

Carter County Commission  
Regular Session  
September 15, 2014, 9:00 AM

10-20-14  
**APPROVED**  
With Corrections  
Requested.  
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Vice-Chairman, Sonja Culler called the meeting to order at 9:00 A.M.

Roll Call as follows:

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

Absent: None (0 Absent)

Quorum Present

Prayer was led by Commissioner L.C. Tester.

Roger Clark, led the *pledge to the American flag*. Vice-Chairman, Sonja Culler noted that Mr. Clark is a 12<sup>th</sup> grade student at Happy Valley High School and a very accomplished 4-H member as well a being member of the Tennessee State 4-H. He received the Tennessee 4-H All-State Award which is the highest award given to 4-H members, among many other accomplishments.

Motion was made by Nancy Brown, seconded by John Lewis to **amend the Agenda moving Public Comments to be held at this time.**

Roll Call Vote as follows:

Ayes: Buford Peters, Willie Campbell, Jerry Proffitt, Nancy Brown, Mike Hill, Beth Depew, Ronnie Trivett, Charles VonCannon, Isaiah Grindstaff, Danny Ward, Ross Garland, Bobbie Gouge-Dietz, Randall Jenkins, Larry Miller, John Lewis, Ray Lyons, Scott Simerly, Cody McQueen, Robert Carroll, and Robert Gobble. (20 Ayes)

Nays: Al Meehan, L.C. Tester, Timothy Holdren, and Sonja Culler. (4 Nays)

Absent: None (0 Absent)

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

Public Comments The following addressed the Commission and spoke on various issues listed on today's agenda.

Don Johnson -- Adoption of the International Residential Building Code.

Roy Livingston -- Planning Commission Resolutions and procedure of approving Resolutions.

Sherman Knaack -- Resident of the 2<sup>nd</sup> District concerning Committee appointments.

Commissioner Nancy Brown addressed the Commission in regards to the Committee appointments in the 2<sup>nd</sup> District which she represents. She stated that due to sickness, she was unable to meet with the other two Commissioners to decide appointments to various committees.

Vice-Chairman Sonja Culler asked the Commissioners of District 2 if their decision for Committee appointments as listed were correct. Commission Al Meehan responded "yes." Commission Mike Hill responded "yes."

Vice-Chairman Sonja Culler stated that according to the Rules and By-Laws that a majority vote rules.

Commissioner Brown stated, "Ms. Culler should I not had a say on what committee I wanted?"

Chairman Culler responded by stating, "If you would like to meet with your Commissioners right now and decide, we can decide then."

Commissioner Brown stated, "I would like to do that."

03/09/99

Chairman Culler responded by stating, "Alright then, you have five (5) minutes."

Commissioner Nancy Brown responded by stating to the Commissioners in her district, "Let's go to the back room."

Chairman Culler, recessed the Commission at this time by stating, "We will be in recess for five (5) minutes."

Vice-Chairman Sonja Culler called the meeting **back to order** following the recess. Vice-Chairman Culler announced that the decision made by the 2<sup>nd</sup> District Commissioners would have to be made public. She stated, however that the agenda be followed noting that this issue would be discussed later during the Election of Commissioners to Standing Committees.

Commissioner John Lewis, stated that he was in opposition to how the Public Comments were handled. He felt that two (2) minutes was not enough time to speak and that this should be extended to five (5) minutes, persons should also be able to speak about "anything they want to concerning county business."

**Motion** was made by Ronnie Trivett, seconded by Nancy Brown, to refer to the Rules and By-Laws Committee the issues concerning the time limit and subject matter of Public Comments. Any recommendation from Rules and By-Laws Committee is to be presented and approved by full Commission.

During discussion several voiced agreement noting that they felt time limit and subject limitations needed to be addressed.

**Motion (as listed above) was withdrawn** by Ronnie Trivett following the discussion on the matter.

**Motion** was made by John Lewis, seconded by Nancy Brown, to **allow the public to speak five (5) minutes on anything they wish to comment on.**

During discussion Commissioner Buford Peters stated that discussions can get out of hand and that time limits and procedures were necessary. Comments needs to be processed through the Committees and that today's agenda needed to be followed. Any changes or recommendations needed to be approved and presented by the Rules and By-Laws Committee.

Commissioner Nancy Brown stated that she felt the public had a right to speak.

Commissioner Ray Lyons stated that he had been on "both sides" of this issues. He also stated the he felt changes needed to be made in the area of Public Comments.

Commissioner Willie Campbell stated that the current Rules and By-Laws needed to be followed.

