

**ANDERSON COUNTY
REGULAR SESSION
COUNTY COMMISSION
AUGUST 21, 2017**

BE IT REMEMBERED THAT THE ANDERSON COUNTY BOARD OF COMMISSION MET IN REGULAR SESSION ON AUGUST 21, 2017 WITH THE FOLLOWING COMMISSIONERS PRESENT: CHUCK FRITTS, TRACY WANDELL, MARK ALDERSON, RICK MEREDITH, STEVE EMERT, PHIL WARFIELD, SHAIN VOWELL, TIM ISBEL, ROBERT MCKAMEY, JERRY WHITE, WHITEY HITCHCOCK, STEVE MEAD, JERRY CREASEY, THERESA SCOTT, PHIL YAGER AND BOB SMALLRIDGE.

Prayer was led by Commissioner Wandell.

Pledge of Allegiance was led by Commissioner Vowell.

1. Commissioner Warfield made a motion to put discussion of a citizen from Hillvale Roads fence issue under Mayors report. Seconded by Commissioner Mead. Motion carried by voice vote.
2. Commissioner Isbel made a motion to discuss under Operations Committee a citizen from Alley Roads concern of a neighbor shooting a gun past dark. Seconded by Commissioner White. Motion carried by voice vote.
3. Commissioner Warfield made a motion to approve Consent Agenda. Seconded by Commissioner White.

Commissioner Wandell made a motion to move the Anderson County Tourism Minutes from Consent Agenda to Regular Agenda under Committee Reports. Seconded by Commissioner Creasey.

Motion carried by voice vote.

- July 17, 2017 County Commission Minutes
- Notary and Notary Bonds
- Courtesy Resolutions/Proclamations
- Reports
- Committee Reports
 - ADA Oversight Committee Minutes (7-11-17)(8-7-17)
 - AC Solid Waste Regional Board Minutes(8-8-17)
 - Human Resource Advisory Board Minutes(7-17-17)
 - AC Tourism Board Minutes(8-3-17)
 - AC Fire Commission Minutes(7-11-17)

Notaries

Mia Bounds

Rebecca Fox Grubb

James W Brooks Jr

Gaye Kelly

Sara Carr

Patricia Langan

Victor P Connelly II

Angela Kay Mahone

Jessica L Davis-Casteel

Ronald C Meredith

Kelly Dean

Joan B Nelson

David L Flitcroft

Racheal D Ortiz

Alfred Purveya
Hamed Seleman Rashid
Nicole C Smith
David Strader

Wilburn Ray Viles Jr
Donald Whitaker
Danny Whitson
Valarie M Woods

Notary Bonds

Western Surety Co

Greg Goodman
Tyler Pyle
Geanis Vera Farr
Tina Strickland
Robert Clinton Davis
Kelly R Vittatoe
Rebecca Herrin
Deborah Schenk
State Farm
Candace N Hill
Beverly M Cantrell
Andromeda E Pleuss
Gail A Harmon
Jamie L Huskins

Merchants

Rebecca Barr Rupp

SBCA

Angela M Doub

Gerda Leach

Danielle Hoskins

Matthew Eagan

Amanda Hoskins

RLI

J Philip Harber

Cassandra J Shipley

4. Commissioner Fritts made a motion to move on Regular Agenda Operations Committee to right after Elections. Seconded by Commissioner White. Motion carried by voice vote to approve Regular Agenda as amended.

Elections

5. Commissioner Isbel made a motion to reappoint Lake McCoy to the Anderson County Library Board for the term July 2017 till June 2020. Seconded by Commissioner White. Motion carried by voice vote.

6. Commissioner McKamey made a motion to nominate David Mosby, Nathaniel Varner, Bob Smallridge and Harold Trapp to fill the unexpired seat on County Commission for the 8th District. Seconded by Commissioner Scott. Motion carried by voice vote.

