

Carter County Commission
 Regular Session
 July 20, 2015

APPROVED
 8-17-15
 w/ corrections noted.

Chairman, Leon Humphrey, called the meeting to order at 9:00 AM.

The Emergency Egress Plan for the courthouse, was presented by Gary Smith, EMA Director.

Roll Call as follows:

Present: Buford Peters, Willie Campbell, Robert Acuff, Nancy Brown, Mike Hill, Al Meehan, Bradley Johnson, Ronnie Trivett, Charles VonCannon, L.C. Tester, Isaiah Grindstaff, Danny Ward, Ross Garland, Timothy Holdren, Bobbie Gouge-Dietz, Randall Jenkins, Larry Miller, John Lewis, Ray Lyons, Sonja Culler, Cody McQueen, Robert Carroll, and Robert Gobble. (23 Present)

Absent: Scott Simerly (1 Absent)

Quorum present.

Mayor Humphrey noted the RollCall Pro Voting System would not be used during today's meeting, due to problems with the laptop computer.

Prayer was led by Willie Campbell, and Ronnie Trivett followed with the *pledge to the American flag*.

Recognition of Elected and Appointed Official/Guest were requested to stand by Chairman Humphrey and be recognized, thanking them for their service.

Stacy Heiden, new Director of the Elizabethton/Carter County Animal Shelter was introduced by Mayor Humphrey. Ms. Hyder spoke briefly about her new position at the shelter.

Heiden

Public Comments

Roy Livingston addressed the Commission. He extended a thank-you to Finance Director Ingrid Deloach, her assistant, as well as her staff. He stated they had treated "us as a whole and everybody that I know of, with top dignity. When we have asked for information, they were more than glad to give it." "They have been super nice!"

Acceptance of Minutes from Previous Minutes

Motion was made by John Lewis, seconded by Mike Hill to accept the minutes of the previous meeting, June 15, 2015, with correction requested being on page 794, third paragraph, by correcting the wording "to learn this truths" to read "to learn miss truths".

Roll Call Vote as follows:

Ayes: Buford Peters, Willie Campbell, Robert Acuff, Nancy Brown, Mike Hill, Al Meehan, Bradley Johnson, Ronnie Trivett, Charles VonCannon, L.C. Tester, Isaiah Grindstaff, Danny Ward, Ross Garland, Timothy Holdren, Bobbie Gouge-Dietz, Randall Jenkins, Larry Miller, John Lewis, Ray Lyons, Sonja Culler, Cody McQueen, Robert Carroll, and Robert Gobble. (23 Ayes)

Nays: None (0 Nays)

Absent: Scott Simerly (1 Absent)

By majority roll call vote, **motion carried**.

Notaries/Bonds

Motion was made by Sonja Culler, seconded by Isaiah Grindstaff, to approve the following Notaries/Bonds as presented.

Melissa D. Lewis	Nickie Strickland	Mary Evelyn Buck
Stephanie Michelle Ward	Angela Diane Marcum	Kimberly Eggers
Heather Wiseman	Mary Reed	Jessica A. Harris
Summer D. Brown	Billie Jo James	Erica Latham
Jeniffer Mays	*****	Amanda Greene

Corrected
 8-17-15

Roll Call Vote as follows:

Ayes: Buford Peters, Willie Campbell, Robert Acuff, Nancy Brown, Mike Hill, Al Meehan, Bradley Johnson, Ronnie Trivett, Charles VonCannon, L.C. Tester, Isaiah Grindstaff, Danny Ward, Ross Garland, Timothy Holdren, Bobbie Gouge-Dietz, Randall Jenkins, Larry Miller, John Lewis, Ray Lyons, Sonja Culler, Cody McQueen, Robert Carroll, and Robert Gobble. (23 Ayes)

Nays: None (0 Nays)

Absent: Scott Simerly (1 Absent)

By majority roll call vote, **motion carried.**

Judicial Commissioner Appointment

Nomination of Shannon Morton as Judicial Commissioner, was made by Ronnie Trivett, seconded (although not required) by Al Meehan.

Nomination of Frank Peters as Judicial Commissioner, was made by Buford Peters.

No other nominations were received. Therefore, Chairman Humphrey called for a Roll Call Vote with Commissioners voicing the name of the person for whom they are voting for when called upon.

Roll Call Vote as follows:

Voting for Shannon Morton: Nancy Brown, Al Meehan, Bradley Johnson, Ronnie Trivett, Charles VonCannon, L.C. Tester, Isaiah Grindstaff, Danny Ward, Ross Garland, Timothy Holdren, Bobbie Gouge-Dietz, Randall Jenkins, Larry Miller, John Lewis, Ray Lyons, Sonja Culler, Cody McQueen, Robert Carroll, and Robert Gobble. (19 Votes)

Voting for Frank Peters: Buford Peters, Willie Campbell, Robert Acuff, and Mike Hill. (4 Votes)

Absent: Scott Simerly (1 Absent)

By majority roll call vote, receiving nineteen (19) votes, **Shannon Morton was elected as Judicial Commissioner.**

RESOLUTIONS

A. Mary Patton Highway

County Attorney, Joshua Hardin read the resolution and presented the same for consideration.