Commissioner Charles VonCannon requested that the forgoing **motion be amended to state that the issue of Public Comments be five (5) minutes on any item they would like to talk about and come at the front of every meeting.** John Lewis stated that he accepted the amendment to the motion.

Roll Call Vote as follows:

Ayes: Nancy Brown, Ronnie Trivett, Charles VonCannon, Danny Ward, Larry Miller, John Lewis, Ray Lyons, Scott Simerly, Cody McQueen, Robert Carroll, and Robert Gobble. (11 Ayes)

Nays: Buford Peters, Willie Campbell, Jerry Proffitt, Mike Hill, Al Meehan, Beth Depew, L.C. Tester, Isaiah Grindstaff, Ross Garland, Timothy Holdren, Bobbie Gouge-Dietz, Randall Jenkins, and Sonja Culler. (13 Nays)

Absent: None (0 Absent)

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

**Motion** was made by Ronnie Trivett, seconded by Danny Ward to refer to the Rules & By-Laws Committee the issue concerning Public Comments and its placement on agenda, time allowed, and subject matter and report back to full Commission.

Roll Call Vote as follows:

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

Nays: Larry Miller and John Lewis. (2 Nays)

Absent: None (0 Absent)

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

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Recognition of Elected and Appointed Officials/Guest present were asked to stand at this time to be recognized.

Election of Commission Officers

A. Chairman

Vice-Chairman Sonja Culler now opened the floor for nominations for Chairman of the County Commission.

The following nominations were made for the position of Chairman of the County Commission:  
Mayor Leon Humphrey was nominated by John Lewis, seconded by Nancy Brown.  
Commissioner Sonja Culler was nominated by L.C. Tester, seconded by Bobbie Gouge-Dietz.

**Motion** was made by Al Meehan to cease nominations. By majority voice vote, all ayes, **motion carried.**

Both nominees were recognized and given an opportunity to address the Commission.

Vice-Chairman Sonja Culler asked that Commissioners state the last name of the person for whom they wish to place their vote for when voting.

Roll Call Vote as follows:

Voting for Leon Humphrey: Jerry Proffitt, Nancy Brown, Ronnie Trivett, Charles VonCannon, Ross Garland, Timothy Holdren, Larry Miller, John Lewis, Ray Lyons, Scott Simerly, Cody McQueen, Robert Carroll, and Robert Gobble. (13 Votes)

Voting for Sonja Culler: Buford Peters, Willie Campbell, Mike Hill, Al Meehan, Beth Depew, L.C. Tester, Isaiah Grindstaff, Danny Ward, Bobbie Gouge-Dietz, and Randall Jenkins. (10 Votes)

Passing: Sonja Culler (1 Passing)

Absent: None (0 Absent)

**Mayor Leon Humphrey** receiving thirteen (13) votes, was elected **Commission Chairman** by majority roll call vote.

**Chairman Leon Humphrey** assumed the Chair as Chairman of the Carter County Commission.

Election of Commission Officers

B. Vice-Chairman

Chairman Humphrey opened the floor for nominations for Vice-Chairman of the Carter County Commission.

The following nominations were made for the position of Vice-Chairman of the Carter County Commission: Charles VonCannon was nominated by Nancy Brown, seconded by John Lewis, Buford Peters was nominated by Bobbie Gouge-Dietz, seconded by Beth Depew.

**Motion** was made by Al Meehan seconded by Nancy Brown, that the **nominations cease**. By majority voice vote, all ayes, **motion carried**.

Chairman Humphrey asked that the Commissioners state the last name of the person for whom they wish to place their vote for when voting.

Roll Call Vote as follows:

Voting for Charles VonCannon: Nancy Brown, Ronnie Trivett, Charles VonCannon, Larry Miller, John Lewis, Cody McQueen, Robert Carroll, and Robert Gobble. (8 Votes)

Voting for Buford Peters: Buford Peters, Willie Campbell, Jerry Proffitt, Mike Hill, Al Meehan, Beth Depew, L.C. Tester, Isaiah Grindstaff, Danny Ward, Ross Garland, Timothy Holdren, Bobbie Gouge-Dietz, Randall Jenkins, Ray Lyons, Sonja Culler, and Scott Simerly. (16 Votes)

Absent: None (0) Absent

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**Buford Peters** receiving sixteen (16) votes, was elected **Vice-Chairman of the Carter County Commission** by majority roll call vote.

**Election of Commissioners to Standing Committee Groupings**

Chairman Humphrey asked that District 2 voice their decision on Committee representatives. Nancy Brown stated that she was still not in agreement with them. She stated that she felt she had more qualifications than both of the other two Commissioners in that district. Mrs. Brown stated that she would like to see this matter come to a "floor vote."

