

Carter County Commission  
Regular Session  
August 17, 2015

**APPROVED**

With corrections  
as noted  
9-21-15

Chairman, Leon Humphrey, called the meeting to order at 6:00 P.M.

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

Roll Call as follows:

Beginning Roll Call for New Session:

Leon Humphrey is present  
Willie Campbell is present  
Buford Peters is present  
Robert Acuff is present  
Nancy Brown is present  
Mike Hill is present  
Al Meehan is present  
Bradley Johnson is present  
Ronnie Trivett is present  
Charles Von Cannon is present  
Isaiah Grindstaff is present  
L.C. Tester is present  
Danny Ward is present  
Ross Garland is present  
Bobbie Gouge-Dietz is present  
Timothy Holdren is present  
Randall Jenkins is present  
John Lewis is present  
Larry Miller is present  
Sonja Culler is present  
Ray Lyons is present  
Scott Simerly is present  
Robert Carroll is present  
Robert Gobble is present  
Cody McQueen is present

Number of Voters PRESENT for Roll Call: 25

Number of Voters ABSENT for Roll Call: 0

Quorum present.

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

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

Public Comments

George Moein – A six month new resident of Roan Mountain, spoke in regards about a “very important decision” being made concerning the Rescue Squad.  
Roy Livingston – A resident of Hampton, spoke addressing the commission about budget concerns with the Highway Department and Rescue Squad.  
Paula Ellington – A resident of Roan Mountain, voiced concerns about Rescue Squad issues. She requested the squad be given extra money, however advised that other alternatives be researched in the future.  
James Miller – A resident of Elk Mills stated, “lives matter,” regardless of what part of the county you reside.  
Paul “Redman” Souder – A former Rescue Squad member, also stressed things be done in the right manner as “lives do matter.”

Presentation of Plaques – Mayor Leon Humphrey recognized and presented plaques to the following. Phillip Peters, Instructor of Electricity-Electronics program at Tennessee College of Applied Technology, Elizabethton, and his students, in appreciation of support given to the Little Milligan Convenience Center project.

Paul "Redman" Souder, Election Commissioner, was presented a plaque in appreciation for volunteer services rendered during the renovation and relocation of the Elections Commission Office to its new location, formerly the Counties 9-1-1 building. Tracy Harris, Administrator of Elections, Laura Tester, Assistant Administrator and Janet Brumit, was extended a "thank you" for the hard work done during the move. Carter County Trustees, helping with the move were thanked as well. Numerous others making contributions of drinks, and food were thanked by Mr. Souder.

Dexter Lunceford, Carter County Sheriff, Sheriff's Department Staff and Trustees received a plaque for Landscaping project services rendered at the main Courthouse.

Abbie Morris-Frye, news reporter with the Elizabethton Star received a plaque in recognition of her exemplary news reporting to the citizens of Carter County. Mrs. Frye recently received three different honors from the Tennessee Press Association Awards ceremony.

John Thompson, news reporter with the Johnson City Press received a plaque in recognition of his exemplary journalistic news reporting to the citizens of Carter County. Mr. Thompson has served since 1989, working both at the Elizabethton Star and now at the Johnson City Press. He also has won numerous awards in journalism throughout his career.

Commissioner Charles VonCannon introduced Richard Lovett, news reporter with WJCW – WQUT radio and welcomed him to today's meeting.

Commissioner Danny Ward began a discussion concerning Agenda's being accepted and approved for all committee and commission meetings.

**Motion** was made by Cody McQueen, seconded by Robert Gobble, **to accept today's Agenda as presented.** Recorded on page 60.

Commissioner Al Meehan questioned Item 17: Attorney Client Session as listed on the Agenda. It was stated, due to possible pending litigation, the Attorney-Client session would be closed to the public.

Chairman Leon Humphrey, called for a **voice vote** on the above motion. By majority voice vote, **motion carried.**

**Acceptance of Minutes from Previous Meeting**

**Motion** was made by Ronnie Trivett, seconded by Robert Carroll, **to accept the minutes of the July 20, 2015 Regular Session Commission Meeting**, with corrections as requested below:  
Page 1: Correction of spelling – Ms. Hyder changing to -- Ms. Heiden  
Page 3: Correction concerning the motion to amend in bold print and its clarity.  
Page 4: Correction of spelling – where to were  
(Item #1)

Roll Call Vote as follows (Item #1):

1. Vote Results for: Item No. 1  
Time of Vote: 6:56:41 PM  
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote  
Willie Campbell voted: Y  
Buford Peters voted: Y  
Robert Acuff voted: Y  
Nancy Brown voted: Y  
Mike Hill voted: Y  
Al Meehan voted: Y  
Bradley Johnson voted: Y  
Ronnie Trivett voted: Y  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
L.C. Tester voted: Y  
Danny Ward voted: Y  
Ross Garland voted: Y

Bobbie Gouge-Dietz voted: Y  
Timothy Holdren voted: Y  
Randall Jenkins voted: Y  
John Lewis voted: Y  
Larry Miller voted: Y  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Scott Simerly voted: Y  
Robert Carroll voted: Y  
Robert Gobble voted: Y  
Cody McQueen voted: Y

Passed (24 Y - 0 N - 1 A - 0 Absent)  
Number of Abstain Votes: 1

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

**Motion** was made by John Lewis, seconded by Mike Hill, to **accept the minutes of August 4, 2015, Special Called Session Commission Meeting** with correction as requested below:  
Page 18: Typographical error \$90,00 – to \$90,000 (Item #2)

A short discussion period followed concerning the process in which the budget was altered and amended.

Roll Call Vote as follows (Item #2):

2. Vote Results for: Item No. 2  
Time of Vote: 7:01:18 PM  
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote  
Willie Campbell voted: Y  
Buford Peters voted: Y  
Robert Acuff voted: Y  
Nancy Brown voted: Y  
Mike Hill voted: Y  
Al Meehan voted: Y  
Bradley Johnson voted: Y  
Ronnie Trivett voted: Y  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
L.C. Tester voted: N  
Danny Ward voted: Y  
Ross Garland voted: Y  
Bobbie Gouge-Dietz voted: Y  
Timothy Holdren voted: Y  
Randall Jenkins voted: Y  
John Lewis voted: Y  
Larry Miller voted: Y  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Scott Simerly voted: Y  
Robert Carroll voted: Y  
Robert Gobble voted: Y  
Cody McQueen voted: Y

Passed (23 Y - 1 N - 1 A - 0 Absent)  
Number of Abstain Votes: 1

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

**Notaries/Bonds**

**Motion** was made by Nancy Brown, seconded by Isaiah Grindstaff, to **approve the following Notaries/Bonds as presented.** (Item #3)

Lori J. Birchfield	Kathryn Sexton	April Price
Candace Lipford	Jackie Barnett	Bill Bradford
Melissa Shaw	Kenneth Paul Murphy	Sheila Sturgill
Michael G. Blair	Jane King	Jennifer M. Hodge

Roll Call Vote as follows (Item #3):

3. Vote Results for: Item No. 3  
Time of Vote: 7:10:19 PM  
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote  
Willie Campbell voted: Y  
Buford Peters voted: Y  
Robert Acuff voted: Y  
Nancy Brown voted: Y  
Mike Hill voted: Y  
Al Meehan voted: Y  
Bradley Johnson voted: Y  
Ronnie Trivett voted: Y  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
L.C. Tester voted: Y  
Danny Ward voted: Y  
Ross Garland voted: Y  
Bobbie Gouge-Dietz voted: Y  
Timothy Holdren voted: Y  
Randall Jenkins voted: Y  
John Lewis voted: Y  
Larry Miller voted: Y  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Scott Simerly voted: Y  
Robert Carroll voted: Y  
Robert Gobble voted: Y  
Cody McQueen voted: Y

Passed (24 Y - 0 N - 1 A - 0 Absent)  
Number of Abstain Votes: 1

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

**Audit Committee Report – Dave Wortman, Chairman**

Mr. Wortman presented the findings for the Audit ending June 30, 2014.

Office of County Mayor – Deficiencies were noted in the operations of the Park and Recreation Board. Monies were paid that shouldn't have been. All funds have been returned and per State Statue, a new Park and Rec Board has been formed.

Solid Waste Department – A theft reported at the County Landfill. Problem has been corrected with the installation of security cameras in undisclosed locations, as well as the safe being bolted to the floor. A problem with the software concerning the automated scale system was noted. New software has corrected the issue.

Office of Director of Schools – The School Federal Projects Fund had A deficit in unassigned fund balance at 06-20-14. This was due to expenses being turned in after the end of the fiscal year. This has been corrected.

Office of Circuit and General Sessions Courts Clerk – Accounting Records did not adequately reflect the financial activity of the office. Issued was reported as “getting better.” The amount of money reported unassigned has gone from ~~\$213,000~~ to \$65,000.

Office of Sheriff – The Sheriff's Department and Tennessee Business Enterprises did not follow the County's Purchasing Statutes. It was noted this issue was a “private fund” under the previous Sheriff. An examination has been completed by the State Auditor and passed to the District Attorney for his consideration.

*#213,000  
Corrected  
9-21-15*

During the question/answer session, Commissioner Ronnie Trivett questioned if an audit had been done in regards to the resignation of Ingrid Deloach, Finance Director, and her replacement. The audit was reported as still being completed for the year that ended.

It was asked by Commissioner Trivett the amount of funds left over since June 30, 2015 in General Fund, that rolls back into Fund Balance. Christa Byrd, Interim Financial Director replied, about one million dollars.

**Tweetsie Trail Donation Agreement-Carter County & Johnson City**

Motion was made by Randall Jenkins, seconded by Mike Hill, to accept as presented the Tweetsie Trail Donation Agreement-Carter County & Johnson City. (Item #4)  
Recorded on pages 61-62

Completed  
9-21-15

Discussion followed. Commissioner Charles VonCannon stated he had recently been on the trail and was happy to state he had found very little trash along the trail, noting that "someone's doing a great job." Commissioner VonCannon also stated the trail covered three entities concerning its upkeep. Commissioner

Roll Call Vote as follows (Item #4):

4. Vote Results for: Item No. 4  
Time of Vote: 7:12:16 PM  
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote  
Willie Campbell voted: Y  
Buford Peters voted: Y  
Robert Acuff voted: Y  
Nancy Brown voted: Y  
Mike Hill voted: Y  
Al Meehan voted: Y  
Bradley Johnson voted: Y  
Ronnie Trivett voted: Y  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
L.C. Tester voted: Y  
Danny Ward voted: Y  
Ross Garland voted: Y  
Bobbie Gouge-Dietz voted: Y  
Timothy Holdren voted: Y  
Randall Jenkins voted: Y  
John Lewis voted: N  
Larry Miller voted: N  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Scott Simerly voted: Y  
Robert Carroll voted: Y  
Robert Gobble voted: Y  
Cody McQueen voted: Y

Passed (22 Y - 2 N - 1 A - 0 Absent)  
Number of Abstain Votes: 1

By majority roll call vote, motion carried.

**Tire Hub Agreement-Carter County & Johnson City**

Motion was made by Ronnie Trivett, seconded by Sonja Culler, to accept the Agreement Between Carter County Tennessee and Washington County, Tennessee as presented. Recorded on pages 63-66 (Item #5)

A short discussion period followed concerning rates. Benny Lyons, Landfill Director stated the contract consisted of five counties joining together, thru the bid process, by securing better fees and cost which was with Liberty Tire. Mr. Lyons also noted the grant process would began as well.

