECTION 2. The Audit Committee will consist of four (4) members, to be comprised of members of the County Commission, citizens of Carter County, or a combination of both. To insure the committee's independence and effectiveness, no Audit Committee member will be an elected official, (County Commissioners excluded), employee, spouse of an official/employee, or person that commingles assets with an official/employee of Carter County. While committee members need not be accountants, they should possess sufficient knowledge and experience in finance, business, and accounting to discharge the committee's duties. The members of the Audit Committee shall be appointed by the County Commission to staggered four (4) year terms. To establish staggered terms, the initial members of the committee shall be appointed so that half of the members serve two year terms and half serve four year terms. Thereafter all members shall be appointed to serve four year terms.

SECTION 3. Meetings of the Audit Committee shall be held in accordance with the provisions of T.C.A. § 9-3-405. Meetings shall be subject to the open meetings provisions of T.C.A. Title 8, Chapter 44, except that upon a majority vote of those members in attendance for the public portion of a meeting, the Audit Committee may hold confidential, nonpublic executive sessions to discuss the following items as authorized in T.C.A. § 9-3-405:

- (1) Items deemed not subject to public inspection under T.C.A. §§ 10-7-503 and 10-7-504, and all other matters designated as confidential or privileged;
- (2) Current or pending litigation and pending legal controversies;
- (3) Pending or ongoing audits or audit related investigations;
- (4) Information protected by federal law; and
- (5) Matters involving the reporting of illegal, improper, wasteful, or fraudulent activity under T.C.A. § 9-3-406, where the informant has requested anonymity.

The Audit Committee will follow Roberts Rules of Order. Each year at its first meeting, the committee will elect a chairman, vice-chairman, and secretary. Meeting agendas will be prepared by the chairman and provided in advance to members along with appropriate briefing materials. Minutes of the Audit Committee meetings will be filed in the Office of County Clerk.

SECTION 4. The committee shall have access to the services of a financial expert, either through a committee member or an outside party engaged by the committee for this purpose. Such financial expert should, through both education and experience, and in a manner specifically relevant to the county government sector, possess (1) an understanding of generally accepted accounting principles and financial statements; (2) experience in preparing or auditing financial statements of comparable entities; (3) experience in applying such principles in connection with the accounting for estimates, accruals, and reserves; (4) experience with internal accounting controls; and (5) an understanding of Audit Committee functions.

SECTION 5. The duties and responsibilities of the Audit Committee are:

- (a) To carefully review, upon completion of the county's annual audit, all audit findings in audit report and consult with the external auditors regarding any irregularities and deficiencies disclosed in the annual audit. The Audit Committee is empowered to meet with management to discuss audit findings and/or disagreements with the external auditors. The committee should satisfy itself that appropriate and timely corrective action has been taken by management to remedy any identified weaknesses. The committee

should determine what corrective action, if any, should be recommended to the County Commission.

(b) To consider the effectiveness of the internal control system, including information technology security and control, review the effectiveness of the system for monitoring compliance with laws and regulations, and review the process for communicating the county's ethics policies to county personnel and monitoring compliance therewith.

(c) To establish a process by which employees, taxpayers, or other citizens may confidentially report suspected illegal, improper, wasteful or fraudulent activity under provisions of T.C.A. § 9-3-406.

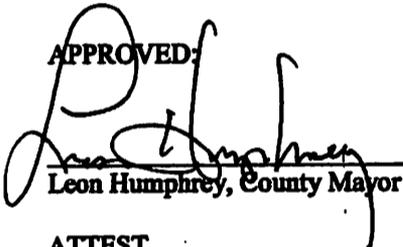
(d) To annually present a written committee report detailing how it discharged its duties and any committee recommendations to the full County Commission.

SECTION 6. The Audit Committee will be adequately funded to carry out the duties and responsibilities as set out in this Resolution and under applicable law.

SECTION 7. This resolution creating the duties and responsibilities of the Audit Committee has been submitted to the Comptroller prior to approval by this legislative body, and this resolution conforms with the report issued by the Comptroller.

Adopted this 18th day of January, 2011.