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

RESOLUTION No. 624

“A RESOLUTION HONORING THE LIFE OF MARY PATTON AND REQUESTING THAT THE NEWLY CONSTRUCTED ROADWAY OFF OF GAP CREEK ROAD IN THE POWDER BRACH COMMUNITY OF CARTER COUNTY, TENNESSEE BE DESIGNATED AS THE MARY PATTON HIGHWAY.” Recorded on pages 13 - 14

Commissioner John Lewis voiced opposition to the Resolution stating that he was unfamiliar with the person, Mary Patton, and preferred that local military men be honored.

Commissioner Charles VonCannon, gave a brief characterization of Mary Patton.

Roll Call Vote as follows:

Ayes: Buford Peters, Willie Campbell, Robert Acuff, Nancy Brown, Mike Hill, Al Meehan, Bradley Johnson, Ronnie Trivett, Charles VonCannon, L.C. Tester, Isaiah Grindstaff, Danny Ward, Ross Garland, Timothy Holdren, Bobbie Gouge-Dietz, Randall Jenkins, Larry Miller, John Lewis, Ray Lyons, Sonja Culler, Cody McQueen, Robert Carroll, and Robert Gobble. (22 Ayes)

Nays: John Lewis (1 Nay)

Absent: Scott Simerly (1 Absent)

By majority roll call vote, **motion carried.**

RESOLUTION

B. Sub Committee Procedures-Commissioner Sit In For Absent Members

County Attorney, Joshua Hardin read the resolution and presented the same for consideration.

Motion was made by Cody McQueen, seconded by Nancy Brown, to accept as presented,

“A RESOLUTION ESTABLISHING AN INTERNAL RULE OF THE BOARD OF COUNTY COMMISSIONERS REGARDING THE PROCESS FOR PERMITTING COMMISSIONERS TO ATTEND COMMITTEE MEETINGS IN THE ABSENCE OF A FELLOW COMMISSIONER.”

A lengthy discussion followed. Commissioner Al Meehan voiced concern with the wordage of the Resolution as presented. He noted absenteeism was a problem which causes delay and additional cost.

Commissioner Al Meehan moved by making a **motion** to amend to the resolution presented. He requested changes by deleting the underlined and inserting underlined bold sections as follows:

Section 1. The Board hereby adopts this Resolution establishing a formal Rule governing the procedure that must be followed in order for a Commissioner to attend individual committee meetings in substitution for a fellow Commissioner who will be absent from a committee meeting.

1. **If any Commissioner who will be absent from an assigned committee meeting, desires to have their seat on said committee filled for that meeting he or she may shall request a fellow Commissioner from the same district to attend the meeting in their absence. If said Commissioner agrees to attend the meeting, the Commissioner who plans to be absent must attempt to notify the chairman of the affected committee of the substitution at least twenty-four (24) hours in advance of the meeting.**

Chairman Humphrey stated this was *out of order* at this time, due to a motion currently on the floor. Therefore, a second was *not allowed* by Chairman Humphrey.

Commissioner Cody McQueen was asked by Chairman Humphrey, if he agreed to the request of changes presented by Commission Meehan in the Resolution. **Commission McQueen replied, “I cannot fully admend it.” Therefore, Chairman Humphrey denied the request.**

Discussion continued concerning the wordage of the resolution as presented. Absenteeism was voiced as being the main issue, as was each district's being represented.

Commissioner Al Meehan **appealed the ruling** concerning his request/motion. County Attorney Joshua Hardin advised that if the request received a second, the amendment would be voted on and then the resolution itself would be voted on.

Commissioner Al Meehan advised that his **motion was to admend the resolution (by making the changes as presented above), which was followed by Danny Ward making a second to the motion.**

A lengthy discussion once again followed. Commissioner McQueen stated a rule needed to be placed in order to set standards for meeting attendance.

Chairman Humphrey called for roll call vote on the **motion to accept the amendment.**

Roll Call Vote as follows:

Ayes: Buford Peters, Willie Campbell, Robert Acuff, Mike Hill, Al Meehan, Bradley Johnson, Charles VonCannon, L.C. Tester, Isaiah Grindstaff, Danny Ward, Ross Garland, Timothy Holdren, Bobbie Gouge-Dietz, Randall Jenkins, Larry Miller, Ray Lyons, Sonja Culler,

Cody McQueen, and Robert Gobble. (19 Ayes)

Nays: Nancy Brown, Ronnie Trivett, John Lewis, and Robert Carroll. (4 Nays)

Absent: Scott Simerly (1 Absent)

By majority roll call vote, **motion carried.**

Motion was made by Cody McQueen, seconded by Nancy Brown, **to accept, with amendments.**

RESOLUTION No. 625

“A RESOLUTION ESTABLISHING AN INTERNAL RULE OF THE BOARD OF COUNTY COMMISSIONERS REGARDING THE PROCESS FOR PERMITTING COMMISSIONERS TO ATTEND COMMITTEE MEETINGS IN THE ABSENCE OF A FELLOW COMMISSIONER.” Recorded on page 15-16

Roll Call Vote as follows:

Ayes: Buford Peters, Willie Campbell, Robert V. Acuff, Nancy Brown, Mike Hill, Al Meehan, Bradley Johnson, Ronnie Trivett, Charles VonCannon, Isaiah Grindstaff, Danny Ward, Timothy Holdren, Bobbie Gouge-Dietz, Randall Jenkins, Larry Miller, Ray Lyons, and Cody McQueen. (17 Ayes)

Nays: L.C. Tester, Ross Garland, John Lewis, Sonja Culler, Robert Carroll, and Robert Gobble. (6 Nays)

Absent: Scott Simerly (1 Absent)

By majority roll call vote, **motion carried.**

Motion was made by Ronnie Trivett, seconded by Bradley Johnson, **to enter into a ten (10) minute recess.**

By majority voice vote, **motion carried.**

Following the recess, Chairman Humphrey **called the meeting back to order.**

Motion was made by Buford Peters, seconded by Bobbie Gouge-Dietz, **to reconsider the vote on the previous motion, Resolution No. 625 which was taken before the recess.**

Discussion followed with Commissioner Peters explaining the reason for the motion presented.