Roll Call Vote as follows (Item #5)

5. Vote Results for: Item No. 5  
Time of Vote: 7:17:32 PM  
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote  
Willie Campbell voted: Y  
Buford Peters voted: Y  
Robert Acuff voted: Y  
Nancy Brown voted: Y  
Mike Hill voted: Y  
Al Meehan voted: Y  
Bradley Johnson voted: Y  
Ronnie Trivett voted: Y  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
L.C. Tester voted: Y  
Danny Ward voted: Y  
Ross Garland voted: Y  
Bobbie Gouge-Dietz voted: Y  
Timothy Holdren voted: Y  
Randall Jenkins voted: Y  
John Lewis voted: N  
Larry Miller voted: Y  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Scott Simerly voted: Y  
Robert Carroll voted: Y  
Robert Gobble voted: Y  
Cody McQueen voted: Y

Passed (23 Y - 1 N - 1 A - 0 Absent)  
Number of Abstain Votes: 1

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

**Interlocal Cooperation Agreement First Judicial District Drug Task Force**

Sheriff Dexter Lunceford introduced the agreement and made a recommendation of acceptance.

**Motion** was made by Ray Lyons, seconded by Bobbie Gouge-Dietz, **to accept as presented the Interlocal Cooperation Agreement First Judicial District Drug Task Force.**  
Recorded on pages 67-73 (Item #6)

Discussion -- None

Roll Call Vote as follows (Item #6):

6. Vote Results for: Item No. 6  
Time of Vote: 7:19:58 PM  
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote  
Willie Campbell voted: Y  
Buford Peters voted: Y  
Robert Acuff voted: Y  
Nancy Brown voted: Y  
Mike Hill voted: Y  
Al Meehan voted: Y  
Bradley Johnson voted: Y  
Ronnie Trivett voted: Y  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
L.C. Tester voted: Y

Danny Ward voted: Y  
Ross Garland voted: Y  
Bobbie Gouge-Dietz voted: Y  
Timothy Holdren voted: Y  
Randall Jenkins voted: Y  
John Lewis voted: Y  
Larry Miller voted: Y  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Scott Simerly voted: Y  
Robert Carroll voted: Y  
Robert Gobble voted: Y  
Cody McQueen voted: Y

Passed (24 Y - 0 N - 1 A - 0 Absent)  
Number of Abstain Votes: 1

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

**RESOLUTION**

**A. Fixing Annual Salary of Commissioners**

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

**Motion** was made by Robert Carroll, seconded by Sonja Culler, to accept as presented the  
**“A RESOLUTION FIXING THE COMPENSATION OF MEMBERS OF THE BOARD  
OF COUNTY COMMISSIONERS FOR CARTER COUNTY, TENNESSEE FOR  
ATTENDING SESSIONS OF THE COUNTY LEGISLATIVE BODY AND DULY  
AUTHORIZED COMMITTEES THEREOF.”**

A lengthy discussion period followed. Several Commissioners voiced concerns about the budget needs, absenteeism, as well as this being considered as a “salary” being paid regardless if meeting was attended.

Commissioner Culler, Budget Committee Chairwoman, stated this was an effort to cut the budget, as numerous meeting were held and funds were drained this year. This was recommended as a cost savings effort made by the Budget Committee.

Amendment to the motion was made by Charles VonCannon, seconded by Nancy Brown, to amend to reduce Commission meeting pay to \$ 0.00 (zero) as well as the committee meeting pay to \$ 0.00 (zero).

County Attorney, Joshua Hardin stated the amendment could not be allowed due to state law for a Class III county, such as Carter County, having a minimum set fee of \$35.00 pay for Full Commission Meeting attendance and \$17.50 pay for Committee attendance.

Chairman Leon Humphrey, following the statement made by County Attorney, addressed Commissioners VonCannon and Brown if they wished to change the amendment to the statutory limit as stated. Both VonCannon and Brown agreed to change the amended motion to the minimum pay.

**Amendment to motion as made and agreed upon by Charles VonCannon and Nancy Brown, to reduce the Commission pay to \$ 35.00 per Full Commission Meeting, and \$17.50 pay for Committee attendance. This is the minimum as set by state statute. (Item # 7)**

Discussion followed stating Commissioners could choose no pay if they desired.

Roll Call as follows (Item #7):

7. Vote Results for: Item No. 7  
Time of Vote: 7:31:29 PM  
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote  
Willie Campbell voted: N

Buford Peters voted: N  
Robert Acuff voted: N  
Nancy Brown voted: Y  
Mike Hill voted: N  
Al Meehan voted: N  
Bradley Johnson voted: N  
Ronnie Trivett voted: N  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: N  
L.C. Tester voted: N  
Danny Ward voted: N  
Ross Garland voted: N  
Bobbie Gouge-Dietz voted: Y  
Timothy Holdren voted: N  
Randall Jenkins voted: N  
John Lewis voted: N  
Larry Miller voted: N  
Sonja Culler voted: N  
Ray Lyons voted: Y  
Scott Simerly voted: Y  
Robert Carroll voted: Y  
Robert Gobble voted: Y  
Cody McQueen voted: N

Failed (7 Y - 17 N - 1 A - 0 Absent)  
Number of Abstain Votes: 1

By majority vote, **motion to admen FAILED.**

Original motion was presented back on the floor for consideration by Chairman Humphrey.

Motion was made by Bradley Johnson, seconded by Charles VonCannon, to table and defer action back to the Budget Committee (\$150.00 monthly pay for Commissioners). Chairman Humphrey noted this motion was out of order at this time.

Chairman Humphrey called for a roll call vote on the original **motion, "A RESOLUTION FIXING THE COMPENSATION OF MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS FOR CARTER COUNTY, TENNESSEE FOR ATTENDING SESSIONS OF THE COUNTY LEGISLATIVE BODY AND DULY AUTHORIZED COMMITTEES THEREOF." (Item # 8)**

Roll Call Vote as follows (Item #8):

8. Vote Results for: Item No. 8  
Time of Vote: 7:33:33 PM  
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote  
Willie Campbell voted: Y  
Buford Peters voted: N  
Robert Acuff voted: N  
Nancy Brown voted: N  
Mike Hill voted: N  
Al Meehan voted: N  
Bradley Johnson voted: N  
Ronnie Trivett voted: N  
Charles Von Cannon voted: N  
Isaiah Grindstaff voted: N  
L.C. Tester voted: N  
Danny Ward voted: N  
Ross Garland voted: Y  
Bobbie Gouge-Dietz voted: N  
Timothy Holdren voted: N  
Randall Jenkins voted: N

John Lewis voted: Y  
Larry Miller voted: Y  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Scott Simerly voted: N  
Robert Carroll voted: Y  
Robert Gobble voted: Y  
Cody McQueen voted: N

Failed (8 Y - 16 N - 1 A - 0 Absent)  
Number of Abstain Votes: 1

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

**Motion** was made by Bradley Johnson, seconded by Charles VonCannon, **to defer action back to the Budget Committee (\$150.00 monthly pay for Commissioners).** (Item # 9)

Discussion – None

Roll Call Vote as follows (Item #9):

9. Vote Results for: Item No. 9  
Time of Vote: 7:34:49 PM  
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote  
Willie Campbell voted: Y  
Buford Peters voted: Y  
Robert Acuff voted: Y  
Nancy Brown voted: Y  
Mike Hill voted: N  
Al Meehan voted: N  
Bradley Johnson voted: N  
Ronnie Trivett voted: N  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
L.C. Tester voted: N  
Danny Ward voted: N  
Ross Garland voted: N  
Bobbie Gouge-Dietz voted: N  
Timothy Holdren voted: Y  
Randall Jenkins voted: N  
John Lewis voted: N  
Larry Miller voted: N  
Sonja Culler voted: N  
Ray Lyons voted: N  
Scott Simerly voted: Y  
Robert Carroll voted: Y  
Robert Gobble voted: Y  
Cody McQueen voted: N

Failed (10 Y - 14 N - 1 A - 0 Absent)  
Number of Abstain Votes: 1

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

Interim Financial Director, Christa Byrd stated if funds were not available it would be necessary for funding to come from Fund Balance at the end of the year.

**Motion** was made by Ronnie Trivett, seconded by Robert Gobble, **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.**

**RESOLUTION**

***B. Retire Tennessee***

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

**Motion** was made by Charles VonCannon, seconded by Mike Hill, to accept as presented,

**RESOLUTION No. 630**

**“A RESOLUTION EXPRESSING THE DESIRE OF THE BOARD OF COMMISSIONERS FOR CARTER COUNTY TO PARTICIPATE IN THE RETIRE TENNESSEE DEPARTMENT OF TOURIST DEVELOPMENT.” (Item # 10)**  
Recorded on pages 74- 77.

Discussion followed. Chairman Humphrey noted a letter was attached explaining the Resolution.

Roll Call Vote as follows (Item #10):

10. Vote Results for: Item No. 10  
Time of Vote: 7:55:35 PM  
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote  
Willie Campbell voted: Y  
Buford Peters voted: Y  
Robert Acuff voted: Y  
Nancy Brown voted: Y  
Mike Hill voted: Y  
Al Meehan voted: Y  
Bradley Johnson voted: Y  
Ronnie Trivett voted: Y  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
L.C. Tester voted: Y  
Danny Ward voted: Y  
Ross Garland voted: Y  
Bobbie Gouge-Dietz voted: Y  
Timothy Holdren voted: Y  
Randall Jenkins voted: Y  
John Lewis voted: N  
Larry Miller voted: N  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Scott Simerly voted: Y  
Robert Carroll voted: Y  
Robert Gobble voted: Y  
Cody McQueen voted: Y

Passed (22 Y - 2 N - 1 A - 0 Absent)  
Number of Abstain Votes: 1

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 Robert Acuff, to approve the reallocation of \$160,000 from fund balance for a one-time bailout to Rescue Squad contingent upon the creation of an ad hock committee to be comprised of City, County, and Rescue Squad representatives to try to solve the financial issue prior to next year and that the substations at Roan Mountain and Hampton open. (Item #11)

Chairwoman Culler noted the motion was upon recommendation from the Budget Committee.

Discussion followed with Commissioner Lewis requesting a change to the motion as presented.

**Admend**

Motion to ~~Admend~~ was made by John Lewis, to add an additional sum of \$140,000 to that amount (the \$160,000) making the total reallocation of \$300,000 from fund balance for a one-time bailout to the Rescue Squad. Motion failed to receive a second.

Discussion followed with several voicing concerns about the needs of the Squad as well as the concerns for the safety for all citizens. Concerns were voiced in regards to a contract with the Carter County Rescue Squad never being completed and signed by all parties during 2013.

Chairman Humphrey recommended that a written contract be obtained with the assurance that the stations in Roan Mountain and Hampton remain open for the twelve (12) month period as agreed upon. County Attorney, Joshua Hardin confirmed a need for a written contract.

**Motion to amend** made by Sonja Culler, seconded by Robert Acuff, including in the motion as presented: **That we, Carter County, have a signed contract from the Board of Directors of the Carter County Emergency & Rescue Squad, Inc. The agreement being the same as presented during the Budget Committee meeting, stating the service will continue and the substations located at Roan Mountain and Hampton remain open for a period of twelve (12) months. (Item #11)**

A lengthy discussion followed concerning the previous contract never being signed and completed. Reference was made to the County Commission Meeting held June 2013, and also a November 2012 record granting exclusive franchise for emergency services in Carter County.

Roll Call Vote as follows (Item #11)

11. Vote Results for: Item No. 11  
Time of Vote: 8:20:58 PM  
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote  
Willie Campbell voted: Y  
Buford Peters voted: N  
Robert Acuff voted: Y  
Nancy Brown voted: Y  
Mike Hill voted: Y  
Al Meehan voted: Y  
Bradley Johnson voted: Y  
Ronnie Trivett voted: N  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
L.C. Tester voted: Y  
Danny Ward voted: Y  
Ross Garland voted: Y  
Bobbie Gouge-Dietz voted: Y  
Timothy Holdren voted: Y  
Randall Jenkins voted: Y  
John Lewis voted: N  
Larry Miller voted: Y  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Scott Simerly voted: Y  
Robert Carroll voted: Y  
Robert Gobble voted: Y  
Cody McQueen voted: Y

Passed (21 Y - 3 N - 1 A - 0 Absent)  
Number of Abstain Votes: 1

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

**Motion** was made by Sonja Culler, seconded by Ronnie Trivett, to approve the reallocation of up to \$10,000 from the Litigation Fund to fund the purchase of the items necessary to update technology in the courtroom. (Item #12)

Discussion – None.