APPROVED:



Leon Humphrey, County Mayor

ATTEST



Mary Gough, County Clerk

Carter County Tomorrow President, Tom Anderson, reported that a work force education and small business development project is progressing and that two potential locations were in Carter County, which would help spur economic development in the County. He stated that he and the County Mayor were anticipating what should be the final meeting before an official announcement of a new industry coming to Carter County. He said an incentive package was being finalized along with a payment in lieu of taxes agreement and an industrial revenue bond. He stated that he was still talking with area landowners on potential

industrial sites as well as working on a regional plan in cooperation with the Tennessee Valley Authority, the Northeast Tennessee Regional Development Association and several other counties. He stated the Tennessee Department of Transportation was assisting with the expansion of several local industries and that a Rural Business Enterprise Grant, if awarded, would be used for a sign project in downtown Elizabethton. He further stated that a public meeting would be scheduled in February to discuss the proposed Roan Mountain sewer project as well as a second open house at Borla Industries. He informed the Commissioners that the Strategic Planning meeting postponed in January due to bad weather had been rescheduled for 9 A.M. to 1 P.M. ON January 26 at the Truman Clark Annex. He concluded by saying that a search committee had been formed to seek a new director for the Chamber of Commerce and that Felicia English was currently serving as interim director.

Several Commissioners commented on the fact that education and jobs were the highest need in our County. Mayor Humphrey stated that he would be meeting this afternoon with the Realtor the county had hired to look into potential pieces of property for development, either for commercial or recreational or otherwise identified. He stated that this had never been done in the County before and that it would take time. Mayor Humphrey said that he had been able to sit down with all of the Mayors in the eight (8) districts that make up the 1st Tennessee Development District and that they all had the same vision of creating jobs and that they all had the same struggles.

On motion by Lawrence Hodge, seconded by Sonja Culler the following Notaries were approved by voice roll call vote:

	Larry Taylor
Sheila Franklin	Renee Bruce
Joan C. Estep	Leslie Hill
Kathy Hamby	Teddy Greene
David Wortman	Mechelle Livingston
Judy R. Veeneman	Gina Lewis
Mary Etta Elliott	Derek A. Cornett

On recommendation of the Budget Committee, motion was made by Tom Bowers, seconded by Harry Sisk to approve the General Fund Budget Amendment #5, Item #1 to Item #19 with the exclusion of Item #16. Roll call vote as follows:

AYES: Paul Mottern, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Dickie Renfro, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks & Robert Gobble

NAYS: 0

PASSING: 0

ABSENT: Charlie Bayles

There being 23 ayes, 0 nays, 0 passing and 1 absent, motion duly carried.

ALL BUDGET AMENDMENTS APPROVED ENTERED ON PAGES 16 TO 19.

On recommendation of the Budget Committee, motion was made by Tom Bowers, seconded by Ronnie Trivett to approve the General Fund Budget Amendment #5, Item #16 as presented. Roll call vote as follows:

AYES: Paul Mottern, Gebe Ritchie, Lawrence Hodge, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Dickie Renfro, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks & Robert Gobble

NAYS: 0

PASSING: Nancy Brown

ABSENT: Charlie Bayless

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

On recommendation of the Budget Committee, motion was made by Tom Bowers, seconded by Harry Sisk to approve the Solid Waste Fund 116 Amendment #2, Item #1 as presented. Roll call vote as follows;

AYES: Paul Mottern, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Dickie Renfro, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks & Robert Gobble

NAYS: 0

PASSING: 0

ABSENT: Charlie Bayless

There being 23 ayes, 0 nays, 0 passing and 1 absent, motion duly carried.

On recommendation of the Budget Committee, motion was made by Tom Bowers, seconded by John Lewis to approve the Carter County Highway Fund 131, Budget Amendment #2, Item#1 and Item#2 as presented. Roll call vote as follows:

AYES: Paul Mottern, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Dickie Renfro, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks & Robert Gobble

NAYS: 0

PASSING: 0

ABSENT: Charlie Bayless

There being 23 ayes, 0 nays, 0 passing and 1 absent, motion duly carried.

On recommendation of the Budget Committee, motion was made by Tom Bowers, seconded by Harry Sisk to approve the Carter County Schools Fund 141, Budget Amendment #6, Item #1 and Item #2 as presented. Roll call vote as follows:

AYES: Paul Mottern, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Dickie Renfro, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks & Robert Gobble

NAYS: 0

PASSING: 0

ABSENT: Charlie Bayless

There being 23 ayes, 0 nays, 0 passing and 1 absent, motion duly carried.