Chairman Humphrey stated, that based on the County Attorneys recommendation, **called for an open vote of the Commissioners in that (2<sup>nd</sup> District) decisions** concerning Committee appointments.

Commissioner Bobbie Gouge-Dietz, questioned if this was going against the By-Laws when doing this.

Chairman Humphrey stated, "no, this is confirming the By-Laws." Chairman Humphrey also stated that the 2<sup>nd</sup> District Commissioners went into a recess to discuss the matter and that matter has to be addressed in open forum.

Chairman Humphrey asked that the Commissioners in District 2 reinforce the three names that were submitted to the County Clerk's office.

These being: Mike Hill for Budget; Nominating; Legal; Industry, Reapportionment; Capital Projects.

Al Meehan for Rules & By-Laws; Building and Grounds; Law Enforcement; Health & Welfare; Recreation.

Nancy Brown for Utilities, Cable, Education; Highway; Special Investigations; Solid Waste/Landfill.

Chairman Humphrey called for a roll call vote at this time from District 2.

Roll Call Vote as follows confirming appointments to committees from 2<sup>nd</sup> District as listed and submitted above:

Nancy Brown: No

Mike Hill: Yes

Al Meehan: Yes

Being a **majority vote received and voiced in open Commission by District 2 Commissioners, appointments were confirmed by 2<sup>nd</sup> District.**

Chairman Humphrey noted that the 8<sup>th</sup> District had not submitted to the County Clerk's office a recommendation of Committee representatives. Commissioners of the 8<sup>th</sup> District were asked to speak at this time concerning the Committee appointments.

Commissioner Robert Carroll addressed the Commission asking that the following committee appointments for District 8 be confirmed by full commission.

These being: Robert Carroll for: Budget; Nominating; Legal; Industry, Reapportionment; Capital Projects.

Cody McQueen for: Rules & By-Laws; Building and Grounds; Law Enforcement; Health & Welfare; Recreation.

Robert Gobble for: Utilities, Cable, Education; Highway; Special Investigations; Solid Waste/Landfill.

Chairman Humphrey ask Commissioners from the 8<sup>th</sup> District to confirm and voice agreement or disagreement concerning the Committee appointments as presented by Commissioner Carroll (as listed above).

Roll Call Vote (8<sup>th</sup> District) as follows:

Robert Carroll: Yes

Cody McQueen: Yes

Robert Gobble: Yes

Being a majority vote received in open Commission by District 8 Commissioners, appointments were confirmed by 8<sup>th</sup> District.

Chairman Humphrey requested a roll call vote. Commissioners to respond with a yes or no vote indicating agreement or disagreement with the list of 2014-2015 Committee Appointments, as a whole, as submitted to the County Clerk.

Roll Call Vote as follows:

Voting Yes (agreement): Buford Peters, Willie Campbell, Mike Hill, Al Meehan, Beth Depew, L.C. Tester, Isaiah Grindstaff, Danny Ward, Ross Garland, Timothy Holden, Bobbie Gouge-Dietz, Ray Lyons, Sonja Culler, and Cody McQueen. (14 Yes)

Voting No (disagreement): Jerry Proffitt, Nancy Brown, Ronnie Trivett, Charles VonCannon, Randall Jenkins, Larry Miller, John Lewis, Scott Simerly, Robert Carroll, and Robert Gobble. (10 No)

By majority roll call vote 2014-2015 Committee Appointments to run through September 1, 2015, approved as presented. Recorded on page 520.

Al Meehan again questioned the reason for the full Commission vote concerning Committee appointments.

Chairman Humphrey stated that these positions were for one (1) year. The vote concerning these appointments was called for and made due to much disagreement and questions concerning the committees.

Therefore, that he felt it was necessary to ask for confirmation of those committees as outlined and any changes be made through the Rules & By-Laws Committee.

Al Meehan questioned the reason for the full Commission vote as taken above and ask to go on record that this (the previous) vote was extra to the Rules & By-Laws currently being followed.

Committee Appointments – Other Committee Appointment

Chairman Humphrey stated that this was not on today's agenda, but was in line with the filling of other Committees.

Chairman Humphrey stated that A list of all the Committees will be forwarded to each Commissioner noting any vacancies. Each Commissioner was requested to submit their request, as far as to which committee they wish to serve on, and forward that in writing to the County Mayor. This will be forwarded to the Nominating Committee for recommendation and

confirmation be made during the October meeting.