First Vote:

Mosby: Fritts, Hitchcock, Creasey and Scott

Varner: White

Smallridge: Vowell, Isbel, Emert, Mead and Alderson

Trapp: Wandell, McKamey, Yager and Meredith

Second Vote:

Mosby: Fritts, Hitchcock, Creasey and Scott

Smallridge: Vowell, Isbel, Emert, Mead, Alderson, Warfield and White

Trapp: Wandell, McKamey, Yager and Meredith

Third Vote:

Mosby: Fritts, Hitchcock, Creasey and Scott

Smallridge: Vowell, Isbel, Emert, Mead, Alderson, Warfield and White

Trapp: Wandell, McKamey, Yager and Meredith

Fourth Vote:

Mosby: Fritts, Hitchcock, Creasey and Scott

Smallridge: Vowell, Isbel, Emert, Yager, Mead, Alderson and Warfield

Trapp: Wandell, McKamey, White and Meredith

Fifth Vote:

Mosby: Fritts, Hitchcock, Creasey and Scott

Smallridge: Vowell, Isbel, Emert, Mead, Alderson, Warfield and White

Trapp: Wandell, McKamey, Yager and Meredith

Sixth Vote:

Mosby: Firtts, Creasey, Scott

Smallridge: Hitchcock, Vowell, Isbel, Emert, Yager, Mead, Alderson and Warfield

Trapp: Wandell, McKamey, White and Meredith

Winning 8th District seat Bob Smallridge.

7. Commissioner Isbel made a motion to approve a resolution 17-08-647 in support of " Behavioral Health of Rocky Tops" application for a certificate of need for an Inpatient Geropsychiatric Hospital to be located in Rocky Top Tn.(ExhibitA) Seconded by Commissioner Hitchcock. Motion carried by voice vote.

8. Commissioner Isbel made a motion to approve the amendment as submitted to the MOU for the Senior Center and Office of Aging and ask the Law Director to strike, in the MOU, the commission based wording about making that available for the Director and to include the money be given over a period of 26 pay periods. (Exhibit B) Seconded by Commissioner Mead. Voting aye: Fritts, Wandell, Alderson, Meredith, Emert, Warfield, Vowell, Isbel, McKamey, Mead and Yage. Voting no: White, Hitchcock, Creasey and Scott. Abstaining: Smallridge. Absent: none. Motion passed.

9. Commissioner Isbel made a motion to approve the amendment to the Personnel Policy which is to change section 7.6 to read while on leave the employees will receive their regular compensation for a period not to exceed 240 hours per calendar year plus any additional days that may result from a call to active duty by the Governor. Seconded by Commissioner Mead. Motion carried by voice vote.

10. Commissioner Isbel made a motion to approve resolution 17-08-646 in support of reallocation of oil and gas severance tax. (Exhibit C) Seconded by Commissioner Mead. Motion carried by voice vote.

11. Commissioner Isbel made a motion to give the property back to Oliver Springs. Seconded by Commissioner Yager.

Commissioner Alderson made a motion to defer this to Operations Committee for 30 days. Seconded by Commissioner Mead. Motion carried by voice vote.

12. Commissioner Isbel made a motion to approve supporting the Briceville VFD pursuing a CDBG grant application. Seconded by Commissioner Alderson. Motion carried by voice vote.

13. Commissioner Isbel made a motion to adopt the language in TCA 5-21-104 part B-1&2. Seconded by Commissioner White. Motion carried by voice vote.

Director of Schools

No action at this time.

14. Commissioner Yager made a motion to add at the end of meeting an executive session to discuss a lawsuit between Toyota and Anderson County. Seconded by Commissioner Isbel. Motion carried by voice vote.

Mayor

15. Commissioner McKamey made a motion to accept the Mayors appointments to the Conservation Board which were: Rickey Rose term expiring December 2021 (to fill the vacancy of Karen Lively), Chuck Fritts County Commissioner term expiring December 2020 and Christine Dixon term expiring December 2019. Seconded by Commissioner White.

Commissioner Hitchcock made a motion to amend the motion to vote individually for the appointments in reverse order. Seconded by Commissioner Vowell.

Voting aye: Fritts, Wandell, Meredith,, Vowell, Hitchcock, Mead, Creasey, Scott and Smallridge. Voting no: Alderson, Emert, Warfield, McKamey, White and Yager. Absent: none. Motion passed.

Christine Dixon: Voting aye: Fritts, Wandell, Vowell, McKamey, White, Hitchcock and Scott. Voting no: Alderson, Meredith, Emert, Warfield, Isbel, Mead, Creasey and Yager. Abstaining: Smallridge. Absent: none. Motion failed.