Commissioner Peters stated he didn't feel like we were given a choice on what we ^{were} ~~where~~ voting. He went on to say this has never been a problem, we have always been considerate of people in our district by asking someone to sit in (on meetings in ones absence), as a common courtesy. We are putting in rules that are complicating things, and we don't need them. He also stated he felt we needed to go back to “common courtesy” being shown toward each other.

Discussion followed with other options being considered about the resolution. Chairman Humphrey stated that this had been a lengthy discussion and called for a roll call vote as follows.

Roll Call Vote:

Ayes: Buford Peters, Willie Campbell, Robert Acuff, Al Meehan, L.C. Tester, Danny Ward, Ross Garland, Bobbie Gouge-Dietz, and Sonja Culler. (9 Ayes)

Nays: Nancy Brown, Mike Hill, Bradley Johnson, Ronnie Trivett, Charles VonCannon, Isaiah Grindstaff, Timothy Holdren, Randall Jenkins, Larry Miller, John Lewis, Ray Lyons, Cody McQueen, Robert Carroll, and Robert Gobble. (14 Nays)

Absent: Scott Simerly (1 Absent)

By majority roll call vote, **motion failed.**

RESOLUTION

C. To Establish A Records Management & County Archive Department
County Attorney, Joshua Hardin read the resolution and presented the same for approval.

*Corrected
8-17-15*

Motion was made by Ray Lyons, seconded by Timothy Holdren, to adopt as presented, **“A RESOLUTION TO ESTABLISH A RECORDS MANAGEMENT AND COUNTY ARCHIVES DEPARTMENT.”**

A lengthy discussion followed with several voicing concerns that the Archive department needed to maintain records. However, it was stated workshops were needed to have a plan of action for the department, its cost, needs, and requirements.

Chairman of the Records Commission, Scott Bowers addressed the Commission. He presented a report stating numerous records are of historical value, not only to Carter County but to the nation.

Roll Call Vote as follows:

Ayes: Nancy Brown, Ronnie Trivett, Charles VonCannon, Isaiah Grindstaff, Timothy Holdren, Randall Jenkins, Larry Miller, John Lewis, Ray Lyons, Cody McQueen, Robert Carroll, and Robert Gobble. (12 Ayes)

Nays: Buford Peters, Willie Campbell, Robert Acuff, Mike Hill, Al Meehan, Bradley Johnson, L.C. Tester, Danny Ward, Ross Garland, Bobbie Gouge-Dietz, and Sonja Culler, (11 Nays)

Absent: Scott Simerly (1 Absent)

Motion failed.

Motion was made by Mike Hill, seconded by Al Meehan, to direct the Records Committee to bring forth a proposal with details noting proper business plans.

Request made by Ronnie Trivett, to amend the motion to include a workshop within the next ninety (90) days and also to include the State Archives in the workshop as well.

Motion to admend accepted by Mike Hill, and seconded by Al Meehan.

Roll Call Vote as follows:

Ayes: Buford Peters, Willie Campbell, Robert Acuff, Nancy Brown, Mike Hill, Al Meehan, Bradley Johnson, Ronnie Trivett, Charles VonCannon, L.C. Tester, Isaiah Grindstaff, Danny Ward, Ross Garland, Timothy Holdren, Bobbie Gouge-Dietz, Randall Jenkins, Larry Miller, John Lewis, Ray Lyons, Sonja Culler, Cody McQueen, Robert Carroll, and Robert Gobble. (23 Ayes)

Nays: None (0 Nays)

Absent: Scott Simerly (1 Absent)

By majority roll call vote, **motion carried.**

Committee Report/Recommendations

Budget Committee – Chairwoman, Sonja Culler presented the following for consideration.

Motion was made by Sonja Culler, seconded by Cody McQueen, to accept the June 2015 donations, totaling \$593.59 for the Animal Shelter. Recorded on page 12

Roll Call Vote as follows:

Ayes: Buford Peters, Willie Campbell, Nancy Brown, Mike Hill, Al Meehan, Bradley Johnson, Ronnie Trivett, Charles VonCannon, L.C. Tester, Isaiah Grindstaff, Danny Ward, Ross Garland, Timothy Holdren, Bobbie Gouge-Dietz, Randall Jenkins, Larry Miller, John Lewis, Ray Lyons, Sonja Culler, Cody McQueen, Robert Carroll, and Robert Gobble. (22 Ayes)

Nays: None (0 Nays)

Absent: Robert Acuff and Scott Simerly (2 Absent)

By majority roll call vote, **motion carried.**

Motion was made by Sonja Culler, seconded by Ronnie Trivett, **to approve the lease agreement for the new postage meter. This will be a forty-eight (48) month lease with a cost of \$230.00 per month.**