Discussion noted that times of various meetings, both Committee meetings and Commission, caused conflict and needed to be addressed.

Acceptance of Minutes from Previous Meeting, August 14, 2014

**Motion** was made by John Lewis, seconded by Nancy Brown to accept as presented the minutes of the previous meeting, August 14, 2014 as printed.

Ronnie Trivett noted that an error was on page 498 regarding the nomination of Jason Holly as County Attorney. Name should correctly be listed as Travis Holly.

It was also stressed that several Commissioners present today were not at the August 14, 2014 meeting and should be careful when casting their vote concerning approval of the minutes.

With correction as noted, and recognizing the importance of being present at the August 2014 meeting, Chairman Humphrey called for a Roll Call Vote concerning the acceptance of the August 14, 2014 minutes.

Roll Call Vote as follows:

**Ayes:** Buford Peters, Willie Campbell, Jerry Proffitt, Nancy Brown, Mike Hill, Al Meehan, Beth Depew, Ronnie Trivett, Charles VonCannon, L.C. Tester, Danny Ward, Ross Garland, Bobbie Gouge-Dietz, Randall Jenkins, Larry Miller, John Lewis, Ray Lyons, Sonja Culler, and Robert Gobble. (19 Ayes)

**Nays:** None (0 Nays)

**Passing:** Isaiah Grindstaff, Timothy Holdren, Scott Simerly, Cody McQueen, and Robert Carroll. (5 Passing)

**Absent:** None (0 Absent)

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

**Motion** was made by Ronnie Trivett, seconded by Willie Campbell to enter into a **ten (10) minute** recess. By majority voice vote, **motion carried.**

Meeting was called **back to order** by Chairman Humphrey following the recess.

Notaries/Bonds

**Motion** was made by Sonja Culler, seconded by John Lewis, to accept the following Notaries/Bonds as presented.

Tracy Dixon	Cathy R. Anderson	Loren Harris	Ben Johnson
Thomas Banks	Cathie Bentley	Penny Bowling	Nathan C. Goodwin
Jeannie Holder	Jill Sue Hunt	Lori M. Royston	Brenda Jester
Melissa M. Ramsey	Brittany K. Rock	DavidMichael B. Rice	Sonya Leonard
Katerina Stevenson	*****	*****	*****

Roll Call Vote as follows:

**Ayes:** Buford Peters, Willie Campbell, Jerry Proffitt, Nancy Brown, Mike Hill, Al Meehan, Beth Depew, Ronnie Trivett, Charles VonCannon, L.C. Tester, Isaiah Grindstaff, Danny Ward, Ross Garland, Timothy Holdren, Bobbie Gouge-Dietz, Randall Jenkins, Larry Miller, John Lewis, Ray Lyons, Sonja Culler, Scott Simerly, Cody McQueen, Robert Carroll and Robert Gobble. (24 Ayes)

**Nays:** None (0 Nays)

**Absent:** None (0 Absent)

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

**RESOLUTIONS**

***A. IRC, IBC, IPMC Adoption Resolution***

Chairman Humphrey called the meeting to recess in order to enter into a public hearing.

**Public Hearing was call to order to consider the Adoption of the IRC, IBC, IPMC Resolution.**

The following approached the podium and voiced various concerns about this resolution.

Scott Bowers, a resident of the 1<sup>st</sup> District stated the felt workshops were needed to explain issues. He also stated that he felt the historical areas needed to be addressed further. Also, note was why the 2009 version had jumped over to the 2012 version which helps eliminate needed new legislation.

Don Johnson an experienced engineer, stated that this was a "huge book." He recommended that before voting, the purpose and reasons for these code be researched and not taken lightly.

Roy Livingston, a resident of Hampton, stated that he felt workshops should be conducted so that the codes are fully understood and explained before voting.

The **public hearing was closed** as no other person wished to speak and Chairman Humphrey called the Commission back into session.

Chris Scheuttler, Planning Director approached the podium and addressed the Commission concerning the proposed resolution. It was noted that these code book were on file in the County Clerk's office and the Planning Office and could be viewed upon request. It was also stated that several employees of the Planning Office were still in the process of receiving certification.

Motion was made by Ronnie Trivett, seconded by John Lewis, to **have a workshop on the IRC, IBC, IPMC Resolution and following such to present back to full commission for recommendation.**

Roll Call Vote as follows:

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

Nays: None (0 Nays)

Absent: None (0 Absent)

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

**RESOLUTION**

***B. Resolution Authorizing Road Superintendent as Signer on Bank Account***

County Attorney Joshua Hardin read and presented the above mention Resolution for consideration.