Roll Call Vote as follows (Item #12):

12. Vote Results for: Item No. 12  
Time of Vote: 8:22:02 PM  
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote  
Willie Campbell voted: Y  
Buford Peters voted: Y  
Robert Acuff voted: Y  
Nancy Brown voted: Y  
Mike Hill voted: N  
Al Meehan voted: Y  
Bradley Johnson voted: Y  
Ronnie Trivett voted: Y  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
L.C. Tester voted: Y  
Danny Ward voted: Y  
Ross Garland voted: Y  
Bobbie Gouge-Dietz voted: Y  
Timothy Holdren voted: Y  
Randall Jenkins voted: Y  
John Lewis voted: Y  
Larry Miller voted: Y  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Scott Simerly voted: Y  
Robert Carroll voted: Y  
Robert Gobble voted: Y  
Cody McQueen voted: Y

Passed (23 Y - 1 N - 1 A - 0 Absent)  
Number of Abstain Votes: 1

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

**Motion** was made by Sonja Culler, seconded by Ray Lyons, to approve the utilization of up to \$10,000 of the Operating Transfer of the Solid Waste Fund for the purchase of a new truck from the Statewide Contract. (Item # 13)

Discussion – None.

Roll Call Vote as follows (Item # 13)

13. Vote Results for: Item No. 13  
Time of Vote: 8:22:52 PM  
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote  
Willie Campbell voted: Y  
Buford Peters voted: Y  
Robert Acuff voted: Y  
Nancy Brown voted: Y  
Mike Hill voted: Y  
Al Meehan voted: Y  
Bradley Johnson voted: Y  
Ronnie Trivett voted: Y

Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
L.C. Tester voted: Y  
Danny Ward voted: Y  
Ross Garland voted: Y  
Bobbie Gouge-Dietz voted: Y  
Timothy Holdren voted: Y  
Randall Jenkins voted: Y  
John Lewis voted: N  
Larry Miller voted: Y  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Scott Simerly voted: Y  
Robert Carroll voted: Y  
Robert Gobble voted: Y  
Cody McQueen voted: Y

Passed (23 Y - 1 N - 1 A - 0 Absent)  
Number of Abstain Votes: 1

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

**Motion** was made by Sonja Culler, seconded by Cody McQueen, to accept the July 2015 donations, totaling \$636.00 for the Animal Shelter. (Item # 14) Recorded on page 78.

Discussion - None.

Roll Call Vote as follows (Item #14):

14. Vote Results for: Item No. 14  
Time of Vote: 8:23:28 PM  
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote  
Willie Campbell voted: Y  
Buford Peters voted: Y  
Robert Acuff voted: Y  
Nancy Brown voted: Y  
Mike Hill voted: Y  
Al Meehan voted: Y  
Bradley Johnson voted: Y  
Ronnie Trivett voted: Y  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
L.C. Tester voted: Y  
Danny Ward voted: Y  
Ross Garland voted: Y  
Bobbie Gouge-Dietz voted: Y  
Timothy Holdren voted: Y  
Randall Jenkins voted: Y  
John Lewis voted: Y  
Larry Miller voted: Y  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Scott Simerly voted: Y  
Robert Carroll voted: Y  
Robert Gobble voted: Y  
Cody McQueen voted: Y

Passed (24 Y - 0 N - 1 A - 0 Absent)  
Number of Abstain Votes: 1

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

**Motion** was made by Sonja Culler, seconded by Bobbie Gouge-Dietz, to approve General Fund 101 Amendment #1 with 5 items for a total of \$42,785.80 with \$0 coming from Fund Balance. (Item # 15) Recorded on page 78.

Discussion – None.

Roll Call Vote as follows (Item #15):

15. Vote Results for: Item No. 15  
Time of Vote: 8:24:10 PM  
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote  
Willie Campbell voted: Y  
Buford Peters voted: Y  
Robert Acuff voted: Y  
Nancy Brown voted: Y  
Mike Hill voted: Y  
Al Meehan voted: Y  
Bradley Johnson voted: Y  
Ronnie Trivett voted: Y  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
L.C. Tester voted: Y  
Danny Ward voted: Y  
Ross Garland voted: Y  
Bobbie Gouge-Dietz voted: Y  
Timothy Holdren voted: Y  
Randall Jenkins voted: Y  
John Lewis voted: Y  
Larry Miller voted: Y  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Scott Simerly voted: Y  
Robert Carroll voted: Y  
Robert Gobble voted: Y  
Cody McQueen voted: Y

Passed (24 Y - 0 N - 1 A - 0 Absent)  
Number of Abstain Votes: 1

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

**Motion** was made by Sonja Culler, seconded by Scott Simerly, to approve Sports and Recreation Fund 123, Budget Amendment # 1 with 1 item for a total of \$10,000 with funds coming from 121 Fund Balance. Allocate funds agreement with the City of Johnson City for work on the Tweetsie Trail. (Item # 16) Recorded on page 79.

Discussion – None

Roll Call Vote as follows (Item #16):

16. Vote Results for: Item No. 16  
Time of Vote: 8:25:00 PM  
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote  
Willie Campbell voted: Y  
Buford Peters voted: Y  
Robert Acuff voted: Y  
Nancy Brown voted: Y  
Mike Hill voted: Y  
Al Meehan voted: Y  
Bradley Johnson voted: Y

Ronnie Trivett voted: Y  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
L.C. Tester voted: Y  
Danny Ward voted: Y  
Ross Garland voted: Y  
Bobbie Gouge-Dietz voted: Y  
Timothy Holdren voted: Y  
Randall Jenkins voted: Y  
John Lewis voted: N  
Larry Miller voted: N  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Scott Simerly voted: Y  
Robert Carroll voted: Y  
Robert Gobble voted: Y  
Cody McQueen voted: Y

Passed (22 Y - 2 N - 1 A - 0 Absent)  
Number of Abstain Votes: 1

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

**Motion** was made by Sonja Culler, seconded by Ronnie Trivett, to approve Highway Fund 131 Amendment # 1 with 1 item for a total of \$17,400.00 and \$ 0 coming from Fund Balance. (Item # 17) Recorded on page 79.

Discussion – None.

Let the record show that Commissioner Willie Campbell voiced the Disclaimer for Employees of Carter County, Tennessee before casting a vote on Item # 17.

Roll Call Vote as follows (Item #17):

17. Vote Results for: Item No. 17  
Time of Vote: 8:26:03 PM  
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote  
Willie Campbell voted: Y  
Buford Peters voted: Y  
Robert Acuff voted: Y  
Nancy Brown voted: Y  
Mike Hill voted: Y  
Al Meehan voted: Y  
Bradley Johnson voted: Y  
Ronnie Trivett voted: Y  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
L.C. Tester voted: Y  
Danny Ward voted: Y  
Ross Garland voted: Y  
Bobbie Gouge-Dietz voted: Y  
Timothy Holdren voted: Y  
Randall Jenkins voted: Y  
John Lewis voted: Y  
Larry Miller voted: Y  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Scott Simerly voted: Y  
Robert Carroll voted: Y  
Robert Gobble voted: Y  
Cody McQueen voted: Y

Passed (24 Y - 0 N - 1 A - 0 Absent)  
Number of Abstain Votes: 1

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

**Motion** was made by Sonja Culler, seconded by Danny Ward, to approve General Purpose School Fund 141 Amendment # 1 with 3 items for a total of \$349,320.10 with \$ 0 coming from Fund Balance. (Item # 18) Recorded on page 79.

Discussion – None.

Roll Call Vote as follows (Item #18):

17. Vote Results for: Item No. 17  
Time of Vote: 8:26:03 PM  
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote  
Willie Campbell voted: Y  
Buford Peters voted: Y  
Robert Acuff voted: Y  
Nancy Brown voted: Y  
Mike Hill voted: Y  
Al Meehan voted: Y  
Bradley Johnson voted: Y  
Ronnie Trivett voted: Y  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
L.C. Tester voted: Y  
Danny Ward voted: Y  
Ross Garland voted: Y  
Bobbie Gouge-Dietz voted: Y  
Timothy Holdren voted: Y  
Randall Jenkins voted: Y  
John Lewis voted: Y  
Larry Miller voted: Y  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Scott Simerly voted: Y  
Robert Carroll voted: Y  
Robert Gobble voted: Y  
Cody McQueen voted: Y

Passed (24 Y - 0 N - 1 A - 0 Absent)  
Number of Abstain Votes: 1

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

**Motion** was made by Sonja Culler, seconded by Mike Hill, to recognize and approve Federal Projects Fund #142 for the School System with 8 items for a total of \$3,691,871.61 (Item # 19) Recorded on pages 80 - 82.

Discussion – None.

Roll Call Vote as follows (Item # 19):

19. Vote Results for: Item No. 19  
Time of Vote: 8:27:39 PM  
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote  
Willie Campbell voted: Y  
Buford Peters voted: Y  
Robert Acuff voted: Y

Nancy Brown voted: Y  
Mike Hill voted: Y  
Al Meehan voted: Y  
Bradley Johnson voted: Y  
Ronnie Trivett voted: Y  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
L.C. Tester voted: Y  
Danny Ward voted: Y  
Ross Garland voted: Y  
Bobbie Gouge-Dietz voted: Y  
Timothy Holdren voted: Y  
Randall Jenkins voted: Y  
John Lewis voted: Y  
Larry Miller voted: Y  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Scott Simerly voted: Y  
Robert Carroll voted: Y  
Robert Gobble voted: Y  
Cody McQueen voted: Y

Passed (24 Y - 0 N - 1 A - 0 Absent)  
Number of Abstain Votes: 1

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

**Motion** was made by Sonja Culler, seconded by Mike Hill, to approve the reallocation of \$192,000 from General Fund Balance to fund a 3% across the board bonus to all county employees with the exclusion of the Highway Department and the School System. (Item # 20)

Commissioner John Lewis began the discussion noting that the Highway Department should be included, but not the school department, in this bonus as well.

**Motion to amend** made by John Lewis, seconded by Ronnie Trivett, to include the Highway Department employees in the previous motion as presented. (Item #20)

A lengthy discussion followed. It was noted a letter had been sent to Commissioners from a spouse of a Highway Department employee. Commissioner Hill stated he felt it was unfair that county employees were working below the federal poverty level.

Budget Committee Chairwoman, Sonja Culler stressed that the motion, as presented, was a bonus, and not a raise.

Discussion continued with numerous voicing concerns in regards to job descriptions and the pay levels in surrounding counties, as well as how the cost of a raise or bonus would effect the budget.

**Motion to amend** made by Buford Peters, seconded by Sonja Culler, to refer the matter of the 3% bonus back to the Budget Committee for further research. (Item # 20)

Roll Call Vote as follows (Item #20):

20. Vote Results for: Item No. 20  
Time of Vote: 8:47:48 PM  
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote  
Willie Campbell voted: Y  
Buford Peters voted: Y  
Robert Acuff voted: Y  
Nancy Brown voted: Y  
Mike Hill voted: Y  
Al Meehan voted: Y  
Bradley Johnson voted: N

Ronnie Trivett voted: Y  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
L.C. Tester voted: Y  
Danny Ward voted: Y  
Ross Garland voted: Y  
Bobbie Gouge-Dietz voted: Y  
Timothy Holdren voted: Y  
Randall Jenkins voted: Y  
John Lewis voted: N  
Larry Miller voted: Y  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Scott Simerly voted: N  
Robert Carroll voted: Y  
Robert Gobble voted: Y  
Cody McQueen voted: N

Passed (20 Y - 4 N - 1 A - 0 Absent)  
Number of Abstain Votes: 1

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

Gary Smith, Emergency Management Agency Director approached the podium and presented a request concerning a Hazard Mitigation Plan Grant. Mr. Smith stated that funds became available which needed immediate attention in order to make application for funds. See Hazard Mitigation Plan Grant 17 August 2015 on page 83 as introduced by Mr. Smith.