On recommendation of the Budget Committee, motion was made by Tom Bowers, seconded by Sonja Culler to approve the Carter County Schools Fund 145, Budget Amendment #1, Item #1 as presented. Roll call vote as follows:

AYES: Paul Mottern, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Dickie Renfro, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks & Robert Gobble

NAYS: 0

PASSING: 0

ABSENT: Charlie Bayless

There being 23 ayes, 0 nays, 0 passing and 1 absent, motion duly carried.

At the request of the Financial Management Committee, motion was made by Tom Bowers, seconded by Harry Sisk to set the salary of the Financial Director at \$54,000 with increases over a five year period to match the salary of the Trustee. Roll call vote as follows:

AYES: Paul Mottern, Gebe Ritchie, Lawrence Hodge, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Dickie Renfro, Ken Arney, Steve Chambers, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks & Robert Gobble

NAYS: Nancy Brown & John Lewis

PASSING: 0

ABSENT: Charlie Bayless

There being 21 ayes, 2 nays, 0 passing and 1 absent, motion duly carried.

At this time Commissioner Bowers recognized Jerome Kitchens, the present Financial Director that would be leaving the County for a job with the City of Elizabethton, thanking him for all of his help and hard work during the budget process. He stated that he was always forthcoming with anything that he had asked for and his honesty and trustworthiness was never questioned in his book. The Mayor added that he considered Mr. Kitchens a friend and that his working for the city would be an asset to all as the City and the County would be working together.

Mayor Humphrey explained at this time that the General Fund Budget Amendment #5, Item #16 earlier approved provided only for the reimbursement of the certification cost incurred by Commissioners Brown, Blankenship and Gobble. He stated that education was critical to the commission body as well as our children. At his request, motion was made by Nancy Brown, seconded by Pat Hicks to provide reimbursement fees requested by the CTAS certification program for each Commissioner that desired to take the program in the amount of \$300.00. Roll call vote as follows:

AYES: Paul Mottern, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Dickie Renfro, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks & Robert Gobble

NAYS: 0

PASSING: 0

ABSENT: Charlie Bayless

There being 23 ayes, 0 nays, 0 passing and 1 absent, motion duly carried.

Steve Lowrance reported for the Education Committee stating that they had met on January 10, 2011, to develop some long range plans for education in Carter County. He said that they were looking for a 25 year plan. He stated that they would meet again on February 7, 2011, at 10:00 A.M. and encouraged all of the Commissioners to attend if they could. He said that education was very important and that it was time we got serious about it. He further stated that there was no room for politics in our education system. Minutes of that meeting were in each Commissioner's packet and are filed in the office of the County Clerk.

Jo Ann Blankenship reported for the Financial Management Committee that they had received the resignation of Jerome Kitchens as Financial Director. On recommendation of the Financial Management Committee, motion was made by Jo Ann Blankenship, seconded by Harry Sisk to appoint Ingrid Deloach as interim Financial Director at this time. Roll call vote as follows:

AYES: Paul Mottern, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Dickie Renfro, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks & Robert Gobble

NAYS: 0

PASSING: 0

ABSENT: Charlie Bayless

There being 23 ayes, 0 nays, 0 passing and 1 absent, motion duly carried.

Jo Ann Blankenship stated that the position of Financial Director had been advertised for two (2) consecutive weeks in the Elizabethton Star and the J. C. Press and as of Friday they had received almost forty (40) applications. She said that interviewing would start the next week and that hopefully the position would be filled within the next two weeks. She also informed the Commissioners that the \$300.00 for reimbursement for certification for herself and Commissioners Brown and Gobble that they had approved was a one time reimbursement that lasts for four years.

Charles VonCannon, Chairman of the Special Investigation Committee, reported that in the last eight years there had been only three situations that resulted in an investigation by this committee. He said that they would address any and all situations as long as they were reasonable and report them to the proper authorities. He said situations that had possibly violated public trust would be looked into. He stated that there were two codes that needed to be researched before they proceeded any further and that any concern should be brought to him confidentially and in writing. There will be a meeting of the Special Investigation Committee on February 7, 2011.