**RESOLUTION No. 612**

Motion was made by Nancy Brown, seconded by Beth Depew to **approve as presented, "A RESOLUTION AUTHORIZING THE ADDITION OF CARTER COUNTY ROAD SUPERINTENDENT ROGER COLBAUGH AS AN AUTHORIZED SIGNER ON THE CARTER COUNTY TRUSTEE'S WARRANTS ACCOUNT AND REMOVING AUTHORIZATION FOR FORMER ROAD SUPERINTENDENT JACK PERKINS."**

Recorded on pages 521-522.

*Clerk's Note: Let the record reflect that an (\*) indicates that the Disclaimer for Employees of Carter County, Tennessee was voiced by the Commissioner concerning the vote.*

Roll Call Vote as follows:

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

Nays: None (0 Nays)

Absent: None (0 Absent)

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

Mayor's Report -- General County Update -- Mayor Leon Humphrey presented brief reports on the following items:

Community Block Grant -- Correspondence had been received noting that the application had been received and approved in the amount of \$520,000. This is to be used for water line rehabilitation with the Watauga River Regional Water Authority.

Legislation Update -- Two percent (2%) allocation toward bridge repairs.

High Priority/Local Funding -- Highway Scape Projects being Cedar Grove Road and Stateline road paving projects.

#### Committee Reports/Recommendations

##### Highway Committee

Buford Peters stated that he would not be serving on the next Highway Committee. He, as past Chairman of the Highway Committee had many citizens contact him concerning various issues needing to be addressed as soon as possible.

Commissioner Peters stated that an agenda had been prepared and a meeting for the Highway Committee would be held Tuesday, September 23, 2014 at 10:00 AM at the Highway Department.

During discussion it was stressed that meeting dates and times needed to be coordinated as soon as possible.

##### Nominating Committee

Sonja Culler, stating that she was currently the only pass member serving on that committee, announced that the Nominating Committee would be meeting on Monday, September 22, 2014 at 5:15 and that proper notice would be published. She stressed that this would be a very important meeting which would be filling of numerous positions.

Chairman Humphrey stated that Commissioners wanting placed on various committees forward that request to the Mayor's office.

##### Budget/Finance Report

Ingrid Deloach, Director of Finance presented the following items for consideration. Mrs. Deloach stated that these items were needing immediate attention.

**Motion** was made by Sonja Culler, seconded by Ray Lyons, to approve as **Landfill Financial Assurance Document, Permit # DML 10-009** as required by the Regulation of the Solid Waste Management. This does not involve any monetary amounts. Recorded on pages

523

Roll Call Vote as follows:

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

Nays: None (0 Nays)



Absent: None (0 Absent)

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

**Motion** was made by Ronnie Trivett, seconded by Sonja Culler, to **approve the Planning and Zoning Copier Lease Agreement.** This is a multi year lease which the Planning and Zoning Office will fund through their budget. Recorded on page 525.

Roll Call Vote as follows:

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

Nays: None (0 Nays)

Absent: None (0 Absent)

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

**Motion** was made by Sonja Culler, seconded by Willie Campbell to **accept the August 2014 donations totaling \$205.00 to the Animal Shelter.** Recorded on page 526.

Roll Call Vote as follows:

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

Nays: None (0 Nays)

Absent: None (0 Absent)

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

**Motion** was made by Ronnie Trivett, seconded by Isaiah Grindstaff to **approve General Fund 101 Budget Amendment #3 with 3 items for a total of \$12,573.60.** Item 1 and Item 2 are relating to the Animal Shelter, Item 3 is coming from Fund Balance to allocate funds for an outstanding Hepaco invoice for a fuel spill which was located near Simerly Creek Road.  
Recorded on page 526.

Roll Call Vote as follows:

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

Nays: None (0 Nays)

Absent: None (0 Absent)

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

**Motion** was made by Sonja Culler, seconded by Nancy Brown to **approve Highway Fund 131 Budget Amendment #1 with 2 items.** No new money. Record on pages 526.

Roll Call Vote as follows:

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

Nays: None (0 Nays)  
Absent: None (0 Absent)

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

**Carter County Expenditure Budget Report for the Month of August 2014 and the August 2014 Local Option Sales Tax Report** were provided to Commissioners by Ingrid Deloach, Financial Director. Included in the reports were the Account Numbers, Account Description, Budget Amounts, Budget Amendments, and Amended Budget, Month-to-day expenditures, Outstanding Encumbrances, and Unencumbered Balances.