Roll Call Vote as follows:

Ayes: Buford Peters, Willie Campbell, Robert Acuff, Nancy Brown, Mike Hill, Al Meehan, Bradley Johnson, Ronnie Trivett, Charles VonCannon, L.C. Tester, Isaiah Grindstaff, Danny Ward, Ross Garland, Timothy Holdren, Bobbie Gouge-Dietz, Randall Jenkins, Larry Miller, John Lewis, Ray Lyons, Sonja Culler, Cody McQueen, Robert Carroll, and Robert Gobble.
(23 Ayes)

Nays: None (0 Nays)

Absent: Scott Simerly (1 Absent)

By majority roll call vote, **motion carried.**

Motion was made by Sonja Culler, seconded by Danny Ward, **to approve and authorize the County Attorney, Joshua Hardin, to draft the agreement with the City of Johnson City, allowing a donation of \$10,000 from the Parks & Recreation Committee to be utilized for the Tweestie Trail Project so that the contribution can be made.**

Kenneth Gough, Chairman of the Parks & Recreation Committee, noted the City of Elizabethton would be doing the maintenance of the trail portion inside the city limits of Elizabethton. He also noted that the controversy concerning the trail near Big John's Close Outs had be resolved.

Commissioner Mike Hill, as well as Commissioner Nancy Brown voiced praises to those involved with the Tweestie Trail for a job well done.

Roll Call Vote as follows:

Ayes: Ayes: Buford Peters, Willie Campbell, Robert Acuff, Nancy Brown, Mike Hill, Al Meehan, Bradley Johnson, Ronnie Trivett, Charles VonCannon, L.C. Tester, Isaiah Grindstaff, Danny Ward, Ross Garland, Timothy Holdren, Bobbie Gouge-Dietz, Randall Jenkins, Larry Miller, John Lewis, Ray Lyons, Sonja Culler, Cody McQueen, Robert Carroll, and Robert Gobble.
(23 Ayes)

Nays: None (0 Nays)

Absent: Scott Simerly (1 Absent)

By majority roll call vote, **motion carried.**

Chairman, Leon Humphrey, presented an overview of State of Tennessee, Public Chapter No. 170 in regards to adoption of the 2015-2016 Budget.

He also noted he felt there was not a need for a Special Called Meeting concerning the budget, as "we are already in violation," as the next scheduled meeting is set for August 17, 2015.

An opinion was voiced by County Attorney, Joshua Harding, stating he felt the county was in violation. However, the 2015-2016 Budget needed to be approved as soon as possible to avoid delays.

Chairman Humphrey announced he, as chair, had originally decided to delay the meeting until the regularly scheduled meeting on August 17, 2015.

Commissioner Buford Peters was recognized and voiced concern that delaying of the budget had placed hardships on the Carter County Schools. Dr. Kevin Ward was asked to address the Commission and voice school issues.

Commissioner Peters stated he wanted the full Commission to recognize that actions cause consequences.

Dr. Ward stated projects are currently being completed and delay in passing of the 2015-2016 budget would delay purchase of textbooks as well as items needed for the Chemistry Lab renovations.

Chairman Humphrey responded by stating, the passing of the 2015-2016 budget was of the utmost importance. He noted that the budget needed to be passed as expeditiously as possible.

A lengthy discussion followed.

"If we were to call a Special Meeting on the fourth, and put an undue burden on the taxpayers at probably \$2800.00 plus dollars for that meeting, if there were any opportunity, if there were no violation, and we could do that in order to prevent a violation, then, I would be all for it," Chairman Humphrey stated.

Commissioner Al Meehan stated other departments are effected by the budget's delayed approval. He requested the committee make of public record, the reason for the way their vote was cast.

Budget Committee Chairwoman, Sonja Culler responded by stating this was an unfortunate incident. The past, is the past. A ten (10) day notice is required for the Public Hearing. She noted we are in violation, unfortunately, as we could not do this by the end of July. She continued by stating, hopefully we can have this ready by the next Commission Meeting.

Commissioner Nancy Brown requested she go on record stating, "When I took my oath, I swore that I would save the taxpayers and do everything that I could do. When we've got a budget with a \$5,400 raise in it for one person, and then we've got some other *unknowns*, and that this budget could be cut further,-- I'm gonna kick and scream as loud as I can. I'm gonna do the right thing. I don't care if it's convenient for y'all. If it's not, I will go on record, as doing the right thing for this County."

Discussion followed stating this was not the first time the budget had not been passed on time. Chairman Humphrey noted in the last four (4) years the budget had been submitted, per the statutory requirements.

Mayor/Chairman Leon Humphrey entertained a motion from the Commission as to whether or not we call a Special Called Meeting prior to August 17, 2015, or leave the meeting on August 17, in order that, "we are all on the same page, and the Mayor does not make the decision himself."

Motion was made by Larry Miller, seconded by John Lewis, to defer any Special Called Meeting, as a result of the Public Hearing dates, and issue be resolved during the August 17, 2015 Regularly Scheduled Meeting.

Discussion followed with questions concerning the wordage, *continuing budget*. Finance Director, Ingrid Deloach responded by stating, "You continue on the same budget." She stressed that the meeting, and approval of the 2015-2016 Budget be held as soon as possible.