**Motion** was made by Bobbie Gouge-Dietz, seconded by Nancy Brown, **to authorize Gary Smith, Emergency Management Agency Director to make application for the Hazard Mitigation Plan Grant which must be filed by August 21, 2015. (Item #21)**

Discussion following with concerns about matching funds.

Roll Call Vote as follows (Item #21):

21. Vote Results for: Item No. 21  
Time of Vote: 8:54:35 PM  
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote  
Willie Campbell voted: Y  
Buford Peters voted: Y  
Robert Acuff voted: Y  
Nancy Brown voted: Y  
Mike Hill voted: Y  
Al Meehan voted: Y  
Bradley Johnson voted: Y  
Ronnie Trivett voted: Y  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
L.C. Tester voted: Y  
Danny Ward voted: N  
Ross Garland voted: Y  
Bobbie Gouge-Dietz voted: Y  
Timothy Holdren voted: Y  
Randall Jenkins voted: Y  
John Lewis voted: Y  
Larry Miller voted: N  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Scott Simerly voted: Y  
Robert Carroll voted: Y

Robert Gobble voted: Y  
Cody McQueen voted: Y

Passed (22 Y - 2 N - 1 A - 0 Absent)  
Number of Abstain Votes: 1

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

9-21-15  
Some dead

Carter County Expenditure Budget report for the Month of July 2015 was provided to the Carter County Commission by Christa Byrd, Interim Financial Director. Included in the report were the Account Numbers, ~~Account Numbers~~, Account Description, Budget Amendments, and Amended Budgets, Month-to-day expenditures. Outstanding encumbrances and Unencumbered Balances.

**Building & Grounds Committee** – Ray Lyons, Committee Chairman, gave a brief report making reference to the Committees minutes. Mr. Lyons stated other items would be discussed during the Attorney-Client session to be held following the Committee Reports/ Recommendations portion of tonight's agenda.

**Financial Management** – Ray Lyons, Committee Chairman, stated Christa Byrd had been unanimously appointed to the position of Interim Financial Director.

**Education Committee** – Charles VonCannon, Committee Chairman, spoke about school parking.

**Health & Welfare Committee** – Timothy Holdren, Committee Chairman, presented the report. He stated additional tours of county owned properties was planned. No motions or recommendations were made by the Committee.

**Highway Committee** – Mike Hill, Committee Chairman stated the Committee Minutes reflected actions discussed.

**Landfill Committee** – Committee Chairwoman Bobbie Gouge-Dietz presented a brief report. She made the recommendation that Benny Lyons, Landfill Director be allowed to apply for oil grants which would be fully funded by the state, if approved.

Mr. Lyons spoke in regards to applying for two grants. However, if these grants are approved, local matching funding from the county would be needed. The deadline for the application was noted as being October 1, 2015. Following a short discussion the following motion was made.

**Motion** was made by Sonja Culler, seconded by Cody McQueen, to authorize Benny Lyons, Landfill Director, to make application for two grants. A recycling equipment grant with a maximum of \$25,000 for which the county would be required to dollar match. Twenty percent (20%) could purchase additional bins and dumpsters to increase the recycling program capacity. A waste reduction grant up to \$200,000 requiring a twenty percent (20%) match from the county could purchase needed equipment. (Item #22)

Roll Call Vote as follows (Item #22)

22. Vote Results for: Item No. 22  
Time of Vote: 9:13:27 PM  
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote  
Willie Campbell voted: Y  
Buford Peters voted: Y  
Robert Acuff voted: Y  
Nancy Brown voted: Y  
Mike Hill voted: Y  
Al Meehan voted: Y  
Bradley Johnson voted: Y  
Ronnie Trivett voted: Y  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
L.C. Tester voted: Y

Danny Ward voted: Y  
Ross Garland voted: Y  
Bobbie Gouge-Dietz voted: Y  
Timothy Holdren voted: Y  
Randall Jenkins voted: Y  
John Lewis voted: Y  
Larry Miller voted: Y  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Scott Simerly voted: Y  
Robert Carroll voted: Y  
Robert Gobble voted: Y  
Cody McQueen voted: Y

Passed (24 Y - 0 N - 1 A - 0 Absent)  
Number of Abstain Votes: 1

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

Law Enforcement Committee – Cody McQueen, Chairman had no recommendations at this time.

Nominating Committee – Ronnie Trivett, Chairman presented the following recommendations.

**Motion** was made by Ronnie Trivett, seconded by Sonja Culler, **to confirm the Sheriff's appointment of Wayne Markland to the Civil Service Board. (Item # 23).**

Discussion – None

Roll Call Vote as follows (Item #23):

23. Vote Results for: Item No. 23  
Time of Vote: 9:15:36 PM  
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote  
Willie Campbell voted: Y  
Buford Peters voted: Y  
Robert Acuff voted: Y  
Nancy Brown voted: Y  
Mike Hill voted: Y  
Al Meehan voted: Y  
Bradley Johnson voted: Y  
Ronnie Trivett voted: Y  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
L.C. Tester voted: Y  
Danny Ward voted: Y  
Ross Garland voted: Y  
Bobbie Gouge-Dietz voted: Y  
Timothy Holdren voted: Y  
Randall Jenkins voted: Y  
John Lewis voted: Y  
Larry Miller voted: Y  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Scott Simerly voted: Y  
Robert Carroll voted: Y  
Robert Gobble voted: Y  
Cody McQueen voted: Y

Passed (24 Y - 0 N - 1 A - 0 Absent)  
Number of Abstain Votes: 1

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

**Motion** was made by Danny Ward, seconded by Isaiah Grindstaff, to accept the reappointment of **Michael Peters as Judicial Commissioner.** (Item # 24)

Discussion – None

Roll Call Vote as follows (Item#24):

24. Vote Results for: Item No. 24  
Time of Vote: 10:34:41 PM  
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote  
Willie Campbell voted: Y  
Buford Peters voted: Y  
Robert Acuff voted: Y  
Nancy Brown voted: Y  
Mike Hill voted: Y  
Al Meehan voted: Y  
Bradley Johnson voted: Y  
Ronnie Trivett voted: Y  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
L.C. Tester voted: Y  
Danny Ward voted: Y  
Ross Garland voted: Y  
Bobbie Gouge-Dietz voted: Y  
Timothy Holdren voted: Y  
Randall Jenkins voted: Y  
John Lewis voted: Y  
Larry Miller voted: Y  
Sonja Culler voted: Y  
Ray Lyons voted: Y  
Scott Simerly voted: Y  
Robert Carroll voted: Y  
Robert Gobble voted: Y  
Cody McQueen voted: Y

Passed (24 Y - 0 N - 1 A - 0 Absent)  
Number of Abstain Votes: 1

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

**Parks and Recreation Committee** – Randal Jenkins, County Liaison – No report at this time.

**Attorney Client Session** – Chairman Leon Humphrey ask that all members of the audience, please exit the courtroom as the Commission enters into an Attorney Client Session.

Following a very lengthy Attorney Client session, the audience returned and court was back in session.

**Motion** was made by Ray Lyons, seconded by Nancy Brown, **that we instruct our Attorney to file a complaint, declaring judgment based on the information just shared.** (Item # 25)

Chairman Humphrey stated the motion, to have the County Attorney file the complaint, earliest date being tomorrow, with Chancery Court and called for a roll call vote as follows. (Item #25)

Commissioners Sonja Culler and Danny Ward stood to be recognized, both voicing a disclaimer, due to the fact they are on The Carter County Tomorrow Board of Directors.

Roll Call Vote as follows (Item #25)

25. Vote Results for: Item No. 25  
Time of Vote: 10:36:13 PM  
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote  
Willie Campbell voted: Y  
Buford Peters voted: Y  
Robert Acuff voted: Y  
Nancy Brown voted: Y  
Mike Hill voted: N  
Al Meehan voted: Y  
Bradley Johnson voted: Y  
Ronnie Trivett voted: Y  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
L.C. Tester voted: N  
Danny Ward voted: N  
Ross Garland voted: Y  
Bobbie Gouge-Dietz voted: Y  
Timothy Holdren voted: Y  
Randall Jenkins voted: Y  
John Lewis voted: Y  
Larry Miller voted: Y  
Sonja Culler voted: N  
Ray Lyons voted: Y  
Scott Simerly voted: Y  
Robert Carroll voted: Y  
Robert Gobble voted: Y  
Cody McQueen voted: Y

Passed (20 Y - 4 N - 1 A - 0 Absent)  
Number of Abstain Votes: 1

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

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

**General Litigation update:**

1. Litigation against the county from former inmate in Federal Court (Guess vs. Carter County) has been dismissed with prejudice.
2. Publication notice has been completed for the 2010-2011 delinquent tax sale. Sale is scheduled for November 13, 2015 at 10:00 AM. It was noted that we still have in excess of 100 parcels to be sold.
3. Two new lawsuits filed this month and a third is anticipated, involving the county. All have been forwarded to our insurance carrier who is providing coverage.
4. Prepared four (4) new Complaints for prosecution of violations of the county litter ordinance this month.

**Other Work performed/ongoing:**

1. Research completed this month and opinions rendered for nearly all county offices.
2. Significant amount of research completed this month regarding the lease of the workforce development complex and also issues related to the adoption of the budget.
3. Completed review of multiple contracts on behalf of the county.
4. Worked with Johnson City Attorney to draft the Tweetsie Trail Agreement.
5. Assisted the Sheriff's Department with an open records request that was received this month.
6. Attended the CTAS best practices meeting and several committee meetings this month to answer questions and present information requested to provide. As a part of a request from the Rules & Bylaws Committee, work is continuing on the updated Rules and procedures of the Commission.
7. Prepared a total of six (6) Resolutions this month for the Special Called Meeting and the Regular Monthly Meeting of the County Commission.
8. Attended training this month regarding collection of delinquent property taxes along with the Clerk and Master.

**Information for Commissioners:**

1. Address potential need to modify county residency policy regarding Finance Director and Deputy Director. Reference was made to policy made during the December 17, 2007 County Commission Meeting.

Discussion followed stating these were the only county employees required to have Carter County residence.