**Motion** was made by Ray Lyons, seconded by Bobbie Gouge-Dietz, to **approve the change of new bank signatures due to newly elected officials in the Highway Department, Sheriff Department, Circuit Clerk's Office, and Sessions Judge.**

Roll Call Vote as follows:

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

Nays: None (0 Nays)  
Absent: None (0 Absent)

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

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

Litigation – New litigation concerning former inmate suit forwarded to Insurance carrier concerning a civil matter.

SIA Project – Industrial park new road.

Forensic Agreement – Agreement with ETSU making progress.

Highway Study – TDOT study, waiting on response.

Resolutions – Prepared Resolutions presented today.

Research – Highway Committee issues, Animal Shelter Travel issue, Open Records Request,

Appointments of Various Boards and Committees.

Employment-Employee Issue – Assessor of Property Office.

Commissioner Ronnie Trivett requested an update concerning sale of excess county property. County Attorney Hardin stated that additional property was being researched for sale if no longer needed.

**Commissioner's Comment**

Commissioner John Lewis spoke in regards to how Resolutions were presented.

**Motion** was made by John Lewis, as follows:

**“Before we pass any kind of Resolution, or anything for this County, the we have at least two(2) readings on it, and on the second reading, that we meet, down here, about thirty minutes earlier from the Commission meeting and let our Attorney here, tell us what theses Resolutions is all about.”**

Motion was seconded by Commissioner Ronnie Trivett. Commissioner Trivett also stated that, “We might have the Attorney to look up the proper paperwork, then when we have the first and second reading on this stuff.”

Discussion followed with Chairman Humphrey noting that most of the things you could probably do that. However, sometimes that there are some things that will not be allowed.

Commissioner Trivett agreed.

Ingrid DeLoach Financial Director warned that this procedure made not be in the best interest of the County due to the fact that time is of the essence in some instances concerning major matters needing immediate attention.

Commissioner Lewis agreed that some things could not be avoided and he was speaking of items that have to do with the people, such as inspectors job and things that the people don't understand. Once again he stressed that two (2) readings were necessary as well as the Attorney explaining the Resolutions that were being voted on.

Commissioner Meehan commented that because of cost, the Attorney's input should be done during the Regular Session of the meeting rather than prior to the meeting, as stated in the original motion.

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**Chairman Humphrey clarified the motion by re-stating, "To have a minimum of two (2) readings on new issues, new major issues. There's always an exception can be made if the situation warrants it." Motion made by Mr. Lewis, seconded by Mr. Trivett. Roll call vote was then called for by the Chair.**

Roll Call Vote as follows:

Ayes: Jerry Proffitt, Nancy Brown, Mike Hill, Al Meehan, Beth Depew, Ronnie Trivett, Charles VonCannon, Isaiah Grindstaff, Timothy Holdren, Randall Jenkins, Larry Miller, John Lewis, Scott Simerly, Cody McQueen, Robert Carroll, and Robert Gobble. (16 Ayes)

Nays: Buford Peters, Willie Campbell, L.C. Tester, Danny Ward, Ross Garland, Bobbie Gouge-Dietz, Ray Lyons, and Sonja Culler, (8 Nays)

Absent: None (0 Absent)

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

Commissioner L. C. Tester spoke in regards to the possibility of obtaining a Private Act concerning the a Probation Department to be established for Carter County.

Commissioner Ray Lyons stressed that the Commission work together as a team and move forward to together for the citizens of Carter County.

Commissioner Charles VonCannon spoke concerning probation issues and jail population. He too stressed that the Commissioner's work together.

Commissioner Nancy Brown stated that she didn't get on the committee she desired, however that we work together and do the best that we can for this county. "Let's be proud of our county."

Commissioner Larry Miller spoke in regards to the need for activities for young people. He also stated, "It's not what our county can do for us, but what we can do for our county."

Sheriff Dexter Lunceford spoke briefly and invited all Commissioners to tour the jail.

Commissioner Willie Campbell voiced budget concerns during incoming and outgoing newly elected Office Holders.

Commissioner Robert Gobble expressed this thank-you to all that voted for him and extended a welcome and congratulations to all new elected officials.

**Motion to adjourn** was made by Ronnie Trivett, seconded by Buford Peters. By majority voice vote, **motion carried.** Meeting adjourned at 11:40 AM.

**2014 – 2015 Members of the Carter County Commission**

**RE: 2014-2015 Committee Appointment**

In accordance with the Rules and By-Laws of the Carter County Commission, these will represent said district on the committee as listed below and confirmed by full Commission September 15, 2014.