Commissioner Buford Peters asked when the earliest date that a full Commission Meeting be held, and not be in violation of the notification requirements.

Chairman Humphrey noted the same date as the Public Hearing, August 4, 2015, would be the earliest that a meeting could be held.

Commissioner Peters encouraged the date be set for the meeting as soon as possible, and not have the August 17, 2015 meeting, therefore saving the taxpayers cost for the additional meeting.

Chairman Humphrey stated he had conferred with Joshua Hardin, County Attorney who confirmed the statute did not indicate an urgency for a Special Called Meeting.

Commissioner Peters continued to urge only one meeting be held as soon as possible, which would be a cost savings to the taxpayers of Carter County and beneficial to the school system.

Chairman Humphrey voiced that the County would be operating on a continuing budget/resolution which requires no action on the part of the Commission.

Financial Director, Ingrid Deloach once again reaffirmed her previous statement concerning budget issues.

Motion was made by Buford Peters, **that we move the Full Commission Meeting up as far as we can, and still not be in violation of notification and not to be in conflict the the Public Hearing.**

Chairman Humphrey noted that a motion was currently on the floor in discussion. Therefore, the **motion was out of order at this time.**

Chairman Humphrey restated the **motion being voted on as, "to have the Commission Meeting held on the 17th (August 17, 2015) and not do a Special Called prior."**

Roll Call Vote as follows:

Ayes: Nancy Brown, Ronnie Trivett, Charles VonCannon, Timothy Holdren, Larry Miller, John Lewis, Cody McQueen, Robert Carroll, and Robert Gobble. (9 Ayes)

Nays: Buford Peters, Willie Campbell, Robert Acuff, Mike Hill, Al Meehan, Bradley Johnson, L.C. Tester, Isaiah Grindstaff, Danny Ward, Ross Garland, Bobbie Gouge-Dietz, Randall Jenkins, Ray Lyons, and Sonja Culler. (14 Nays)

Absent: Scott Simerly (1 Absent)

By majority roll call vote, **motion failed.**

Chairman Humphrey announced that he would schedule a Special Called Meeting to address the Budget on August 4, 2015. It was also confirmed by Chairman Humphrey that the Regular Monthly Commission Meeting would be held on August 17, 2015 as well. He noted other business to take care of in August.

Motion was made by Buford Peters, seconded by Danny Ward, **to cancel the Regular Monthly Commission Meeting on August 17, 2015.**

Chairman Humphrey stated the **decision of setting meetings, was of his discretion as Chairman of the Commission.** He confirmed the meeting was set for August 17, 2015 as scheduled unless the meeting is not appropriate. **No vote was requested by Chairman Humphrey.**

Budget Chairwoman, Sonja Culler voiced the advertisement had not be made concerning the scheduling of the Public Hearing and asked for confirmation of the date and time.

Chairman Humphrey set the Public Hearing for August 4, 2015 at 9:00 AM with the Special Called Session of County Commission, addressing, just the 2015-2016 Budget, to follow on August 4, 2015 at 9:30 AM. Publication of the times and dates will be made as announced.

Commissioner Al Meehan requested a point of information concerning the previous vote and the Special Called Meeting on August 4, 2015. He stated, it was his understanding, the vote taken was to decide if the meeting for August 17, 2015 would be held.

Chairman Humphrey stated that the vote just taken, was to confirm a Special Called Meeting be scheduled as soon as possible, following the Public Hearing.

No other action was taken by Chairman Humphrey in reference to the request made by Commissioner Meehan, or concerning meetings.

Financial Management – Chairman Ray Lyons

Chairman Lyons stated a resignation had been received, which was "a very sad day in the history of Carter County," from Financial Director, Ingrid Deloach. Mrs. Deloach was requested to come to the podium to be recognized.

Chairman Lyons stated that Mrs. Deloach began working for Carter County in 1997, beginning from the "bottom layer position" and worked her way up to her current position. Chairman Lyons also recognized the members of the Financial Management Committee.

Chairman Lyons also stated Mrs. Deloach was always, "looking out for the best of Carter County," and the best for the Committee as well. Mrs. Deloach received a standing ovation in recognition of a job well done.

Financial Director, Ingrid Deloach addressed the Commission. She stated the decision had been a tough one. She praised her staff as well as others she has worked with, encouraging all to "look out for the best of Carter County." This was followed by a standing ovation.

Chairman Ray Lyons announced that the process had begun concerning the filling the position of Financial Director by the Finance Committee.

Leon Humphrey, Commission Chairman **recessed the meeting until 1:05 for lunch.**

Meeting was called **back to order** by Chairman Leon Humphrey.

Chairman Humphrey announced that a Public Hearing would be held August 4, 2014 at 9:00 AM and a Special Called Session of The Carter County Commission would be held immediately following.

Clerk's Note: Commissioners L.C. Tester and Scott Simerly were absent following the recess.

Building & Grounds – Chairman, Ray Lyons presented the following for consideration.

Chairman Lyons noted that the minutes had been distributed today and apologized that they were not in the packets.

County Attorney, Joshua Hardin has been requested to research information concerning the Workforce Development Center lease agreement and report findings back to the committee on August 4, 2015.

Chairman Lyons presented a lengthy report concerning the Workforce Development Center as well as Carter County Tomorrow.

Questions were addressed concerning the minutes of the meetings not being placed in the packets for the Commissioners review. Chairman Lyons stated he felt as there had been "no results" with the Carter County Tomorrow efforts.