The County Attorney reported that a letter had been received from the attorney representing R. W. Edwards regarding his lease with the County at the landfill. He said that the letter included amendments to a lease dated 2003 but that the lease we were operating under at this time was drawn up in 2005. He stated that in his second correspondence to the attorney he told him that if he had any other information or amendments to the 2005 lease that he would look at it, if not Mr. Edwards would be expected to vacate the County property subject to the petition served. He stated that if they refused to vacate the property that he would pursue a warrant for Sessions Court action wherein they would ask for damages.

In the Mayor's update, he informed the Commissioners that Security Specialists had installed magnetic door holders on the fire doors located on the 1st and 2nd floors. These doors are located between the original part of the courthouse and the new addition. The cost for this safety concern was \$367.00. He said that the 2nd floor women's bathroom had needed the stems and faucets replaced and that this had been done for the amount of \$108.00. He stated that Floyd Storie Roofing had been authorized to extend the vent pipe through the roof of the Planning office. He said they had a situation there where the drywall had fallen due to condensation and that the flashing would be repaired around the chimney. They also will be replacing 12' of gutterboard and reinstalling the guttering. The cost for this project will be approximate \$800.00. He said that the largest monetary item was repairs to the monument. He said that Crawford Drywall had been give authorization to make the necessary repairs to the exterior and insulation of the finishing system. They also would be installing a metal cap on top of the monument and recoating the entire exterior surface.

From the Health & Welfare standpoint, the Mayor reported that the meeting with Caroline Hurt, Fred Adams of the Regional Health Office along with Dr. Holt with ETSU was postponed due to the weather. He said that the purpose of the meeting was to get all these people together to discuss ETSU providing a physician and a resident assistant for the Carter County Health Department and they were presently trying to reschedule that meeting.

Ronnie Trivett asked the Mayor if he had heard anything regarding the County charging rent for the Probation Office and the Public Defender's Office. The Mayor stated that immediately after the last Building & Grounds Committee meeting, he drafted letters to both offices informing them of the decision to charge them rent and asked for a response. The Mayor said that he had talked to Mr. Kelly and he implied that they wanted to pay rent but finances at this time may prohibit them from paying the amount asked. The Mayor stated he suggested Mr. Kelly go ahead and look at his finances and implied to him that he would have an opportunity to address the Building & Grounds Committee in February. He said that to date there had been no formal written response from either office.

Ronnie Trivett asked the Mayor if he had heard anything from Johnson Controls regarding the HVAC system in the courthouse. The Mayor stated that he had met with Johnson Controls and they went through the entire building checking the systems. He said that there were so many different systems in the building that he assumed it would take several weeks to get a proposal. He said as soon as he received a proposal from Johnson Controls he would bring it before the Building & Grounds Committee and that would give them a better idea of what we were talking about in dollars and cents.

Referring to the item voted on earlier in the meeting concerning public participation during the Planning Committee meetings, Steve Chambers stated that at no time had he ever disrespected anybody that had served in the military. He stated the only reason that he made the motion he did was to give people a chance that had been waiting a long time to communicate. He said that by putting items on the agenda five days prior to the meeting gave people a chance to get an answer at that meeting instead of having to wait thirty days. He said his intention was to expedite items at the meeting for everyone.

Charles VonCannon commended Mayor Humphrey on his work ethics. He said that the Commission needed some upgrading and knowledge of what was going on in the world and appreciated the effort by the Mayor to do this by scheduling seminars and programs. He asked, if possible, for some of the meetings to be at night so that maybe more Commissioners could attend.

In reference to Judge Potter, Mayor Humphrey asked that the Commissioners keep in mind that we're hosting a meeting on January 24, 2011, for the eight counties that make up the 1st Tennessee Development District. He said that all of the Sheriff's, people that are part of the Litter Grant Program, all judges in the system and all the Mayors had been invited. He stated that we have a real problem in our county with our Litter Ordinance. He said he had been informed that over 200 letters had been sent out last year by the Planning office to individuals that have a major litter problem but that with the system we have in place now was very slow to get the problems corrected. He said it could take weeks, months and even years to resolve some violations. He stated that hopefully at the meeting with Judge Potter he could educate us

as to how we can incorporate an Administrative Environmental Law Court in Carter County or in East Tennessee similar to what he has done in Memphis.