**Motion** was made by Ronnie Trivett, seconded by Al Meehan, to do away with the requirement of the Financial Director and Deputy Director to be a resident of Carter County. (Item #26)

Clerks note: Leader marked L.C. Tester as absent at: 10:45:57 PM  
Roll Call Vote as follows (Item #26):

26. Vote Results for: Item No. 26  
Time of Vote: 10:47:59 PM  
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote  
Willie Campbell voted: Y  
Buford Peters voted: Y  
Robert Acuff voted: Y  
Nancy Brown voted: Y  
Mike Hill voted: Y  
Al Meehan voted: Y  
Bradley Johnson voted: Y  
Ronnie Trivett voted: Y  
Charles Von Cannon voted: Y  
Isaiah Grindstaff voted: Y  
L.C. Tester was absent  
Danny Ward voted: N  
Ross Garland voted: Y  
Bobbie Gouge-Dietz voted: N  
Timothy Holdren voted: Y  
Randall Jenkins voted: Y  
John Lewis voted: N  
Larry Miller voted: Y  
Sonja Culler voted: N  
Ray Lyons voted: Y  
Scott Simerly voted: Y  
Robert Carroll voted: Y  
Robert Gobble voted: Y  
Cody McQueen voted: Y

Passed (19 Y - 4 N - 1 A - 0 Absent)  
Number of Abstain Votes: 1

**Motion to adjourn** was made by Timothy Holdren, seconded by Larry Miller. By majority voice vote, all ayes, **motion carried**. Meeting Ended at: 10:48:10 PM

AGENDA  
CARTER COUNTY, TENNESSEE  
Board of County Commissioners  
REGULAR SESSION  
Monday, August 17<sup>th</sup> at 6:00 PM

1. Call to Order
2. Courthouse-Emergency Egress Plan
3. Roll Call-County Clerk
4. Opening Prayer
5. Pledge of Allegiance
6. Recognition of Elected and Appointed Officials/Guests
7. Public Comments
8. Presentation of Plaques
9. Acceptance of Minutes from Previous Meeting
10. Notaries/Bonds
11. Audit Committee Report-Dave Wortman, Chairman
12. Tweetsie Trail Donation Agreement-Carter County & Johnson City
13. Tire Hub Agreement-Carter County & Washington County
14. Interlocal Cooperation Agreement First Judicial District Drug Task Force
15. Resolutions
  - A. Fixing Annual Salary of Commissioners
  - B. Retire Tennessee
16. Committee Reports/Recommendations
17. Attorney Client Session
18. County Attorney Report
19. Commission Comments
20. Adjourn

AGREEMENT

THIS AGREEMENT made and entered into on this the 2<sup>nd</sup> day of September, 2015 by and between the CITY OF JOHNSON CITY, TENNESSEE, organized and existing by City Charter as a Municipal Corporation under the laws of the State of Tennessee (hereinafter the "City"), and CARTER COUNTY, TENNESSEE, organized and existing by action of the legislature of the State of Tennessee (hereinafter the "County").

WHEREAS, the Interlocal Cooperation Act codified at Tenn. Code Ann. § 12-9-101 et seq. permits local governmental entities to enter into agreements for their mutual benefit; and

WHEREAS, the City owns a recreation trail, a portion of which extends through Carter County, Tennessee, which is known as The Tweetsie Trail (hereinafter the "Trail"); and

WHEREAS, the Trail is heavily utilized by the citizens and residents of the County and it undoubtedly provides an economic benefit to the County; and

WHEREAS, a portion of the Trail remains uncompleted and the City is in need of additional funds to complete the unfinished portion of the Trail in Carter County; and

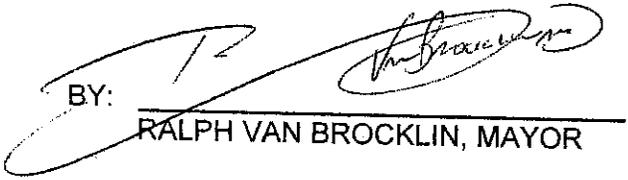
WHEREAS, in recognition of the benefits the Trail provides to the residents of Carter County, the County desires to donate the sum of ten thousand dollars (\$10,000.00) to the City to be utilized for completion of the remaining unfinished portion of the Trail in Carter County.

NOW, THEREFORE, the parties hereto agree that following formal approval of this Agreement by the governmental bodies of each party, the County shall cause the sum of ten thousand dollars (\$10,000.00) to be donated from the funds of the Carter County Parks and Recreation Board to the appropriate fund within the City.

FURTHERMORE, the parties hereto agree that the donated funds shall be utilized solely to aid in the cost associated with the completion of the remaining unfinished portion of the Trail that extends through Carter County.

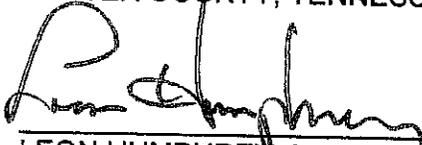
IN WITNESS WHEREOF, the parties hereto have executed, or have caused to be executed, this Agreement in DUPLICATE ORIGINALS with a copy being retained by each party, on the date first above written.

CITY OF JOHNSON CITY, TENNESSEE

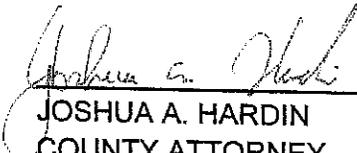
BY: 

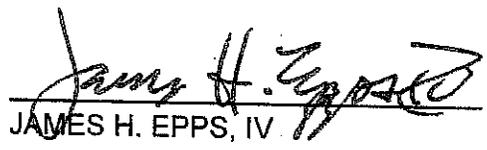
R  
RALPH VAN BROCKLIN, MAYOR

CARTER COUNTY, TENNESSEE

BY:   
LEON HUMPHREY, MAYOR

Approved as to form by:

  
JOSHUA A. HARDIN  
COUNTY ATTORNEY  
CARTER COUNTY, TENNESSEE  
3863 HIGHWAY 19E  
ELIZABETHON, TN 37643  
(423) 542-0200

  
JAMES H. EPPS, IV  
STAFF ATTORNEY  
CITY OF JOHNSON CITY, TENNESSEE  
601 EAST MAIN STREET  
JOHNSON CITY, TN 37604  
(423) 434-6009

Daniel J. Eldridge  
County Mayor



Phone: 423-753-1666  
Fax: 423-753-1718  
deldridge@washingtoncountyttn.org

Washington County, Tennessee  
P.O. Box 219  
Jonesborough, Tennessee 37659-0219

## AGREEMENT BETWEEN CARTER COUNTY, TENNESSEE AND WASHINGTON COUNTY, TENNESSEE

Whereas, Washington County agrees to serve as a HUB county as defined by the State of Tennessee HUB tire policy, and Whereas Carter County is a member of the Northeast Tennessee Tire Recycling Coalition,

CARTER COUNTY hereby agrees to the following terms and conditions:

1. Carter County will be responsible for payment to Washington County one dollar and ten cents (\$1.10) per every "Accepted" tire received from their county. This price is in addition to the regular gate fees. *\*Accepted tire is a tire that has the Tire Pre-Disposal Fee paid on it to the Department of Revenue.*
2. Fifty-four dollars and fifty cents (\$54.50) per ton (passenger/small tires) and one hundred twenty-five dollars and seventy-five cents (\$125.75) per ton (semi/large farm tires) will be charged to Carter County for Bulk / Fleet loads and to Carter County tire dealers (*Accepted Tires*). One hundred twenty-nine dollars and fifty cents (\$129.50) (passenger/small tires) and one hundred forty-two dollars and twenty five cents (\$142.25) (semi/large farm tires) will be charged to all used tire dealers / (*Exempt*) tires per ton that are brought into the HUB Site.
  - a. A trailer (when requested by Carter County) will be set at the Carter County Landfill. Tires put in this trailer will be charged thirty-nine dollars and fifty cents (\$39.50) (passenger/small tires) and one hundred ten dollars and seventy-five cents (\$110.75) (semi/large farm tires) per ton for Bulk / Fleet "Accepted tires". One hundred fourteen dollars and fifty cents (\$114.50) (passenger/small tires) and one hundred twenty-seven dollars and twenty-five cents (\$127.25) (semi/large farm tires) per ton will be charged for "Exempt tires."
  - b. Each trailer loaded at Carter County will have a fourteen (14) ton minimum.
  - c. Carter County will be responsible for paying the fuel surcharge at four hundred (400) miles on each trailer pulled from Carter County Landfill. (See chart for pricing).

- d. All bulk loads from Individual Carter County Residents must be accompanied with a Tire Collection Sheet with the name of the resident, address and number of tires disposing of.
  - e. All Clean-up or road side collection tires must be accompanied by a sheet with road name / area of collection.
  - f. All Fleet tires must be accompanied by a copy of receipt showing that the tires were bought in one of the HUB Counties and that the one dollar thirty-five cent (\$1.35) pre-disposal fee has been paid on them.
  - g. All tires transported by Carter County to the Hub Tire Site must be correctly counted and certified by a Carter County employee, in the following categories; passenger, semi, and tractor/Agricultural.
3. The length of this agreement will be from **August 1, 2015 to June 30, 2016**.
- a. At the end of this agreement a new agreement will be entered into.
  - b. This agreement may be terminated by either party for any reason with the presentation of a 60 day written notice.

**WASHINGTON COUNTY** hereby agrees to the following conditions:

- 1. Washington County will be responsible for invoicing Carter County and Carter County tire dealers monthly for the above mentioned prices to cover shipping, recycling, staff and expenses of tire site.
- 2. Washington County agrees to provide site personnel to assist with loading and unloading of tires from tire dealers and county convenience centers.
- 3. As a HUB county, Washington County will be responsible, for all site management and decisions related to the tire site operation.
- 4. In the event of any unforeseen disaster this contract is null and void.

**Other Terms and Conditions:**

- 1. The above mentioned price per ton fee, charged to Carter County and Carter County tire dealers will be used by Washington County to pay for shipping / recycling of tires, utilities, phone, water/sewer, labor, and any other additional cost associated with daily operations of the tire site as follows: Eighty-five dollars

(\$85.00) per ton plus a fuel surcharge will go to U. S. Tire Recycling for shipping, handling, and processing of tires. A fuel surcharge will be charged for each trailer. The fuel surcharge is based on the actual miles round trip from U. S. Tire Recycling to Washington County Tire Site, which is three hundred ninety-five (395) miles, and four hundred (400) round trip from U. S. Tire to Carter County Landfill to Washington County Tire Site. The fuel surcharge will be tied to the price of diesel and will calculate from the USDOT East Coast Region. Pricing will be reviewed weekly from the USDOT Fuel Hotline (202-586-6966). The remaining amount will go to Washington County to cover the above mentioned expenses.

**a. Calculation**

<i>Average price per gallon</i>	<i>charge per mile</i>
\$1.00 - \$1.24	\$0.00
\$1.25 - \$1.49	\$0.05
\$1.50 - \$1.74	\$0.10
\$1.75 - \$1.99	\$0.15
\$2.00 - \$2.24	\$0.20
\$2.25 - \$2.49	\$0.25
\$2.50 - \$2.74	\$0.30
\$2.75 - \$2.99	\$0.35
\$3.00 - \$3.24	\$0.40
\$3.25 - \$3.49	\$0.45
\$3.50 - \$3.74	\$0.50
\$3.75 - \$3.99	\$0.55
\$4.00 - \$4.24	\$0.60
\$4.25 - \$4.49	\$0.65
\$4.50 - \$4.74	\$0.70
\$4.75 - \$4.99	\$0.75
\$5.00 - \$5.24	\$0.80
\$5.25 - \$5.49	\$0.85
\$5.50 - \$5.74	\$0.90
\$5.75 - \$5.99	\$0.90

2. Any questions regarding appointment for tires, Accepted/ Exempt forms, and site operations will be directed to April Johnson, Washington County Waste Tire Recycling Coordinator / Tire Site Manager.
3. Washington County will sign and maintain a contract with a tire recycling / hauling / end-use company approved by the State of Tennessee. The tire recycling / end use contract for the 2015-2016 fiscal year is with U. S. Tire Recycling, 6322 Poplar Tent Road, Concord NC.
4. At the end of the fiscal year, after all payments have been received, Carter County agrees to pay for any additional expenditure based on the number of tons received from Carter County.

**By my duly authorized signature, Carter County hereby agrees to these conditions.**

\_\_\_\_\_  
Leon Humphrey, County Mayor

\_\_\_\_\_  
Date

**By my duly authorized signature, Washington County hereby agrees to these conditions.**

\_\_\_\_\_  
Dan Eldridge, County Mayor

\_\_\_\_\_  
Date

## INTERLOCAL COOPERATION AGREEMENT FIRST JUDICIAL DISTRICT DRUG TASK FORCE

This Agreement is entered into by the undersigned parties on behalf of the governing bodies such parties represent by virtue of the office the individual holds at the time this Agreement is signed. The governing bodies represented herein are part of the First Judicial District of the State of Tennessee.