Motion was made by Ray Lyons, seconded by Nancy Brown to, **reserve and set aside the \$40,000 in this year's budget for Carter County Tomorrow, and reserve it until some of these problems can be "ironed out."** Plus, Chairman Lyons noted, there are some questions concerning the \$90,000 for tourism as well, and both of these need to be examined. This would be until County Attorney, Joshua Hardin can complete research and report back and issues be resolved.

A lengthy discussion followed concerning the timing of the issues, withholding of funds as well as minutes of the Carter County Tomorrow.

Susan Robinson, Executive Secretary for Mayor Leon Humphrey, presented as requested by Mayor Humphrey, a lengthy detailed report/overview of her finding concerning the Workforce Development Center lease and payment agreements.

Commissioner Al Meehan made an **Objection to the Consideration of the Motion.**

Commission Meehan, went on to state his reasoning for the motion. This matter was discussed, however not placed on today's Agenda for consideration. It was referred to the County Attorney, in which the Attorney is to report back to the Committee his findings for recommendations.

Chairman Humphrey noted that the objection required a two-thirds (2/3) vote for approval and called for a roll call vote as follows.

Roll Call Vote as follows:

Ayes: Buford Peters, Willie Campbell, Robert Acuff, Mike Hill, Al Meehan, Bradley Johnson,

Isaiah Grindstaff, Danny Ward, Ross Garland, Bobbie Gouge-Dietz, and Sonja Culler. (11 Ayes)

Nays: Nancy Brown, Ronnie Trivett, Charles VonCannon, Timothy Holdren, Randall Jenkins, Larry Miller, John Lewis, Ray Lyons, Cody McQueen, Robert Carroll, and Robert Gobble. (11 Nays)

Absent: L.C. Tester and Scott Simerly (2 Absent)

Motion failed (did not receive a two-thirds vote majority needed to pass).

Chairman Leon Humphrey noted the motion was back on the floor for consideration.

Motion was restated by Chairman Humphrey. Motion being to reserve \$40,000 that has been allocated for Carter County Tomorrow, \$90,000 for tourism, --that reserve will stay there until all issues, considering in and around Carter County Tomorrow and the umbrella agency is clarified and resolved. Roll call vote was then called for by Chairman Humphrey.

Roll Call Vote as follows:

Ayes: Nancy Brown, Bradley Johnson, Ronnie Trivett, Charles VonCannon, Timothy Holdren, Randall Jenkins, Larry Miller, John Lewis, Ray Lyons, Cody McQueen, and Robert Carroll. (11 Ayes)

Nays: Buford Peters, Willie Campbell, Robert Acuff, Mike Hill, Al Meehan, Isaiah Grindstaff, Danny Ward, Ross Garland, Bobbie Gouge-Dietz, Sonja Culler, and Robert Gobble. (11 Nays)

Absent: L.C. Tester, and Scott Simerly. (2 Absent)

Motion failed.

Education – Chairman Charles VonCannon – No report.

Health & Welfare Committee – Timothy Holdren, Committee Chairman, noted that the minutes reflected the actions taken by the Committee.

Highway Committee – Committee Chairman, Mike Hill reported and presented the following for consideration.

The family of Dan Vance extended gratitude to everyone involved in making the Dan Vance Bridge naming ceremony a success.

Judge Ben Allen Road traffic light was noted as having problems, updates will be forwarded as they become available.

Motion was made by Larry Miller, seconded by John Lewis, **to reduce the speed limit on Dark Ridge Road from thirty-five (35) miles per hour to twenty-five (25) miles per hour.**

Discussion followed as to the location of the road being in Carter County or in North Carolina. Highway Superintendent, Roger Colbaugh confirmed that it was located in Carter County.

It was also noted that there was only one resident on this road which was making the request.

Clerks Note: The Disclaimer for Employees of Carter County, Tennessee was read by Willie Campbell prior to voting.

Roll Call as follows:

Ayes: Buford Peters, Willie Campbell, Robert Acuff, Nancy Brown, Mike Hill, Al Meehan, Bradley Johnson, Ronnie Trivett, Charles VonCannon, Isaiah Grindstaff, Danny Ward, Ross Garland, Timothy Holdren, Bobbie Gouge-Dietz, Randall Jenkins, Larry Miller, John Lewis, Ray Lyons, Sonja Culler, Cody McQueen, Robert Carroll, and Robert Gobble. (22 Ayes)

Nays: None (0 Nays)

Absent: L.C. Tester, and Scott Simerly. (2 Absent)

By majority roll call vote, **motion carried.**

Landfill Committee – Bobbie Gouge-Dietz, Committee Chairwoman reported that the concrete pads at the Little Milligan Convenience center were in place and fully operational.

Mrs. Dietz informed the Commission of an upcoming rate increase regarding contract with U.S. Tire. The new contract will be presented for confirmation, which in turn will result in a small fee increase.

Law Enforcement Committee – No report.

Nominating Committee – Ronnie Trivett, Committee Chairman presented the following for consideration.

Motion was made by Ronnie Trivett, seconded by John Lewis to, **accept the resignation of Bradley Johnson, from the Civil Service Board.**

By majority voice vote, all ayes, **motion carried.**

Parks and Recreation Committee – No report.