Chuck Fritts: Voting aye: Fritts, Wandell, Isbel, McKamey, White, Hitchcock, Creasey and Yager. Voting no: Alderson, Meredith, Emert, Warfield, Vowell, Mead and Scott. Abstaining: Smallridge. Absent: none. Motion failed.

Rickey Rose: Voting yes: Fritts, Wandell, Meredith, Vowell, Isbel, McKamey, White and Mead. Voting no: Alderson, Emert, Warfield, Hitchcock, Creasey, Scott and Yager. Abstaining: Smallridge. Absent: none. Motion failed.

16. Commissioner McKamey made a motion to send to Operations Committee discussion about amendments to the Noise Resolution and Zoning Resolution. Seconded by Commissioner Scott. Motion carried by voice vote.

Law Director

No action at this time.

Budget Committee

17. Commissioner White made a motion to approve the following school appropriations. Seconded by Commissioner Scott. Voting aye: Fritts, Wandell, Alderson, Meredith, Emert, Warfield, Vowell, Isbel, McKamey, White, Hitchcock, Mead, Creasey, Scott, Yager and Smallridge. Voting no: none. Absent: none. Motion passed.

Increase Revenue Code:

141-44146	E-Rate Funding	\$50,000.00
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Decrease Revenue Code:

141-44990-1000	Other Local Revenue- E-Rate Refunds	\$50,000.00
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Decrease Reserve Code:

101-39000	Unassigned Fund Balance	\$21,235.00
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Increase Expenditure Code:

141-72220-499-SEFFS	Other Materials & Supplies- SEFFS	\$21,235.00
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Increase Expenditure Codes:

141-71100-429	Instructional Supplies & Materials	\$5,000.00
141-72210-524	Professional Development	<u>5,000.00</u>
	Total Increased Expenditures	\$10,000.00

Increase Revenue Code:

141-46590	State Grant- Read to Be Ready	\$10,000.00
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Increase Revenue Codes:

141-40110	Current Property Taxes	\$528,213.00
141-40120	Trustees Collection- Prior	63,873.00
141-40130	Clerk & Master Collection-Prior	27,552.00
141-40210	Local Option Sales Tax	<u>493,163.00</u>
	Total Increased Expenditures	1,112,801.00

Decrease Revenue Codes:

141-46511	BEP-State	483,000.00
141-46590	Other State Education Funds	412,071.00

141-46851	State Revenue Sharing	\$217,730.00
	Total Decreased Revenues	\$1,112,801.00

Increase Expenditure Code:

143-73100-710	Food Service Equipment	\$145,000.00
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Decrease Reserve Code:

143-34570	Restricted-Food Service Fund	\$145,000.00
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18. Commissioner Alderson made a motion to approve the following school transfers. Seconded by Commissioner Warfield. Voting aye: Fritts, Wandell, Alderson, Meredith, Emert, Warfield, Vowell, Isbel, McKamey, White, Hitchcock, Mead, Creasey, Scott, Yager and Smallridge. Voting no: none. Absent: none. Motion passed.

Increase Expenditure Codes:

141-72220-189	Other Salaries & Wages	\$50,000.00
141-72220-399	Other Contracted Services	<u>124,000.00</u>
	Total Increased Expenditures	\$174,000.00

Decrease Expenditure Code:

141-71200-399	Other Supplies & Materials- Special Ed Fees for Services.	\$124,000.00
141-72220-124	Psychology Personnel	<u>50,000.00</u>
	Total Increased Expenditures	\$174,000.00

Increase Expenditure Codes:

