

MEETING OF THE COUNTY COMMISSION, REGULAR SESSION, FEBRUARY 19, 2008

Notice of meeting.....349

Don Hurst-Carter County Tomorrow.....350

January 22, 2008 minutes approved.....350

Notaries approved.....350

Ricard Gray-1st Utility District.....350

Motion to repeal WRRWA Private Act failed.....350

Health Insurance for Commissioners approved.....351

Blaine Construction awarded jail contract.....352

Motion to pay off Sheriff Dept. vehicles failed.....352

Cable service for jail-Blind Industries.....353

Fees increased for out of county accident reports,
incident reports & background checks.....353

General Fund, Solid Waste Fund, Health Department
and School Department Budget amendments approved..354-355

School Department request for \$755,000 for Unaka
High School renovations denied.....355

Motion to hire Blaine Construction Company for
jail construction-additional details to
original motion.....356

BE IT REMEMBERED, that the County Commissioners of Carter County, Elizabethton, Tennessee, met in Regular Session on February 19, 2007, at 10:00 A.M. in the main courtroom of the Carter County Courthouse. Present and presiding were the Honorable Johnny Holder, County Mayor/Chairman; the Honorable Keith Bowers, Jr., County Attorney; and the Honorable Mary Gouge, County Clerk. The following Commissioners were present: Jack Buckles, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Jeff McKinney, R. L. Miller, Jim Whaley, Harry Sisk, Jerry Pearman, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Dickie Renfro, Terry Montgomery, Ken Arney, Larry McKinney, Lynn Tipton, Jack Campbell, Richard Tester, Bill Armstrong, Robert Davis and Robert Gobble. Charlie Bayless was absent.

ROLL CALL.....QUORUM PRESENT

PRAYER.....LAWRENCE HODGE

PLEDGE.....ROBERT DAVIS

PUBLIC NOTICE OF A REGULAR SESSION OF THE CARTER COUNTY COMMISSION

NOTICE IS HEREBY GIVEN to all members of the Carter County Commission, to all residents of the County of Carter, Tennessee, and to all persons interested, that the Regular Session of the Carter County Commission will be held Tuesday, February 19, 2008, 10:00 a.m., Main Courtroom, Carter County Courthouse, 801 E. Elk Avenue, Elizabethton, Tennessee.

Agenda

- Call to Order
- Roll Call
- Opening Prayer
- Pledge of Allegiance
- Don Hurst, Carter County Tomorrow
- Public Comments
- Recognition of Elected Officials/Guests
- Acceptance of Minutes from Previous Meeting
- Notaries/Bonds
- Richard Gray – Water Situation in Stoney Creek
- Committee Reports/Recommendations
- Commissioner Comments
- Adjourn

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

**Johnny Holder, County Chairman
Carter County, Tennessee**

Don Hurst, President of Carter County Tomorrow, spoke to the Commission concerning the need to address land use and transportation issues in the county as well as education. He stated that any industry locating in our area would be looking for an educated work force and that 28 percent of the adult population in Carter County lacked a high school diploma and just 16 percent have a college degree.

On motion by Lynn Tipton, seconded by Robert Davis the minutes of the January 22, 2008, meeting of the County Commissioners were approved by voice roll call vote.

On motion by Lawrence Hodge, seconded by Jo Ann Blankenship, the following Notaries were approved by voice roll call vote:

Lisa C. Jarrett	Kimberly K. McWherter
Kathy L. Forbes	Johnny R. Miller
Mary B. Miller	Rebecka L. Bowers
Valencia Greenwell	John D. Odom
Marsa Nidiffer	Teresa A. Cole
Heather Jo Clark	Richard M. Barker
Cecil Eggers	Sheila Morton
Jane M. Murray	Madalynne R. Cox
Charlene M. Penix	Carmen Diane Nelson
Carroll Reece Brumit	

Richard Gray, Attorney for the 1st Utility District addressed the Commissioners at this time, giving them a hard copy of his presentation of the water situation in the county. After explaining the water source in the county, he stated that there was an abundance of ground water in Carter County and there was no need for a second water source from the Watauga River. He said that the WRRWA is a failed concept and that the proper solution would be to repeal the Private Act that created it. Tom McKee, Attorney for the WRRWA, was asked to comment but stated because he had not been given a copy of Attorney Gray's presentation prior to the meeting he was unprepared to respond at this time.