**WHEREAS**, Tennessee Code Annotated, Section 12-9-101, *et seq.*, authorizes public agencies to enter into inter-local cooperation agreements; and

**WHEREAS**, Tennessee Code Annotated, Section 8-7-110, as amended by the Public Acts of 2004, authorizes any law enforcement officer or assistant district attorney general or district attorney general criminal investigator hired or assigned to a drug task force to enforce the laws of the State of Tennessee related to the investigation and prosecution of drug cases by conferring the same rights, powers, duties and immunities in every jurisdiction within the judicial district as such officer has within the officer's own jurisdiction; and

**WHEREAS**, the local governments that are parties to this Agreement are to avail themselves of all authority conferred by these statutes, and any other provisions of law, to create and operate a drug task force for the First Judicial District; and

**WHEREAS**, it is deemed in the public interest by the parties hereto that such a multi-jurisdictional drug task force is created.

**NOW, THEREFORE**, in consideration of the mutual covenants contained herein, the parties agree as follows:

1. **PURPOSE:** The purpose of the First Judicial District Drug Task Force (hereinafter "DTF") is to consolidate the effort, information, experience and resources of the individual law enforcement agencies within the district in order to effectively investigate drug cases. This Agreement does not prohibit, or otherwise restrict the law enforcement agencies which are parties to this Agreement, from continuing to investigate drug cases within the jurisdiction in which such agency operates.
2. **BOARD OF DIRECTORS:** The DTF shall be governed by the Board of Directors (hereinafter "Board"). The Board shall be comprised of the chief law enforcement officer for each city and/or county within the First Judicial District that is a party to this Agreement. Other local governmental entities within the First Judicial District may become a party to this Agreement through written notification to the Board of Directors, and approval by the governing body of the entity and acceptance of this Agreement's terms and conditions. Such added parties may then designate a representative for the Board according to the provisions outlined herein. The District Attorney General for the First Judicial District shall also be a voting member of the Board.

**Meetings.** The Board or the DTF Director will establish the time, date and place for its regular meetings. Regular meetings shall be held a minimum of four times per year. Special meetings of the Board shall be called upon the request of the Chairman or of one-third of the Board members. Notices of all meetings of the Board shall be sent by the Director of the DTF by e-mail or by regular mail at least ten (10) days prior to the meeting. Notice of any particular meeting may be given to some Board members in one manner and to the remaining Board members in a different manner.

**Quorum.** Except as otherwise provided herein, a majority of the Board members in person or by proxy shall constitute a quorum for the transaction of business. Except as otherwise provided herein, a majority of the quorum will rule.

**Compensation.** Members of the Board will serve without additional compensation.

**Authority.** The Board is responsible for the overall policy and direction of the DTF. The duties of the Board include, but are not limited to, the following:

1. Selecting a DTF Director. Such person may be assigned from a participating law enforcement agency or governmental entity or hired in addition to assigned personnel.
2. Approving assignment, discharge, suspension, or transfer of DTF personnel.
3. Overseeing the finances of the DTF to ensure compliance with the procedures required by the State Comptroller, federal grants and any internal financial policies established by the Board.
4. Review annually all Memorandums of Understandings, Inter-agency Agreements and Inter-local Agreements.

**Officers of the Board.** One member of the Board will be elected by the Board members as Chairman. The Chairman shall hold that position for a period of one (1) year from the date of election. The Board may elect other officers as the Board deems appropriate.

**Voting.** Each member of the Board will have an equal vote in the conduct of its business. Voting by proxy or thru an assigned designate will be allowed if the Board member elects this option at any time prior to the date a vote of the Board is taken. A vote by a proxy or assigned designate of a Board member will have the same force and effect as a vote by such Board member in person. Any action authorized in writing by all of the Board shall be an act of the Board with the same force and effect as if the same had been passed by unanimous vote of a duly called meeting of the Board.

**Nonliability of Board members.** The Board members shall not be personally liable for the debts, liabilities or other obligations of the DTF.

3. **DRUG TASK FORCE DIRECTOR:** The Board shall employ a Director to supervise the day-to-day business of the DTF. The Director shall be responsible for implementing policies approved by the Board and for reporting to the Board at each meeting. The Director's compensation and authority shall be determined by the Board. The Director shall not be entitled to vote at Board meetings. The duties of the Director include, but are not limited to, the following:
  1. Select a DTF Office Manager, and/or other necessary office personnel, and receive approval from the Board for such selection(s).
  2. Approve expenditure of DTF funds and maintain account of such funds as required by the State Comptroller, federal grant and internal financial procedures established by the Board.
  3. Ensure the timely preparation of all reports on DTF activities.
  4. Prepare press releases and press information pertaining to the DTF.
  5. Prepare policies and procedures for DTF personnel, and receive approval from the Board for the implementation of such policies and procedures.
  6. Enter into agreements, leases, and/or contracts on behalf of the DTF. The Director does not have to seek approval from the Board for agreements, leases and/or contracts pertaining to the day-to-day operations of the DTF; however, such agreements, leases and/or contracts must be accounted for within the budget and/or quarterly financial statement provided to the Board. The Board may set a maximum financial obligation which may be implemented through the authority of the Director, to set a standard by which approval must be sought prior to the implementation of agreements, leases and/or contracts pertaining to the DTF.
4. **FINANCES:** The financial matters of the DTF shall be conducted in accordance with all applicable state and federal laws.

**Judicial District Drug Fund.** A joint fund shall be established for the monies necessary for DTF operations. Such fund shall be maintained in the office of the Trustee in the county designated by the Board. This fund shall be known as the "Judicial District Drug Fund." All monies including, but not limited to, local government contributions, fines, grant proceeds, seizures and forfeitures for the benefit of the DTF shall be deposited in this fund.

**Disbursement of Judicial District Drug Fund.** Monies from the Judicial District Drug Fund may be disbursed upon request by the DTF Director. Disbursements shall be subject to the limitations established by the Board in accordance with state and federal law.

**Contributions and Distribution of Income:** All contributions by individual agencies that are members of the DTF along with any individualized agreements relating to the distribution of income and/or seized assets between the DTF and individual agencies, will be pursuant to Memorandums of Understanding between the DTF and the respective individual agencies. These agreements will be approved by the District Attorney General, the chief law enforcement officer of the respective agency and the Director of the DTF. All distribution of income and/or seized property will comply with any and all applicable Tennessee state law.

**Budget.** The DTF Director shall prepare an annual budget on or before April 1<sup>st</sup> of each year designating the manner in which the Judicial District Drug Fund shall be disbursed. Such budget shall be approved by the Board prior to disbursement.

**Purchasing.** The Board may adopt policies and procedures concerning purchasing. The purchasing procedure of the DTF must comply with the purchasing procedure of the county wherein the DTF headquarters is located as well as any other applicable state and/or federal law.

**Accounting and Reporting.** The DTF must maintain the finances and records pertaining to such finances in accordance with state and federal law. The DTF Director shall file a quarterly financial report with the Board.

**Audit.** An annual audit shall be conducted of the funds maintained by the DTF. The audit will be made by the State Comptroller or a private accountant employed via a majority vote of the Board.

5. **PROPERTY OF THE DTF:** The DTF shall have the authority to maintain control over personal and real property.

**Personal Property and Equipment.** The personal property and equipment contributed to or purchased by the DTF shall remain the property of the DTF for so long as the DTF is operational. The property and equipment supplied through employees assigned to the DTF that remain employees of a law enforcement agency and/or governmental entity shall remain the property of the law enforcement agency and/or governmental entity unless otherwise designated in writing.

**Real Property.** The DTF has the authority to purchase real property and hold such property in the name of the DTF. Any purchase of real property made by the

DTF must be made with the authorization of the Director after receipt of approval by a majority of the Board.

**Disposal of DTF Property.** Obsolete or surplus property of the DTF may be disposed of at the discretion of the DTF Director. In the event the DTF is dissolved or disbanded, real and personal property in the custody and control of the DTF shall be disposed of by the Board to the law enforcement agencies and/or governmental entities that are parties to this agreement or in accordance with state law as a Court of competent jurisdiction in any county in which the DTF operates within the First Judicial District shall direct.

6. **PERSONNEL:** Any assignment of a law enforcement officer, assistant district attorney general, or district attorney general investigator assigned to the DTF shall have such assignment in writing provided by the chief law enforcement official of the assigning jurisdiction; including, but not limited to, sheriff departments, police departments, task forces, state law enforcement agencies and district attorney general's office, and shall not become effective until approved by the Board. As stated herein, the Director has the authority to hire personnel for the DTF, including agents and/or office staff, after receiving approval for such hire from the Board. Pursuant to Tennessee Code Annotated, Section 8-7-110, any law enforcement officer employed by or assigned to the DTF must meet the minimum certification requirements of the peace officers standards and training commission; provided, however, that such officer shall not be entitled to receive a police pay supplement for that certification.

**Commission.** The director of the DTF shall have the authority to commission personnel assigned to or hired by the DTF with the approval of the District Attorney General for the First Judicial District.

**Status and Benefits.** Any law enforcement officer assigned to the DTF shall remain an employee of the law enforcement agency making the assignment for the purpose of compensation and benefits. Salaries of such officers shall be paid by the respective law enforcement agency making the assignment. A law enforcement officer assigned to the DTF shall retain all rights, privileges and benefits including, but not limited to, insurance, retirement, seniority, promotional consideration and Worker's Compensation with the assigning agency.

**Assignment and Transfer.** Each law enforcement agency and/or governmental entity that is a party to this Agreement may recommend law enforcement officers for assignment to the DTF. The officer, the assigning agency, the Director or the Board may request assignment changes regarding the officer's position with the DTF. Any assignment or change in assignment pertaining to an officer with respect to the DTF shall be subject to Board approval. Any law enforcement officer assigned by the DTF shall follow the policies and procedures of the assigning agency as well as those established by the Director for the DTF.

7. **AUTHORITY OF DTF AGENTS:** Any law enforcement officer or assistant district attorney general or district attorney general criminal investigator assigned

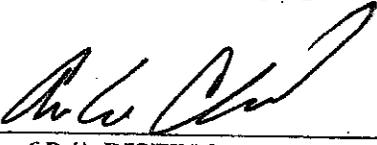
to or hired by the DTF shall have the same rights, powers, duties and immunities in every jurisdiction within the judicial district as such officer has within the officer's own jurisdiction. Such individuals shall also have the same rights, powers, duties and immunities statewide as such officer has within the First Judicial District; provided, that investigations conducted outside the officer's jurisdiction originated within the officer's own jurisdiction and is immediately necessary to an ongoing investigation; or by working in cooperation with another judicial district or multi-judicial district task force or law enforcement agency; or where there exists a mutual aid agreement between the judicial districts or multi-judicial district task forces approved by each district attorney general. *See* Tennessee Code Annotated, Section 8-7-110. Any law enforcement officer, who is employed directly by the First Judicial District Drug Task Force and has been conferred law enforcement powers, shall have all the police powers necessary to enforce all State laws, including all traffic laws, the power to serve and execute warrants, arrest offenders and issue citations.