Rules and By-Laws – Committee Chairman, Randall Jenkins extended a thank-you to everyone for patience and thinking positive.

Carter County Expenditure Budget Report for the Month of June 2015 was provided to Carter County Commissioners by Ingrid Deloach, Financial Director. 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.

County Attorney's Report – Joshua Hardin – Items discussed included the following:

Litigation Update – The 2010-2011 delinquent tax sale has been set for November 13, 2015 at 10:00 AM in the main courtroom.

New Litigation – New litigation has been filed naming Carter County as the Defendant, along with the Hampton Utility District which has been forwarded to the insurance carrier.

A previous lawsuit concerning a former Carter County inmate, has been refiled. This has also been turned over to the insurance carrier.

Committee Meetings and Research – Research requested, by numerous offices and Commissioners, completed.

A contract was reviewed for the Sheriff's Department regarding GPS tracking equipment. Researched a Circuit Clerk employee law issue.

Williams Land adoption as a county road has been completed.

Various Committee meetings were attended and opinions rendered upon request.

Rules and By-Laws handbook is still being prepared.

Researching the Lease agreement concerning the Workforce Development Center to be reported back to the Building and Grounds Committee on August 4, 2015.

Resolutions – Prepared and presented for consideration at today's meeting.

Commissioner Comments

Commissioner Larry Miller, spoke recommending a raise for county employees.

Commissioner Bradley Johnson, spoke concerning raises for county employees. It was noted that Carter County is the largest employer in Carter.

Motion was made by Bradley Johnson, to provide a four percent (4%) raise, across the board, for all County Employees, paraprofessionals. **Motion failed to receive a second.**

Financial Director, Ingrid Deloach stated recommendations needed to be presented to the Budget Committee for approval.

Commissioner Robert Carroll spoke in regards to raises as well as the need for economic development.

Commissioner John Lewis spoke concerning cost of living issues.

Commissioner Danny Ward spoke concerning the cost of the August 17th meeting.

Commissioner Nancy Brown stated, "We all just need to do the right thing."

Motion to adjourn was made by Buford Peters, seconded by Isaiah Grindstaff. By majority voice vote, all ayes, **motion carried.** Meeting adjourned at 2:45 PM.

June 2015 Donations

Animal Shelter Donation- Pet Sense	142.00
Animal Shelter Donation- Anonymous	55.00
Animal Shelter Donation- Anonymous	2.36
Animal Shelter Donation- Anonymous	5.23
Animal Shelter Donation- J. Burgen	40.00
Animal Shelter Donation- Vickie Shipley	100.00
Animal Shelter Donation- CT Herding Dog Rescue	35.00
Animal Shelter Donation- Dorthy McClain	40.00
Animal Shelter Donation- Judy Johnson	10.00
Animal Shelter Donation- Debbit Church	10.00
Animal Shelter Donation- Tina Simerly	5.00
Animal Shelter Donation- Bill Hampton	100.00
Animal Shelter Donation- Martha Buck	25.00
Animal Shelter Donation- Louis Weld	4.00
Animal Shelter Donation- Janet Carpenter	20.00
	<u>\$ 593.59</u>

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR CARTER COUNTY, TENNESSEE

REGULAR MEETING, MONDAY, JULY 20, 2015

RESOLUTION NO. 624

"A RESOLUTION HONORING THE LIFE OF MARY PATTON AND REQUESTING THAT THE NEWLY CONSTRUCTED ROADWAY OFF OF GAP CREEK ROAD IN THE POWDER BRANCH COMMUNITY OF CARTER COUNTY, TENNESSEE BE DESIGNATED AS THE MARY PATTON HIGHWAY"

WHEREAS, the Board of County Commissioners of Carter County, Tennessee has traditionally taken steps to have bridges and highways within the county dedicated in honor of individuals who have made significant contributions to the rich culture and history of Carter County; and

WHEREAS, Mary McKeehan Patton (1751-1836) was a resident of the Overmountain region of North Carolina which ultimately became Carter County, Tennessee, who played an integral part in the early history of the county and the ultimate victory of the original colonies in the Revolutionary War; and

WHEREAS, Mrs. Patton was a renowned maker of gun powder at her mill located in what came to be known as the Powder Branch community of Carter County; and

WHEREAS, Mrs. Patton provided five hundred pounds of her gun powder to the Overmountain Men to aid in their victory over British forces at the Battle of King's Mountain in South Carolina; and

WHEREAS, the Battle of King's Mountain turned out to be one of the most important battles in the Revolution and is widely considered among historical scholars to be the turning point in the Revolutionary War; and

WHEREAS, the importance of Mrs. Patton's contribution to the victory at King's Mountain cannot be overstated and by making it she placed her own life in peril in service of this country; and

WHEREAS, the current citizens of Carter County are among the beneficiaries of Mrs. Patton's service and sacrifice; and

WHEREAS, the Board of County Commissioners for Carter County would like to formally recognize and honor the life of Mary Patton and the essential role she played in the history of Carter County and this country by adopting this Resolution in her honor and by requesting that the appropriate action be taken by our representatives at the state level to officially designate the newly constructed roadway off of Gap Creek Road in the Powder Branch Community of Carter County as the "Mary Patton Highway".