Commissioner Ritchie reported that the Highway Committee had not met due to the bad weather. He then stated that he had an issue with the opinion in the Elizabethton Star on Sunday concerning downsizing the County Commission. He stated the opinion also was critical of the jail saying that it was almost finished but would probably sit empty until the middle of the summer because of not having the trained personnel to operate it. Commissioner Ritchie suggested that instead of downsizing the Commission to cut the jail by recommending hiring a private security agency to operate the jail. He said that Nuclear Fuel, the Red Onion Prison and the new jail in Sullivan County were all operated by private security companies and by going that route the County could save money.

On motion by Harry Sisk, seconded by Tom Bowers and by voice roll call vote, Court was adjourned.

GENERAL FUND BUDGET AMENDMENT #5

18-Jan-11

FUND 101

Item #1	44170	Miscellaneous Refunds	\$ 150.00	Increase
	54110-353	Tow-In Service	Increase	\$ 150.00

Funds recovered for tow in service Sheriff's Dept

Item #2	44170	Miscellaneous Refunds	\$ 1,978.50	Increase
	5210-507	Medical Claims	Increase	\$ 1,978.50

Funds paid to Jail from Dr. Paul on inmate cost

Item #3	44170	Miscellaneous Refunds	\$ 375.00	Increase
	54110-716	Law Enforcement Equipment	Increase	\$ 375.00

State of TN - Handgun checks - Sheriff's Dept

Item #4	44170	Miscellaneous Refunds	\$ 5,444.35	Increase
	54110-106	Deputies	Increase	\$ 5,444.35

Dept of Justice-Overtime work on drug cases- Sheriff's Dept

Item #5	44170	Miscellaneous Refunds	\$ 211.00	Increase
	54110-716	Law Enforcement Equipment	Increase	\$ 211.00

Sale of brass - Sheriff's Dept

Item #6	44170	Miscellaneous Refunds	\$ 2,681.00	Increase
	54110-336	Equipment Maintenance	Increase	\$ 2,681.00

City of Elizabethton shared cost of fingerprint machine

Item #7	44170	Miscellaneous Refunds	\$ 8.82	Increase
	54210-422	Food	Increase	\$ 8.82

Refund PFG for food - Jail

Item #8	44170	Miscellaneous Refunds	\$ 1,000.00	Increase
	54110-716	Law Enforcement Equipment	Increase	\$ 1,000.00

Grant from Wal-Mart - Sheriff's Dept- To purchase equipment of choice

Item #9	44170 54110-355	Miscellaneous Refunds Travel	\$	60.00 Increase	Increase \$ 60.00
Refunded hotel funds not used by Brooke Mullins					
Item #10	48610 54110-716	Donations Law Enforcement Equipment	\$	144.00 Increase	Increase \$ 144.00
Donation from Police Academy					
Item #11	49700 54110-338	Insurance Recovery Vehicles Maintenance/Repairs	\$	2,252.86 Increase	Increase \$ 2,252.86
Insurance recovery for accident - Sheriff's Dept					
Item #12	49700 54110-718	Insurance Recovery Motor Vehicles	\$	24,150.00 Increase	Increase \$ 24,150.00
Insurance recovery for accident - Sheriff's Dept					
Item #13	46210 54110-140	Law Enforcement Training Salary Supplements	\$	5,800.00 Increase	Increase \$ 5,800.00
Salary Supplements - Sheriff's Dept					
Item #14	54240-320 54240-355	Dues & Memberships Travel	\$	113.00 Increase	Increase \$ 113.00
Reallocate funds required for training - Juvenile Services					
Item #15	40110 51300-540	Current Property Tax Tax Relief	\$	6,666.00 Increase	Increase \$ 6,666.00
Funds for 2010 Tax Relief through December 2010					
Item #16	39000 51100-599	Fund Balance Other Charges	\$	900.00 Increase	Decrease \$ 900.00
Certification cost for Commissioners Gobble/Blankenship/Brown					
Item #17	46420 58190-399-61	State Aid Program Contracted Services	\$	49,202.37 Increase	Increase \$ 49,202.37
State of TN - Little Milligan Water Line Grant					