8. **IMMUNITIES OF DTF AGENTS:** Notwithstanding any other provision of law to the contrary, concerning members of judicial district task forces relating to the investigation and prosecution of alleged drug violations, if a claim or suit should be filed against an individual and it is proven that: (1) at the time of the alleged incident the individual was a member of the DTF who was properly certified to the board of claims pursuant to state law; and (2) the alleged liability arose out of the individual's activities as a DTF member; then it shall be conclusively deemed that the individual was not an employee, agent or servant of a local government but was a volunteer to the state. To the extent any conflict exists concerning liability or jurisdiction of the members of the DTF relating to the investigation and prosecution of, but not limited to, drug cases between the provisions established by state law and any mutual aid or interlocal agreement entered into by the DTF, then state law shall take precedence over any such agreement. *See* Tennessee Code Annotated, Section 8-7-110.
9. **QUALIFICATIONS FOR CERTIFYING MEMBERS OF THE TASK FORCE AND MEMBERS OF THE BOARD OF DIRECTORS:**  
**QUALIFICATIONS FOR CERTIFYING MEMBERS OF THE TASK FORCE AND MEMBERS OF THE BOARD OF DIRECTORS:** Pursuant to Tennessee Code Annotated Section 8-42-101(3)(C), the First DTF will comply with all requirements of Chapter 0620-3-5 of the Rules of the Tennessee Department of Finance and Administration relating to the qualifications for certifying members and board of directors of judicial drug task forces relating to the investigation and prosecution of drug cases for the purpose of state liability protection.
10. **DURATION AND TERMINATION OF AGREEMENT:** The duration of this Agreement is perpetual. A party to this Agreement may withdraw at any time by providing written notice to the Board at least thirty (30) days prior to such withdrawal. The DTF may be dissolved upon the vote of a majority of the Board and the approval of the District Attorney General of the First Judicial District.

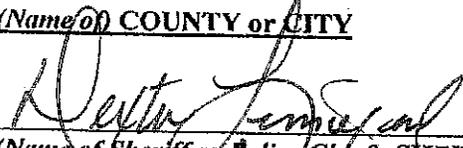
Upon such vote, the DTF will wind up its affairs in accordance with the provisions outlined herein.

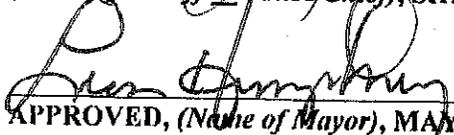
11. **CONSTRUCTION:** Should any of the provisions or portions of this Agreement be held unenforceable or invalid for any reason, the remaining provisions and portions of the Agreement shall be unaffected by such holding.
12. **EFFECT:** This Agreement shall take effect as of July 01, 2015, upon the adoption of the terms of this Agreement by the Board in existence prior to such effective date. Such entities seeking to be parties to this Agreement shall be made such upon receipt by the Board of the minutes of the meeting of the governing body of such party showing agreement to the terms outlined herein. If a participating entity does not seek approval of this Agreement prior to July 01, 2015, such entity will be removed from participation on the Board or as an assigning agency of the DTF. The members of the Board and parties to this Agreement will be determined by the signatures affixed hereto by the representative assigned by the governmental agency after approval by the government body of the terms of this Agreement. If a signature and date does not appear by a party's agency, then such agency is not represented on the Board.

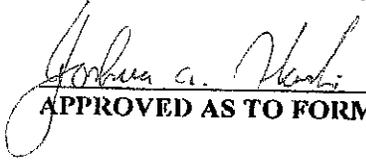
IN WITNESS WHEREOF, the parties by their duly authorized representatives designated by the following signatures:

  
\_\_\_\_\_  
(Name of DA), DISTRICT ATTORNEY GENERAL, FIRST JUDICIAL DISTRICT DATE: 9/16/15

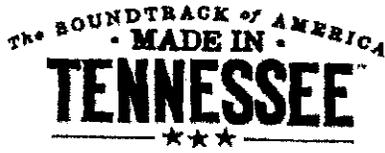
(Name of) COUNTY or CITY

  
\_\_\_\_\_  
(Name of Sheriff or Police Chief), SHERIFF (or POLICE CHIEF) (Name of County or City) DATE: 8-18-15

  
\_\_\_\_\_  
APPROVED, (Name of Mayor), MAYOR (Name of County or City) DATE: 8/18/15

  
\_\_\_\_\_  
APPROVED AS TO FORM, (Name of Attorney), ATTORNEY (Name of County or City) DATE: 8/18/15

\*\* REPEAT FOR EACH SHERIFF OR POLICE CHIEF WITHIN JURISDICTION WHO HAS ASSIGNED MEMBERS TO THE DRUG TASK FORCE



To: Elizabethton-Carter Co Chamber of Commerce

From: Ramay Winchester, Director of Tourism Initiatives  
Tennessee Department of Tourist Development

Date: July 30, 2015

RE: Congratulations on being selected as a partner in the Retire Tennessee Program. Last year's efforts at six shows resulted in a record number of inquiries from retirees, and we are confident the coming year will produce numerous accolades. Since tourism and retiree recruitment go hand-in-hand, the Tennessee Department of Tourist Development (TDTD) looks forward to working with you to enhance your participation in this landmark program.

As in previous years, the program entitles you to participate in one retiree trade show from which you will receive inquiries from all six, as well as any additional shows. As a Retire Tennessee community providing a letter of intent to participate in FY2015-2016, you will be following the criteria as attached. Your signature below indicates your commitment to the program.

Per the State of Tennessee's trade show contract with RPI Media, all retiree personal information you receive as a lead is proprietary and confidential. These leads are not for use by any other private enterprise, i.e. real estate developer, etc. If this contractual policy is breached, the State of Tennessee and its Retire Tennessee communities will be removed from doing any future business with RPI Media. We appreciate your consideration on this policy.

Your participating dues have been broken into two categories. Partnership dues (\$2,000) enable participation in the quality Ideal Living Resort & Retirement Expos, while Co-op dues (\$1,000) offer valued advertising opportunities for the program. Please see attached invoices and due dates. You are permitted to combine payment into one check.

Please remit check(s), along with this signed document by August 31, 2015. Not doing so results in relinquishing your position as a participant in the Retire Tennessee Program.

*Note: Checks may be addressed to: "Tennessee Department of Tourist Development"*

[more on page 2]

Please mail check to:  
Tennessee Department of Tourist Development  
Retire Tennessee Program  
William Snodgrass/Tennessee Tower, 13<sup>th</sup> Floor  
312 Rosa L. Parks Street, North  
Nashville, TN 37243  
Attn: John Carr

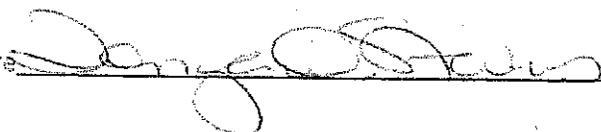
Attracting retirees to Tennessee creates sustainable economic development in our communities.  
The TDTD thanks you for your ongoing efforts and support.

Sincerely,



Ramay Winchester  
Director of Tourism Initiatives

Name (print): Tanya Stevens Title: Executive Director  
Retire Tennessee Community Representative

Signature:  Date: 7/30/15

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR CARTER COUNTY, TENNESSEE

REGULAR MEETING, MONDAY, AUGUST 17, 2015

RESOLUTION NO. 630

"A RESOLUTION EXPRESSING THE DESIRE OF THE BOARD OF COMMISSIONERS FOR CARTER COUNTY TO PARTICIPATE IN THE RETIRE TENNESSEE PROGRAM THROUGH THE TENNESSEE DEPARTMENT OF TOURIST DEVELOPMENT"

WHEREAS, The Tennessee Department of Tourist Development is committed to assisting Tennessee communities with the promotion of their community as a destination and possible residence for out-of-state retiring persons; and

WHEREAS, the Retire Tennessee Program affords participating communities the opportunity to nationally promote and market their community with the state and other Tennessee communities; and

WHEREAS, migrating retirees into Carter County should be considered an industry since they receive most of their income from sources outside of Tennessee and their contribution economically and socially to the community is extensive with benefits far exceeding costs; and

WHEREAS, Carter County has significant community assets attractive to retirees such as our beautiful mountains, lakes and streams, diverse recreational opportunities, multiple housing options, low cost of living, low taxes, and central geographic location; and

WHEREAS, participation in the Retire Tennessee Program involves a cooperative effort by numerous local entities and the sharing of the costs of advertising, development of promotional materials, participation in retiree recruitment shows and events, and responding to inquiries; and

WHEREAS, the Retire Tennessee Program will be funded and directed locally through the Carter County tourism program; and

WHEREAS, the Board of County Commissioners for Carter County feels that it is in the best interest of the citizens of Carter County for the county to participate in the Retire Tennessee Program to actively promote Carter County as a retirement destination.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners for Carter County, Tennessee, meeting in regular session on this the 17<sup>th</sup> day of August, 2015, with a lawful quorum of said Board being present and with a majority voting in the affirmative that Carter County by and through its Board of County Commissioners hereby states its desire and gives its approval to participate in the Retire Tennessee Program.

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

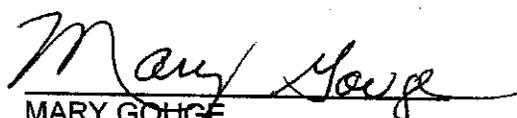
Adopted this 17<sup>th</sup> day of August, 2015.

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

**July 2015 Donations**

Animal Shelter Donation- Judy Kyte	120.00
Animal Shelter Donation- Joseph Greenwell	20.00
Animal Shelter Donation- Carl Moore	100.00
Animal Shelter Donation- Andy Guinn	11.00
Animal Shelter Donation- Denis Shaddock	50.00
Animal Shelter Donation- Sheblie Cocklin	5.00
Animal Shelter Donation- Danny Ray Vance Memorial	100.00
Animal Shelter Donation- Kim Hardy	5.00
Animal Shelter Donation- Bradley Sharpe	10.00
Animal Shelter Donation- Sara Snavely	10.00
Animal Shelter Donation- Fredia Hodge	50.00
Animal Shelter Donation- Carl Taylor	55.00
Animal Shelter Donation- Kellie Grizzle	45.00
Animal Shelter Donation- Gine Cowder	10.00
Animal Shelter Donation- Paula Winfrey	35.00
Animal Shelter Donation- William Anderson	10.00
	<u>\$ 636.00</u>

**Carter County  
General Fund 101  
Budget Amendment #1  
17-Aug-15**

<b>Item # 1</b>	44170 Miscellaneous Refunds		\$	192.00	Decrease
	58900-348 Postal Charges	\$	192.00		Increase

Recognize Pitney Bowes refund.

<b>Item # 2</b>	44170 Miscellaneous Refunds		\$	335.31	Decrease
	51800-335 Other Contracted Services	\$	335.31		Increase

Recognize Lowe's Aluminum refund.

<b>Item #3</b>	34161 Reserved for Computer System-Reg of Deeds		\$	14,000.00	Decrease
	51600-399 Other Contracted Services	\$	7,000.00		Increase
	51600-719 Office Equipment	\$	7,000.00		Increase

Allocate from reserve for Register of Deeds for purchase of equipment and contract for social security number redactions.

<b>Item #4</b>	34166 Reserved for Automation-Clerk & Master		\$	21,282.00	Decrease
	53400-334 Other Supplies & Materials	\$	21,182.00		Increase
	53400-320 Dues & Memberships	\$	100.00		Increase

Reallocate funds reserved from previous year for TNCIS software purchase and dues.

<b>Item #5</b>	34330 Reserved for Capital Outlay-Bridges		\$	6,976.49	Decrease
	58900-321 Engineering Services	\$	6,976.49		Increase

Reallocate funds from the Bridge Reserve for final payment on Steel Bridge Project.

Total	\$	42,785.80	\$	42,785.80
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**Carter County**  
**Sports and Recreation Fund 123**  
**Budget Amendment #1**  
**17-Aug-15**

<b>Item #1</b>	39000 Undesignated Fund Balance		\$ 10,000.00	Decrease
	56700-399 Other Contracted Services	\$ 10,000.00		Increase

Allocate funds agreement with the City of Johnson City for work on Tweetsie Trail.

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Total	\$ 10,000.00	\$ 10,000.00
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**Carter County**  
**Highway Fund 131**  
**Budget Amendment #1**  
**17-Aug-15**

<b>Item #1</b>	47590 Other Federal Through State		\$ 17,400.00	Decrease
	68000-321 Engineering Services	\$ 17,400.00		Increase

Recognize funds to be received through the High Priority Project Local for engineering services.