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners for Carter County, Tennessee, meeting in regular session on this the 20th day of July, 2015, with a

lawful quorum of said Board being present and with a majority voting in the affirmative as follows:

1. That the Board of County Commissioners of Carter County, Tennessee hereby adopts this Resolution honoring the life of Mary Patton and the essential role she played in the history of Carter County and the development of this country.

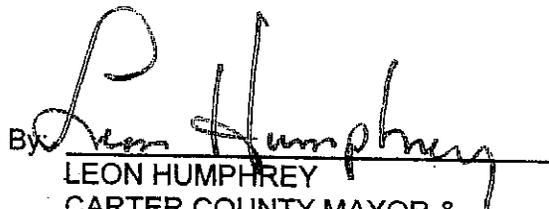
2. That the Board of County Commissioners of Carter County, Tennessee hereby respectfully requests that the elected Representatives for Carter County currently serving in the Tennessee General Assembly take the appropriate action at the state level on behalf of Carter County to officially designate the newly constructed roadway off of Gap Creek Road in the Powder Branch Community of Carter County, which is approximately 4.61 miles in length, from the intersection with Elk Avenue at the following coordinates: (36° 19' 56.37"N; 82° 15' 57.59"W) to where the existing Gap Creek road meets the newly constructed roadway near Tester Road at the following coordinates: (36° 16' 38.149" N; 82° 13' 52.56"W), as the "Mary Patton Highway".

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

Adopted this 20th day of July, 2015.

CARTER COUNTY, TENNESSEE
BOARD OF COUNTY COMMISSIONERS

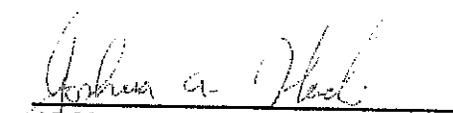
APPROVED:

BY 
LEON HUMPHREY
CARTER COUNTY MAYOR &
BOARD OF COUNTY COMMISSIONERS CHAIRMAN

ATTEST:


MARY GOUGE
CARTER COUNTY CLERK

APPROVED AS TO FORM:


JOSHUA A. HARDIN
CARTER COUNTY ATTORNEY

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR CARTER COUNTY, TENNESSEE

REGULAR MEETING, MONDAY, JULY 20, 2015

RESOLUTION NO. 625

"A RESOLUTION ESTABLISHING AN INTERNAL RULE OF THE BOARD OF COUNTY COMMISSIONERS REGARDING THE PROCESS FOR PERMITTING COMMISSIONERS TO ATTEND COMMITTEE MEETINGS IN THE ABSENCE OF A FELLOW COMMISSIONER."

WHEREAS, The Board of County Commissioners for Carter County may establish internal rules governing the procedures of the Board as long as said procedures are not in conflict with state law or any applicable private acts; and

WHEREAS, in an effort to formalize and consolidate the various rules and procedures that have been adopted over the years, the Board has chosen to begin updating the rules and procedures for compilation into a single document; and

WHEREAS, there is currently a policy in place which permits a Commissioner who will be absent from a committee meeting to arrange for another Commissioner within his or her district to attend said meeting on his or her behalf; and

WHEREAS, it is desirable to adopt a rule setting forth the exact process to be followed in such a situation so as to avoid any surprises or uncertainty that may arise due to the absence of the Commissioner who sits on the committee; and

WHEREAS, it is also the desire of the Board of County Commissioners to adopt a rule to address repeated absences from assigned committee meetings.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners for Carter County, Tennessee, meeting in regular session on this the 20th day of July, 2015, with a lawful quorum of said Board being present and with a majority voting in the affirmative as follows:

Section 1: The Board hereby adopts the following formal rule governing the procedure that must be followed in order for a Commissioner to attend individual committee meetings in substitution for a fellow Commissioner who will be absent from a committee meeting:

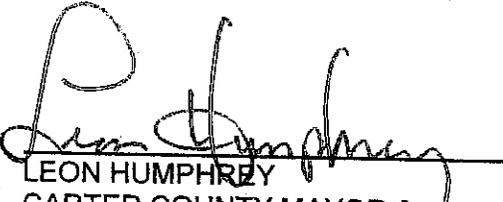
1. If any Commissioner will be absent from an assigned committee meeting, he or she shall request a fellow Commissioner from the same district to attend the meeting in their absence. If said Commissioner agrees to attend the meeting, the Commissioner who plans to be absent must attempt to notify the chairman of the affected committee of the substitution at least twenty four (24) hours in advance of the meeting.
2. It is the responsibility of the Commissioner who plans to be absent to provide any information in his or her possession to assist the substitute Commissioner in preparation for the meeting. The Commissioner who plans to be absent should

BE IT FURTHER RESOLVED, that if any portion of this Resolution shall be found to be in conflict with any existing or future state law, private act, or court order, the conflicting portion shall be rendered null and void and the remaining portions of this this Resolution shall remain in effect.

Adopted this the 20th day of July, 2015.

CARTER COUNTY, TENNESSEE

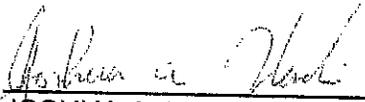
APPROVED:

By 
LEON HUMPHREY
CARTER COUNTY MAYOR &
BOARD OF COUNTY COMMISSIONERS CHAIRMAN

ATTEST:


MARY GOUGE
CARTER COUNTY CLERK

APPROVED AS TO FORM:


JOSHUA A. HARDIN
CARTER COUNTY ATTORNEY