141-72250-105	Technology- Director	\$96,000.00
141-72250-117	Technology- Career Ladder	3,000.00
141-72250-161	Technology-Secretary	33,809.00
141-72250-189	Technology- Salaries & Wages	370,759.00
141-72250-201	Technology- Social Security	31,221.00
141-72250-204	Technology- State Retirement	42,316.00
141-72250-206	Technology Life Insurance	403.00
141-72250-207	Technology- Medical Insurance	45,255.00
141-72250-210	Technology- Unemployment Comp.	425.00
141-72250-212	Technology- Medicare	7,302.00
141-72250-320	Technology- Dues & Memberships	125.00
141-72250-350	Technology- Internet Connectivity	156,000.00
141-72250-355	Technology- Travel	5,500.00
141-72250-399	Technology- Other Contracted Serv.	224,805.00
141-72250-499	Technology- Supplies & Materials	53,288.00
141-72250-524	Technology- Staff Development	800.00
141-72250-701	Technology- Administrative Equip.	10,000.00
141-72250-709	Technology- Data Processing	<u>43,776.00</u>
	Total Increased Expenditures	1,124,784.00

Decrease Expenditure Code:

141-72620-307	Maintenance of Plant- Communication	\$156,000.00
141-72810-105	Central & Other- Director	96,000.00
141-72810-117	Central & Other-Career Ladder	3,000.00

141-72810-161	Central & Other- Secretary	\$33,809.00
141-72810-189	Central & Other-Salaries & Wages	363,259.00
141-72810-201	Central & Other- Social Security	30,756.00
141-72810-204	Central & Other- State Retirement	39,166.00
141-72810-206	Central & Other- Life Insurance	403.00
141-72810-207	Central & Other- Medical Insurance	45,255.00
141-72810-210	Central & Other- Unemployment Compensation	425.00
141-72810-212	Central & Other- Medicare	7,193.00
141-72810-320	Central & Other- Dues & Memberships	125.00
141-72810-355	Central & Other- Travel	5,500.00
141-72810-399	Central & Other- Other Contracted Services	224,805.00
141-72810-499	Central & Other- Supplies & Materials	53,288.00
141-72810-524	Central & Other- Staff Development	800.00
141-72810-599	Central & Other- Admin. Equipment	10,000.00
141-72810-709	Central & Other- Data Processing	<u>55,000.00</u>
	Total Decreased Expenditures	\$1,241,784.00

Increase Expenditure Codes:

141-72320-103	Office of Superintendent-Assistant Director of Schools	\$110,300.00
141-72320-204	Office of Superintendent- State Retirement	<u>6,839.00</u>
	Total Increased Expenditures	\$117,139.00

Decrease Expenditure Codes:

141-72210-105	Regular Instruction- Director	\$110,300.00
141-72210-204	Regular Instruction- State Retirement	<u>6,839.00</u>
	Total Decreased Expenditures	\$117,139.00

19. Commissioner Meredith made a motion to modify the language on Item 27 for the Industrial Development it is pulling form reserve fund money that has been ear marked for SETA that this will continue until the reserve fund is completely deleted. Seconded by Commissioner Warfield. Motion carried by voice vote.

20. Commissioner Hitchcock made a motion to approve the following non-school appropriations. Seconded by Commissioner Mead. Voting aye: Fritts, Wandell, Alderson, Meredith, Emert, Warfield, Vowell, Isbel, McKamey, White, Hitchcock, Mead, Creasey, Scott, Yager and Smallridge. Voting no: none. Absent: none. Motion passed.

Decrease Reserve Code:

122-34525	Drug Fund Reserve	\$27,500.00
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Increase Expenditure Codes:

122-54150-336	Maintenance & Repair Services- Equipment	\$2,000.00
122-54150-499	Other Supplies & Materials	2,500.00