**Budget; Nominating; Legal; Industry; Reapportionment; Capital Projects**

1 <sup>st</sup> District	Buford Peters	5 <sup>th</sup> District	Ross Garland
2 <sup>nd</sup> District	Mike Hill	6 <sup>th</sup> District	John Lewis
3 <sup>rd</sup> District	Ronnie Trivett	7 <sup>th</sup> District	Soaja Culler
4 <sup>th</sup> District	L.C. Tester	8 <sup>th</sup> District	Robert Carroll

**Rules & By-Laws; Building and Grounds; Law Enforcement; Health & Welfare; Recreation**

1 <sup>st</sup> District	Willie Campbell	5 <sup>th</sup> District	Timothy Holdren
2 <sup>nd</sup> District	Al Meehan	6 <sup>th</sup> District	Randal Jenkins
3 <sup>rd</sup> District	Beth Depew	7 <sup>th</sup> District	Ray Lyons
4 <sup>th</sup> District	Isaiah Grindstaff	8 <sup>th</sup> District	Cody McQueen

**Utilities, Cable, Education; Highway; Special Investigations; Solid Waste/Landfill**

1 <sup>st</sup> District	Jerry Proffitt	5 <sup>th</sup> District	Bobbie Gouge-Dietz
2 <sup>nd</sup> District	Nancy Brown	6 <sup>th</sup> District	Larry "Doc" Miller
3 <sup>rd</sup> District	Charles VonCannon	7 <sup>th</sup> District	Scott Simerly
4 <sup>th</sup> District	Danny Ward	8 <sup>th</sup> District	Robert Gobble

BEFORE THE COUNTY COMMISSION  
OF CARTER COUNTY, TENNESSEE  
REGULAR MEETING, MONDAY, SEPTEMBER 15, 2014

RESOLUTION NO. 612

"A RESOLUTION AUTHORIZING THE ADDITION OF CARTER COUNTY ROAD SUPERINTENDENT ROGER COLBAUGH AS AN AUTHORIZED SIGNER ON THE CARTER COUNTY TRUSTEE'S WARRANTS ACCOUNT AND REMOVING AUTHORIZATION FOR FORMER ROAD SUPERINTENDENT JACK PERKINS."

WHEREAS, the Trustee's Warrants Account for Carter County Tennessee is maintained locally at Citizen's Bank; and

WHEREAS, it is necessary and prudent for the Carter County Road Superintendent to be an authorized signer on said account in order to properly carry out the duties and responsibilities of said office; and

WHEREAS, Roger Colbaugh is the current Carter County Road Superintendent having assumed the duties of that office effective September 1, 2014; and

WHEREAS, it is now necessary to remove former Road Superintendent Jack Perkins from the Carter County Trustee's Warrants Account as an authorized signer, and add current Carter County Road Superintendent Roger Colbaugh as an authorized signer on said account; and

WHEREAS, authorization from the County Commission is required by Citizen's Bank in order to make any changes to the Carter County Trustee's Warrants Account; and

WHEREAS, the County Commission of Carter County, Tennessee feels that it is necessary and proper to authorize the removal of former Road Superintendent Jack Perkins as an authorized signer on said account and the addition of current Road Superintendent Roger Colbaugh as an authorized signer on said account so that he may fulfill all the duties and responsibilities required of his office.

NOW, THEREFORE, BE IT RESOLVED by the County Commission of Carter County, Tennessee, meeting in regular session on this the 15<sup>th</sup> day of September, 2014, with a lawful quorum of said Commission being present and with a majority voting in the affirmative that the Commission hereby adopts this Resolution authorizing Citizen's Bank to take all steps necessary to facilitate the removal of former Road Superintendent Jack Perkins as an authorized signer on the Carter County Trustee's Warrants Account and the addition of current Road Superintendent Roger Colbaugh as an authorized signer on said account, as this change is necessary and proper to allow the current Road Superintendent to fulfill the duties and responsibilities of his office as required by law.

BE IT FURTHER RESOLVED, this Resolution in its entirety shall be effective from and after its adoption, the welfare of the county demanding.

Adopted this 15<sup>th</sup> day of September, 2014.

CARTER COUNTY, TENNESSEE

APPROVED:

By: \_\_\_\_\_  
CARTER COUNTY COMMISSION CHAIRMAN

By:   
LEON HUMPHREY  
CARTER COUNTY MAYOR

Mayor Humphrey  
Carter County  
July 10, 2014  
Page 2

Please see the attached spreadsheets, which list in detail the amount of financial assurance required due to the 2013 annual inflation adjustment and/or post closure reduction (if applicable) for your permit(s). The spreadsheets also list the current amount of financial assurance on file for each permit.