Motion was made by Lawrence Hodge, seconded by Gebe Ritchie to repeal the Private Act creating the WRRWA and allow Utility Districts that desired to opt out be allowed to do so. Motion was then made by Jerry Pearman, seconded by Bill Armstrong, to TABLE Commissioner Hodge's motion due to the fact that this issue was still under investigation by the Utility Committee and had another month to bring their findings to the full Commission Roll call vote to TABLE as follows:

AYES: R. L. Miller, Jim Whaley, Harry Sisk, Jerry Pearman, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Dickie Renfro, Lynn Tipton, Richard Tester, Bill Armstrong & Robert Davis

NAYS: Jack Buckles, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Jeff McKinney, Terry Montgomery, Ken Arney, Larry McKinney, Jack Campbell & Robert Gobble

PASSING: 0
 ABSENT: Charlie Bayless

There being 13 ayes, 10 nays, 0 passing and 1 absent, motion to TABLE duly carried this February 19, 2008.

Jo Ann Blankenship reported for the Financial Management Committee and the minutes from their February 13, 2008, meeting is in Commissioners packets. She stated that one issue discussed was Health Insurance for the Commissioners. Motion was made by Jim Whaley, seconded by Jerry Pearman to allow the Commissioners to be picked up on the County's insurance as long as they are elected County Commissioners and pay for it themselves. Roll call vote as follows:

AYES: Gebe Ritchie, Lawrence Hodge, Jeff McKinney, R. L. Miller, Jim Whaley, Harry Sisk, Jerry Pearman, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Dickie Renfro, Larry Mckinney, Jack Campbell, Richard Tester, Robert Davis & Robert Gobble

NAYS: Jack Buckles, Nancy Brown, Terry Montgomery, Ken Arney, Lynn Tipton & Bill Armstrong
 PASSING: 0
 ABSENT: Charlie Bayless

There being 17 ayes, 6 nays, 0 passing and 1 absent, motion duly carried this February 19, 2008.

Robert Davis, on behalf of the Jail Task Force, informed the Commission of the following Jail construction bids presented January 17, 2008:

Jail Bids January 17, 2008

Metal Panel	Base Bid	Alt #1	Alt#2	Alt#3	Total
Ray Bell Construction	\$ 31,749,000	\$ 3,857,000	\$ 3,619,000	\$ 100,000	\$ 39,325,000
Denark Construction	\$ 30,090,000	\$ 3,860,000	\$ 5,000,000	\$ 43,000	\$ 38,993,000
Blaine Construction	\$ 30,275,000	\$ 4,200,000	\$ 3,515,000	\$ 350,000	\$ 38,340,000
Conventional					
Ray Bell Construction	\$ 30,362,000	\$ 3,582,000	\$ 3,234,000	\$ 100,000	\$ 37,278,000
Denark Construction	\$ 27,290,000	\$ 3,010,000	\$ 4,480,000	\$ 47,000	\$ 34,827,000
Blaine Construction	\$ 28,760,000	\$ 2,960,000	\$ 2,670,000	\$ 350,000	\$ 34,740,000

Metal Panel	Base Bid	Alt #1	Alt#2	Alt#3
Ray Bell Construction	\$ 31,749,000	\$ 35,606,000	\$ 39,225,000	\$ 39,325,000
Denark Construction	\$ 30,090,000	\$ 33,950,000	\$ 38,950,000	\$ 38,993,000
Blaine Construction	\$ 30,275,000	\$ 34,475,000	\$ 37,990,000	\$ 38,340,000
Conventional				
Ray Bell Construction	\$ 30,362,000	\$ 33,944,000	\$ 37,178,000	\$ 37,278,000
Denark Construction	\$ 27,290,000	\$ 30,300,000	\$ 34,780,000	\$ 34,827,000
Blaine Construction	\$ 28,760,000	\$ 31,720,000	\$ 34,390,000	\$ 34,740,000

On recommendation of the Jail Task Force, motion was made by Robert Davis, seconded by Jo Ann Blankenship to award the contract for the new jail construction to Bell Construction and allow the architect to proceed with the project beginning with 300 beds, 115 cells and 150 dormitory type beds. After much discussion, Commissioner Davis withdrew his original motion and amended it to state a "minimum" of a 300 bed facility with the option to add to this number later. Robert Gobble seconded this motion as amended. Motion was then made by Lynn Tipton, seconded by Terry Montgomery to TABLE the motion made by Robert Davis. Roll call vote to TABLE as follows:

AYES: Gebe Ritchie, Lawrence Hodge, Nancy Brown, Jeff McKinney, Jim Whaley, L. C. Tester, Steve Lowrance, Tom Bowers, Terry Montgomery, Ken Arney, Lynn Tipton, Jack Campbell, Richard Tester, Bill Armstrong & Robert Gobble

NAYS: Jack Buckles, R. L. Miller, Harry Sisk, Jerry Pearman, Jo Ann Blankenship, Dickie Renfro & Larry McKinney

PASSING: Robert Davis

ABSENT: Charlie Bayless

There being 15 ayes, 7 nays, 1 passing and 1 absent, motion to TABLE duly carried this February 19, 2008.