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Total	\$ 17,400.00	\$ 17,400.00
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**Carter County**  
**General Purpose School Fund 141**  
**Budget Amendment #1**  
**17-Aug-15**

<b>Item #1</b>	46515 Early Childhood Education		\$ 300,526.06	Increase
	73400-105 Supervisor	\$ 36,592.00		Increase
	73400-116 Teachers	\$ 114,000.00		Increase
	73400-162 Clerical Personnel	\$ 9,000.00		Increase
	73400-163 Educational Assistants	\$ 38,001.00		Increase
	73400-198 Non-Certified Substitutes	\$ 5,000.00		Increase
	73400-201 Social Security	\$ 11,000.00		Increase
	73400-204 State Retirement	\$ 17,000.00		Increase
	73400-206 Life Insurance	\$ 150.00		Increase
	73400-207 Medical Insurance	\$ 38,000.00		Increase
	73400-208 Dental Insurance	\$ 1,200.00		Increase
	73400-210 Unemployment Compensation	\$ 1,000.00		Increase
	73400-212 Employer Medicare	\$ 3,000.00		Increase
	73400-330 Operating Lease Payments	\$ 3,000.00		Increase
	73400-355 Travel	\$ 2,500.00		Increase
	73400-429 Instructional Supplies & Materials	\$ 13,583.06		Increase
	73400-524 In-Service/Staff Development	\$ 2,500.00		Increase
	73400-599 Other Charges	\$ 5,000.00		Increase

Recognize the Voluntary Pre-K allocation from the State.

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<b>Item #2</b>	34330 Reserved for Capital Outlay		\$ 48,368.00	Decrease
	76100-706 Building Construction	\$ 48,368.00		Increase

Reallocate funds for construction of Greenhouse at Cloudland High School.

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<b>Item #3</b>	44145 Sale of Recycled Materials		\$ 426.04	Decrease
	72710-729 Transportation Equipment	\$ 426.04		Increase

Recognize proceeds from scrap metal sale.

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Total	\$ 349,320.10	\$ 349,320.10
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**Carter County**  
**Federal Projects Fund #142**  
**Beginning Budget Recognitions**  
**17-Aug-15**

<b>Item #1</b>	<b>47141-101 Title I-A</b>		<b>\$ 1,743,574.00</b>	<b>Increase</b>
	71100-116-101 Teachers	\$ 545,000.00		Increase
	71100-163-101 Educational Assistants	\$ 147,630.00		Increase
	71100-189-101 Other Salaries & Wages	\$ 138,155.00		Increase
	71100-195-101 Certified Substitutes	\$ 1,000.00		Increase
	71100-198-101 Non-Certified Substitutes	\$ 1,000.00		Increase
	71100-201-101 Social Security	\$ 55,000.00		Increase
	71100-204-101 State Retirement	\$ 65,000.00		Increase
	71100-206-101 Life Insurance	\$ 2,000.00		Increase
	71100-207-101 Medical Insurance	\$ 120,000.00		Increase
	71100-208-101 Dental Insurance	\$ 5,000.00		Increase
	71100-210-101 Unemployment Compensation	\$ 6,000.00		Increase
	71100-212-101 Employer Medicare	\$ 16,000.00		Increase
	71100-429-101 Instructional Supplies & Materials	\$ 143,000.00		Increase
	71100-499-101 Other Supplies & Materials	\$ 81,183.00		Increase
	72130-189-101 Other Salaries & Wages	\$ 10,800.00		Increase
	72130-201-101 Social Security	\$ 670.00		Increase
	72130-212-101 Employer Medicare	\$ 2,500.00		Increase
	72130-322-101 Evaluating & testing	\$ 90,000.00		Increase
	72130-499-101 Other Supplies & Materials	\$ 33,400.00		Increase
	72130-599-101 Other Charges	\$ 12,436.00		Increase
	72210-105-101 Supervisor	\$ 60,000.00		Increase
	72210-189-101 Other Salaries & Wages	\$ 69,000.00		Increase
	72210-201-101 Social Security	\$ 8,200.00		Increase
	72210-204-101 State Retirement	\$ 15,000.00		Increase
	72210-206-101 Life Insurance	\$ 500.00		Increase
	72210-207-101 Medical Insurance	\$ 22,000.00		Increase
	72210-208-101 Dental Insurance	\$ 1,500.00		Increase
	72210-210-101 Unemployment Compensation	\$ 800.00		Increase
	72210-212-101 Employer Medicare	\$ 5,000.00		Increase
	72210-307-101 Communication	\$ 1,300.00		Increase
	72210-336-101 Maintenance & Repairs-Equipment	\$ 4,500.00		Increase
	72210-355-101 Travel	\$ 14,000.00		Increase
	72210-499-101 Other Supplies & Materials	\$ 16,000.00		Increase
	72210-524-101 In-Service/Staff Development	\$ 50,000.00		Increase

**Recognize the Title I-A Allocation for 15-16.**

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<b>Item #2</b>	<b>47189-201 Title II-A</b>		<b>\$ 275,068.00</b>	<b>Increase</b>
	71100-116-201 Teachers	\$ 130,000.00		Increase
	71100-195-201 Certified Substitutes	\$ 20,000.00		Increase

72220-499-896 Other Supplies & Materials	\$	2,839.61	Increase
72220-524-896 In-Service/Staff Development	\$	2,800.00	Increase

**Recognize the IDEA Discretionary Supplemental Funds Grant Allocation for 15-16.**

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<b>Item #6</b>	47145-897 IDEA Preschool Discretionary Grant		\$	68,644.00	Increase
	71200-116-897 Teachers	\$	42,065.00		Increase
	71200-163-897 Educational Assistants	\$	9,000.00		Increase
	71200-201-897 Social Security	\$	3,200.00		Increase
	71200-204-897 State Retirement	\$	3,807.00		Increase
	71200-206-897 Life Insurance	\$	30.00		Increase
	71200-207-897 Medical Insurance	\$	5,200.00		Increase
	71200-208-897 Dental Insurance	\$	300.00		Increase
	71200-210-897 Unemployment Compensation	\$	200.00		Increase
	71200-212-897 Employer Medicare	\$	750.00		Increase
	71200-725-897 Special Education Equipment	\$	4,092.00		Increase

**Recognize the IDEA Preschool Discretionary Grant Allocation for 15-16.**

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<b>Item #7</b>	47143-901 IDEA, Part B		\$	1,370,352.00	Increase
	71200-116-901 Teachers	\$	108,978.00		Increase
	71200-163-901 Educational Assistants	\$	515,509.00		Increase
	71200-201-901 Social Security	\$	44,144.00		Increase
	71200-204-901 State Retirement	\$	85,330.00		Increase
	71200-206-901 Life Insurance	\$	2,000.00		Increase
	71200-207-901 Medical Insurance	\$	238,939.00		Increase
	71200-208-901 Dental Insurance	\$	11,750.00		Increase
	71200-210-901 Unemployment Compensation	\$	2,800.00		Increase
	71200-212-901 Employer Medicare	\$	9,500.00		Increase
	71200-399-901 Other Contracted Services	\$	8,705.00		Increase
	71200-429-901 Instructional Supplies & Materials	\$	18,289.00		Increase
	71200-499-901 Other Supplies & Materials	\$	10,000.00		Increase
	71200-725-901 Special Education Equipment	\$	7,711.00		Increase
	72220-189-901 Other Salaries & Wages	\$	178,115.00		Increase
	72220-201-901 Social Security	\$	11,044.00		Increase
	72220-204-901 State Retirement	\$	17,606.69		Increase
	72220-206-901 Life Insurance	\$	122.00		Increase
	72220-207-901 Medical Insurance	\$	22,925.00		Increase
	72220-208-901 Dental Insurance	\$	1,026.00		Increase
	72220-210-901 Unemployment Compensation	\$	250.00		Increase
	72220-212-901 Employer Medicare	\$	2,583.00		Increase
	72220-399-901 Other Contracted Services	\$	33,947.31		Increase
	72710-146-901 Bus Drivers	\$	11,500.00		Increase
	72710-189-901 Other Salaries & Wages	\$	15,000.00		Increase
	72710-201-901 Social Security	\$	1,643.00		Increase
	72710-204-901 State Retirement	\$	3,677.00		Increase

72710-206-901 Life Insurance	\$	101.00	Increase
72710-207-901 Medical Insurance	\$	6,000.00	Increase
72710-208-901 Dental Insurance	\$	600.00	Increase
72710-210-901 Unemployment Compensation	\$	200.00	Increase
72710-212-901 Employer Medicare	\$	357.00	Increase

Recognize the IDEA, Part B Allocation for 15-16.

<b>Item #8</b> 47145-911 IDEA Preschool		\$	63,145.00	Increase
71200-163-911 Educational Assistants	\$	11,330.00	Increase	
71200-201-911 Social Security	\$	736.45	Increase	
71200-204-911 State Retirement	\$	1,664.15	Increase	
71200-206-911 Life Insurance	\$	30.00	Increase	
71200-207-911 Medical Insurance	\$	5,197.00	Increase	
71200-208-911 Dental Insurance	\$	257.00	Increase	
71200-210-911 Unemployment Compensation	\$	100.00	Increase	
71200-212-911 Employer Medicare	\$	160.00	Increase	
71200-499-911 Other Supplies & Materials	\$	1,454.00	Increase	
72220-355-911 Travel	\$	1,650.00	Increase	
72220-399-911 Other Contracted Services	\$	5,000.00	Increase	
72220-499-911 Other Supplies & Materials	\$	372.91	Increase	
72220-524-911 In-Service/Staff Development	\$	800.00	Increase	
72710-146-911 Bus Drivers	\$	10,688.00	Increase	
72710-189-911 Other Salaries & Wages	\$	13,118.00	Increase	
72710-201-911 Social Security	\$	1,476.00	Increase	
72710-204-911 State Retirement	\$	1,596.79	Increase	
72710-206-911 Life Insurance	\$	25.70	Increase	
72710-207-911 Medical Insurance	\$	6,716.00	Increase	
72710-208-911 Dental Insurance	\$	257.00	Increase	
72710-210-911 Unemployment Compensation	\$	170.00	Increase	
72710-212-911 Employer Medicare	\$	346.00	Increase	

Recognize the IDEA Preschool Allocation for 15-16.

Total	\$	3,691,871.61	\$	3,691,871.61
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## **HAZARD MITIGATION PLAN GRANT**

17 August 2015

- **TEMA Regional Director contacted EMA Directors Regarding Possible Availability of Funds for Hazard Mitigation Planning**
  - **Funds became available as the result of cancelled projects in other parts of the State**
  - **Program is a 75/25 (Federal/Local) match. There are no State funds to offset the local contribution**
    - **However, work done by local officials (except EMA) counts toward the County's contribution**

**Projecting \$75,000 as a "Worst Case" scenario (\$18,750 County Contribution)**

- **Should be able to update our current plan, and that would reduce the total cost**
  - **Sullivan County just finished their plan at a cost of approximately \$47,000 (Two jurisdictions)**
  - **All applications must be entered in the eGrants database by the State Hazard Mitigation Office by 21 August 2015**
- **Our Hazard Mitigation Plan is out of date**
    - **Last revision was done in 2006**
    - **Need to consolidate Carter County, the City of Elizabethton, and the City of Watauga into one comprehensive, multi-jurisdictional plan**
    - **Professional Hazard Mitigation Planners can have our plan done and approved by FEMA much quicker**
- **A current plan approved by FEMA is required in order to get any FEMA funding for Hazard Mitigation Projects**
    - **If we were to have a major event/disaster, we would be ineligible for FEMA assistance with any disaster-related Mitigation Projects**