122-54150-599	Other Charges	\$500.00
122-54150-716	Law Enforcement Equipment	2,500.00
122-54150-718	Motor Vehicle	<u>20,000.00</u>
	Total Increased Expenditures	\$27,500.00
<u>Increase Expenditure Codes:</u>		
131-61000-435	Office Supplies	\$1,000.00
131-62000-402	Asphalt	450,000.00
131-63100-399	Other Contracted Services	100,000.00
131-63100-418	Machinery and Equipment	50,000.00
131-68000-713	Highway Construction	<u>539,290.00</u>
	Total Increased Expenditures	\$1,140,290.00
<u>Decrease Reserve Code:</u>		
131-34550	Restricted for Highways	\$1,140,290.00
<u>Increase Expenditure Code:</u>		
101-51600-399	Other Contracted Services	\$13,000.00
<u>Decrease Reserve Code:</u>		
101-39000	Unassigned Fund Balance	\$13,000.00
(amendment will be from 101-34510 and a JE will replenish the reserve for 39000)		
<u>Increase Revenue Code:</u>		
101-48130-3001	Revenue-ORRCA	\$5,000.00
<u>Decrease Expenditure Code:</u>		
101-54410-599-ORRCA	Civil Defense-Other Charges-ORRCA	\$5,000.00
<u>Increase Expenditure Codes:</u>		
101-55110-399-TAB	Other Contracted Services-TAB	\$30,000.00
101-55110-599-TAB	Other Charges	10,403.04
101-55110-499-TAB	Other Supplies & Materials	15000.00
101-55110-499-HCTN	Other Supplies & Materials-HTC	5,000.00
101-55190-599-BUILT	Other Charges-BUILT	4,000.00
101-55190-499-BUILT	Other Supplies & Materials-BUILT	6,000.00
101-55110-499-ETSU	Other Supplies & Materials-ETSU	1,241.82
101-55190-499-MICRO	Other Supplies & Materials-Microclinic	1,300.00
101-55110-499-PP	Other Supplies & Materials-PPI	<u>1,366.00</u>
	Total Increased Expenditures	\$74,310.86
<u>Decrease Reserve Codes:</u>		
101-39000	Unassigned Fund Balance	\$72,944.86
(amendment will be from 101-34530-2000 (TAB) and a JE will replenish the reserve for 39000)		
(amendment will be from 101-34530-HCTN and a JE will replenish the reserve for 39000)		
(amendment will be from 101-34530-BUILT and a JE will replenish the reserve for 39000)		
(amendment will be from 101-34530-MICRO and a JE will replenish the reserve for 39000)		
(amendment will be from 101-34530-ETSU and a JE will replenish the reserve for 39000)		

Decrease Expenditure Codes:

101-55390-310	Appropriation to State move to PPI	\$1,366.00
	Total Decreased	\$74,310.86

Increase Revenue Code:

101-49700	Insurance Recovery	\$195.20
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Increase Expenditure Code:

101-52310-338	Repairs & Maintenance	\$195.20
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Increase Expenditure Codes:

115-56500-709-2000	Laptop for Director	\$995.00
115-56500-709-2000	Laptops for Technology Training	7,549.00
115-56500-790-2000	Furniture for Directors Office	<u>1,160.36</u>
	Total Increased Expenditures	\$9,704.36

Decrease Reserve Code:

115-34635-2000	Dedicated Reserve	\$9,704.36
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Increase Expenditure Code:

101-54410-316	Civil Defense- Contributions	\$235,250.00
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Decrease Reserve Code:

101-39000	Unassigned Fund Balance	\$235,250.00
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(amendment will be from 101-34625-5000 and a JE will replenish the reserve for 39000)

Increase Revenue Code:

151-44570	Debt Service-Contributions & Gifts	\$22,000.00
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Decrease Expenditure Code:

151-82110-612-USDA	Principal-USDA Loan	\$22,000.00
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Increase Expenditure Code:

101-58120-316-2001	Industrial Dev.-Contributions	\$43,567.00
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Decrease Reserve Code:

101-39000	Unassigned Fund Balance	\$43,567.00
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(amendment will be from 101-34690-1000 and a JE will replenish the reserve for 39000)

21. Commissioner Wandell made a motion to approve the following non-school transfers. Seconded by Commissioner Scott. Voting aye: Fritts, Wandell, Alderson, Meredith, Emert, Warfield, Vowell, Isbel, McKamey, Hitchcock, Mead, Creasey, Scott, Yager and Smallridge. Voting no: none. Absent: none. Motion passed.