Item #18	46990	Other State Revenue	\$ 110,245.69	Increase
	58900-399	Contracted Services	Increase	\$ 110,245.69

State funds for Railroad Authority

Item #19	49700	Insurance Recovery	\$ 860.00	Increase
	51800-599	Other Charges	Increase	\$ 860.00

Insurance from Merkel Brothers for damage to traffic signal cabinet

Total Fund 101			\$ 212,242.59	
				\$ 212,242.59

**SOLID WASTE AMENDMENT #2
18-Jan-11**

FUND 116

Item #1	44170	Miscellaneous Refunds	\$ 3,977.82	Increase
	55754-322	Evaluation & Testing	Increase	\$ 3,977.82

City share cost of the soil tesing for closed Landfill

TOTAL FUND 116			\$ 3,977.82	
				\$ 3,977.82

**Carter County Highway Fund 131
Budget Amendment #2 2010-2011**

Item #1	63100-418	Equipment and Machinery Parts	\$ 50,000.00	Increase
	68000-714	Capitol Outlay-Highway Equipment	\$ 50,000.00	Decrease

To reallocate funds to cover increase in repairs due to weather related usages.

Item #2	62000-444	Salt	\$ 35,000.00	Increase
	68000-714	Capitol Outlay-Highway Equipment	\$ 35,000.00	Decrease

To reallocate funds to cover increased need for road salt.

**Carter County Highway Fund 131
Budget Amendment #2 2010-2011**

Item #1	63100-418	Equipment and Machinery Parts	\$ 50,000.00		Increase
	68000-714	Capitol Outlay-Highway Equipment		\$ 50,000.00	Decrease

To reallocate funds to cover increase in repairs due to weather related usages.

Item #2	62000-444	Salt	\$ 35,000.00		Increase
	68000-714	Capitol Outlay-Highway Equipment		\$ 35,000.00	Decrease

To reallocate funds to cover increased need for road salt.

**Carter County Schools Fund 141
Budget Amendment # 6 2010-11**

Item #1	72120-131-00-000-0000-591	Nurses	1,511		Increase
	72120-201-00-000-0000-591	Social Security		10	Decrease
	72120-204-00-000-0000-591	Retirement		450	Decrease
	72120-206-00-000-0000-591	Life	20		Increase
	72120-207-00-000-0000-591	Medical	1,717		Increase
	72120-208-00-000-0000-591	Dental	260		Increase
	72120-212-00-000-0000-591	Medicare	26		Increase
	72120-413-00-000-0000-591	Supplies		3,074	Decrease

To reallocate Coordinated School Health funds

Item #2	47990	Other Federal Grants		403,228	Increase
	71100-195-00-000-0000-810	Certified Substitute Teachers	3,500		Increase
	71100-198-00-000-0000-810	Non-certified substitute teachers	6,500		Increase
	71100-201-00-000-0000-810	Social Security	620		Increase
	71100-210-00-000-0000-810	Unemployment	35		Increase
	71100-212-00-000-0000-810	Employer medicare	145		Increase
	72210-355-00-000-0000-810	Travel	15,856		Increase
	72210-398-00-000-0000-810	Contracted Services	285,410		Increase
	72210-435-00-000-0000-810	Office Supplies	5,000		Increase
	72210-524-00-000-0000-810	In-service/Staff Development	40,794		Increase
	72210-599-00-000-0000-810	Other Supplies & materials	65,568		Increase

To budget Teaching American History Grant Year 2

**Carter County Schools Fund 145
Budget Amendment # 1 2010-11**

Head Start Program					
Item #1	72610	166	CUSTODIAL PERSONNEL	2,313	Increase
	72610	201	SOCIAL SECURITY	143	Increase
	72610	210	UNEMPLOYMENT COMPENSATION	10	Increase
	72610	212	EMPLOYER MEDICARE	34	Increase
	73400	198	Non-Certified Substitute Teachers	6,900	Increase
	73400	355	TRAVEL	1,000	Increase
	73400	524	In Service / Staff Development	755	Increase
	73400	599	OTHER CHARGES	2,140	Increase
	39000		Fund Balance		500 Decrease
	47990		Other Direct Federal Income		12,795 Increase

To budget amended revenue from Upper East Head Start