**PLEASE NOTE**

- (1) Any County and/or Municipal Contract In Lieu of Performance Bonds incurring an annual inflation adjustment shall not be processed by amendment until the amount of the adjustment equals or exceeds **TNE THOUSAND DOLLARS (\$10,000.00)**.

If you have any questions, please call me at (615) 532-0848. Please submit the inflation adjusted financial instrument to the Division of Financial Responsibility at the address listed on the letterhead as indicated above.

Respectfully,

  
James Marks, ASA IV  
County and Municipal Contract Administrator  
Division of Financial Responsibility

CC: Fred Willing, Manager of Solid Waste Management, Chattanooga Field Office, TDEC

Enclosure: Customer Information Spreadsheet

# Investment Analysis

## Carter County Planning and Zoning

### Recommended Implementations

Based on our analysis of your needs, we recommend the following units to optimize productivity and operation cost.

DESCRIPTION	QUANTITY
imagePROGRAF IPF-765 MFP M40	1
Canon CSMP Credits	1
Canon Promotion	1
Dealer Provided Services for Network/Driver Installation for Cabinet machines	1

Cash Purchase Price:	Lease Payment:	Lease Months
\$6,395.00	\$161.15 (\$1 Buyout)	48
\$6,395.00	\$133.02 (\$1 Buyout)	60

#### Additional Terms and Conditions

The quoted lease rate does not require a security deposit or advance payment. However, a UCC-1 filing fee of \$75.00 is required and is included with the first invoice. You are asked to provide a Proof of Insurance Certificate. Sales tax is added to the monthly invoice.

This quotation is valid until the following date: 8/21/14

# Investment Analysis

## Carter County Planning and Zoning

### Canon imagePROGRAF IPF Ink Cartridges

#### Recommended Implementations

Based on our analysis of your needs, we recommend the following units to optimize productivity and operation cost.

DESCRIPTION	QUANTITY
Dye Cyan Ink 130ml	1
Dye Magenta Ink 130ml	1
Dye Yellow Ink 130ml	1
Pigment Matte Black Ink 130ml	1
Dye Black Ink 130ml	1

Cash Purchase Price:
\$330.00

This quotation is valid until the following date: 8/21/2014

**Carter County**  
**General Fund 101**  
**Budget Amendment #3**  
**15-Sep-14**

Item # 1	44540 Sale of Property		\$	384.00	Decrease
	55120-413 Medical/Drug Supplies		\$	384.00	Increase

Reallocate funds received from sale of specimen.

Item #2	41120 Animal Registration		\$	1,645.00	Decrease
	55120-399-81 Other Contracted Services		\$	1,645.00	Increase

Reallocate funds received for spay/neuter services.

Item # 3	39000 Undesignated Fund Balance		\$	10,544.60	Decrease
	54490-399 Other Contracted Services		\$	10,544.60	Increase

Allocate funds for outstanding Hepaco invoice for fuel spill.

Total \$ 12,573.60 \$ 12,573.60

**August 2014 Donations**

Animal Shelter Donation-Sandra Johnson	100.00
Animal Shelter Donation-Jennifer Cruz	40.00
Animal Shelter Donation- Anonymous	10.00
Animal Shelter Donation-Sycamore Chapter #163 Helen Shipley Memorial	25.00
Animal Shelter Donation- Suzie Coefzee	25.00
Animal Shelter Donation-Jennifer Cruz	5.00
	<u>\$ 205.00</u>

**Carter County**  
**Highway Fund 131**  
**Budget Amendment #1**  
**15-Sep-14**

Item # 1	61000-167 Maintenance Personnel	16,500.00	Increase
	61000-201 Social Security	1,031.97	Increase
	61000-204 State Retirement	2,465.10	Increase
	61000-206 Life Insurance	24.00	Increase
	61000-207 Medical Insurance	4,494.48	Increase
	61000-208 Dental Insurance	155.20	Increase
	61000-210 Unemployment Comp	90.00	Increase
	61000-212 Employer Medicare	239.25	Increase
	63100-425 Gasoline		25,000.00 Decrease

Reallocate within Highway Fund 131 for new janitorial position.

Item #2	61000-103 Assistant		15000 Decrease
	61000-105 Supervisor/Director	8300	Increase
	61000-161 Secretary	3975	Increase
	61000-201 Social Security	750	Increase
	61000-204 State Retirement	1800	Increase
	61000-212 Employer Medicare	175	

Reallocate within Highway Fund 131 for Administrative Assitant positions.

Total 40,000.00 40,000.00