Motion was made by Richard Tester, seconded by Terry Montgomery to hire Blaine Construction to Build the new jail. Roll call vote as follows:

AYES: Jack Buckles, Nancy Brown, Jeff McKinney, Jim Whaley, L. C. Tester, Steve Lowrance, Tom Bowers, Terry Montgomery, Ken Arney, Lynn Tipton, Jack Campbell, Richard Tester, Bill Armstrong, Robert Davis & Robert Gobble

NAYS: Gebe Ritchie, Lawrence Hodge, R. L. Miller, Harry Sisk, Jerry Pearman, Jo Ann Blankenship, Dickie Renfro & Larry McKinney

PASSING: 0

ABSENT: Charlie Bayless

There being 15 ayes, 8 nays, 0 passing and 1 absent, motion duly carried this February 19, 2008.

On recommendation of the Law Enforcement Committee, motion was made by Jim Whaley, seconded by Jeff McKinney for the County to pay off the balance owed on the Sheriff Department's vehicles and leave the money in the Sheriff's budget allocated to pay on these vehicles in place to purchase additional vehicles. Motion was then made by Tom Bowers, seconded by Ken Arney to TABLE Commissioner Whaley's motion because this issue had already be discussed in the Budget Committee and defeated. Roll call vote to TABLE as follows:

AYES: Jack Buckles, R. L. Miller, Harry Sisk, Jerry Pearman, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Terry Montgomery, Ken Arney, Larry McKinney, Lynn Tipton, Jack Campbell, Bill Armstrong & Robert Davis

NAYS: Gebe Ritchie, Lawrence Hodge, Nancy Brown, Jeff McKinney, Jim Whaley, L. C. Tester, Dickie Renfro, Richard Tester & Robert Gobble

PASSING: 0

ABSENT: Charlie Bayless

There being 14 ayes, 9 nays, 0 passing and 1 absent, motion to TABLE duly carried this February, 2008.

On behalf of the Law Enforcement, Jim Whaley told the Commissioners that Blind Industries have offered to supply the jail with \$1,820.00 for cable service at no costs to the County. Motion was made by Jim Whaley, seconded by Jeff McKinney to allow Blind Industries to provide and install this service.

Roll call vote as follows:

AYES: Gebe Ritchie, Jeff McKinney, R. L. Miller, Jim Whaley, Harry Sisk, Jerry Pearman, L. C. Tester, Steve Lowrance, Tom Bowers, Dickie Renfro, Terry Montgomery, Larry McKinney, Lynn Tipton, Jack Campbell, Richard Tester, Bill Armstrong, Robert Davis & Robert Gobble

NAYS: Jack Buckles, Lawrence Hodge, Nancy Brown, Jo Ann Blankenship & Ken Arney

PASSING: 0

ABSENT: Charlie Bayless

There being 18 ayes, 5 nays, 0 passing and 1 absent, motion duly carried this February 19, 2008.

On recommendation of the Law Enforcement Committee, motion was made by Jim Whaley, seconded by Jeff McKinney to set the fees for out of county at \$4.00 for accident reports, \$4.00 for incident reports and \$5.00 for background checks. Roll call vote as follows:

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

NAYS: 0

PASSING: 0

ABSENT: Charlie Bayless

There being 23 ayes, 0 nays, 0 passing and 1 absent, motion duly carried this February 19, 2008.

On recommendation of the Budget Committee, motion was made by Bill Armstrong, seconded by Harry Sisk to approve the following General Fund Budget Amendment #6, Items 1-3 as presented. Roll call vote as follows:

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

NAYS: 0

PASSING: 0

ABSENT: Charlie Bayless

There being 23 ayes, 0 nays, 0 passing and 1 absent, motion duly carried this February 19, 2008.

**Carter County General Fund 101
Budget Amendment # 6 2007-08**

Item #1	39000		Undesignated Fund Balance		\$ 20,000.00	Decrease
	51100	191	Board and Committee Fees	\$ 20,000.00		Increase
To allocate additional funds to pay commissioners meeting and committee fees						
Item #2	39000		Undesignated Fund Balance		\$ 15,000.00	Decrease
	51400	331	Legal Services	\$ 15,000.00		Increase
To allocate additional funds to pay legal services						
Item #3	54110	718	Motor Vehicles - Sheriff's Office	\$ 5,800.00		Increase
	51400	716	Law Enforcement Equipment		\$ 5,800.00	Decrease
To reallocate additional funds to purchase vehicle						

On recommendation of the Budget Committee, motion was made by Bill Armstrong, seconded by Lynn Tipton to approve the following Solid Waste Fund Budget Amendment #3, Item 1 as presented. Roll call vote as follows:

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

NAYS: 0

PASSING: 0

ABSENT: Charlie Bayless

There being 23 ayes, 0 nays, 0 passing and 1 absent, motion duly carried this February 19, 2008.

**Carter County Solid Waste Fund 116
Budget Amendment # 3 2007-08**

Item #1	44170		Refunds		\$ 3,477.88	Increase
	55754	322	Evaluation & Testing	\$ 3,477.88		Increase
To recognize payment of City of Elizabethton share of closed Landfill						
Total Solid Waste Amendments					\$ 3,477.88	\$ 3,477.88

On recommendation of the Budget Committee, motion was made by Bill Armstrong, seconded by Terry Montgomery to approve the following Health Department Budget Amendment #1, Items 1-2 as presented. Roll call vote as follows:

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

NAYS: 0

PASSING:± 0
ABSENT: Charlie Bayless

There being 23 ayes, 0 nays, 0 passing and 1 absent, motion duly carried this February 19, 2008.

Carter County Health Department Fund 117
Budget Amendment # 1 2007-08

Item #1	46310	Health Department Programs		\$ 52,500.00	Increase
	55110	335 Maintenance and Repair Services - Building	\$ 52,500.00		Increase

To recognize additional funding from state for building renovations

Item #2	46310	Health Department Programs		\$ 15,789.00	Increase
	55110	599 Other Charges / Boys & Girls Program	\$ 15,789.00		Increase

To recognize flow thru grant to Boys & Girls Club for Tobacco Use Prevention Grant

Total Health Department Amendments \$ 52,500.00 \$ 52,500.00

On recommendation of the Budget Committee, motion was made by Bill Armstrong, seconded by Tom Bowers to approve the following School Department Budget Amendment #5, Items 1-2 as presented. Roll call vote as follows:

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

NAYS: 0
PASSING: 0
ABSENT: Charlie Bayless

There being 23 ayes, 0 nays, 0 passing and 1 absent, motion duly carried this February 19, 2008.

Carter County Schools Fund 141
Budget Amendment # 5 2007-08

Item #1

Item #2	76100	707 Building Improvement	17,530		Increase
	39000	Undesignated Fund Balance		17,530	Increase

To budget replacement of Siam Alternative School Roof from Fund Balance

Director of Schools, Dallas Williams, and Supervisor Kevin Ward came before the Commission at this time requesting an additional \$755,000 for the renovations at Unaka High School. Motion was made by Gebe Ritchie, seconded by Jack Buckles to approve their request. After much discussion about where this money would come from, motion was made by Tom Bowers, seconded by Lynn Tipton to TABLE Commissioner Ritchie's motion. Roll call vote to TABLE as follows:

AYES: Jeff McKinney, R. L. Miller, Jim Whaley, Jerry Pearman, L. C. Tester, Steve Lowrance, Tom Bowers, Terry Montgomery, Lynn Tipton, Richard Tester, Robert Davis & Robert Gobble

NAYS: Jack Buckles, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Harry Sisk, L. C. Tester, Jo Ann Blankenship, Dickie Renfro, Ken Arney, Larry McKinney, Jack Campbell & Bill Armstrong

PASSING: 0
ABSENT: Charlie Bayless

There being 12 ayes, 11 nays, 0 passing and 1 absent, motion to TABLE failed to carry this February 19, 2008.

The original motion was back on the floor to give the School Department an additional \$755,000 for renovations at Unaka High School. Further stated was the fact that the money would have to be borrowed to fund this motion.

Roll call vote as follows:

AYES: Jack Buckles, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Harry Sisk, Steve Lowrance, Jo Ann Blankenship, Dickie Renfro, Ken Arney, Larry McKinney, Jack Campbell & Bill Armstrong

NAYS: Jeff McKinney, Jim Whaley, Jerry Pearman, L. C. Tester, Tom Bowers, Terry Montgomery, Lynn Tipton, Richard Tester, Robert Davis & Robert gobble

PASSING: R. L. Miller
ABSENT: Charlie Bayless

There being 12 ayes, 10 nays, 1 passing and 1 absent, motion failed to carry this February 19, 2008.

Due to the fact that the motion to hire Blaine Construction to build the new jail did not state how many beds or any other details, motion was made by Jeff McKinney, seconded by Jo Ann Blankenship to add a minimum of 300 beds and authorization to work out value engineering with Blain to that motion. Roll call vote as follows:

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

NAYS: 0
PASSING: Bill Armstrong
ABSENT: Charlie Bayless

There being 22 ayes, 0 nays, 1 passing and 1 absent, motion duly carried this February 19, 2008.

On motion by Lynn Tipton, seconded by Terry Montgomery Court was adjourned.