Increase Expenditure Code:

151-82110-610	Principal on Capital Leases	\$1,462.00
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Decrease Expenditure Code:

151-82210-611	Interest on Capital Leases	\$1,462.00
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Decrease Expenditure Code:

101-53900-169	Pre-Trial Release Program- Part Time	\$27,932.20
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Increase Expenditure Code:

101-53900-111	Pre-Trial Release Program- Probation Officer	\$27,932.20
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Increase Expenditure Code:

101-52100-709	Accounting- Data Processing Equip.	\$3,400.00
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Decrease Expenditure Codes:

101-52100-169	Accounting- Part Time	\$650.00
101-52100-332	Accounting- Legal Notices	200.00
101-52100-355	Accounting- Travel	500.00
101-52100-435	Accounting-Office Supplies	650.00
101-52200-348	Purchasing- Postage	500.00
101-52200-451	Purchasing- Uniforms	400.00
101-52200-499-0100	Purchasing- Other Supplies & Materials- Cellular Service	<u>500.00</u>
	Total Decreased Expenditures	3,400.00

22. Commissioner Meredith made a motion to adjust Item 29 from \$1,000.00 to \$1,500.00. Seconded by Commissioner White. Motion carried by voice vote.

23. Commissioner Alderson made a motion to approve the following general fund unassigned fund balance appropriations. Seconded by Commissioner White. Voting aye: Fritts, Wandell, Alderson, Meredith, Emert, Warfield, Vowell, Isbel, McKamey, White, Hitchcock, Mead, Creasey, Scott, Yager and Smallridge. Voting no: none. Absent: none. Motion passed.

Decrease Reserve Code:

101-39000 Unassigned Fund Balance \$29,444.00

Increase Expenditure Code:

101-55110-707-SPNM Local Health Center Bldg. Improve. \$29,444.00

Increase Expenditure Code:

101-51240-791-2001 Park Improvements \$15,207.00

Decrease Reserve Code:

101-39000 Unassigned Fund Balance \$15,207.00

Increase Expenditure Code:

101-54410-316-BRVFD Contributions \$14,300.00

Decrease Reserve Code:

101-39000 Unassigned Fund Balance \$14,300.00

Increase Expenditure Code:

101-51800-399 Other Contracted Services \$15,000.00

Decrease Reserve Code:

101-39000 Unassigned Fund Balance \$15,000.00

Increase Reserve Code:

101-39000 Unassigned Fund Balance 80,964.30

Decrease Reserve Code:

101-39000 Unassigned Fund Balance \$80,964.30

(amendment will be from 101-34610 and a JE will replenish the reserve for 39000)

Increase Expenditure Code:

101-51900-399-EMS Other General Admin- \$1,350.00
Other Contracted Services

101-51900-499-EMS	Other General Admin-	\$ <u>150.00</u>
	Other Supplies & Materials	
	Total Increased Expenditures	\$1,500.00
<u>Decrease Reserve Code</u>		
101-39000	Unassigned Fund Balance	\$1,500.00

24. Commissioner Mead made a motion to approve correcting the year end date on Resolution 17-6-639 no other content was changed. Seconded by Commissioner Scott. Motion carried by voice vote.

25. Commissioner Wandell made a motion to approve the following Senior Citizens items. Seconded by Commissioner Mead. Voting aye: Fritts, Wandell, Alderson, Meredith, Emert, Warfield, Vowell, Isbel, McKamey, Hitchcock, Mead, Creasey, Yager and Smallridge. Voting no: White and Scott. Absent: none. Motion passed.

<u>Increase Expenditure Code:</u>		
101-56300-189	Other Salaries & Wages	\$11,307.00
101-56300-201	Social Security	701.03
101-56300-204	State Retirement	828.50
101-56300-212	Employer Medicare	<u>163.95</u>
	Total Increased Expenditure	\$14,300.00

<u>Decrease Reserve Code:</u>		
101-34630-SENR	Committed for Public Health Office of Aging	\$14,300.00

<u>Increase Expenditure Code:</u>		
101-48610-EVENT	Revenue Senior Citizens Event Center	\$25,000.00

<u>Increase Expenditure Code:</u>		
101-56300-399-EVENT	Other Contracted Services Senior Citizens Event Center	\$5,000.00
101-56300-499-EVENT	Other Supplies and Materials Senior Citizens Event Center	\$4,000.00
101-56300-5399-EVENT	Other Charges Senior Citizens Event Center	\$900.00
101-56300-328-EVENT	Janitorial	\$1,000.00
101-56300-344-EVENT	Maintenance Agreement	\$250.00
101-56300-351-EVENT	Rentals	\$1,000.00
101-56300-415-EVENT	Electricity	\$10,350.00
101-56300-452-EVENT	Utilities	\$1,000.00
101-56300-454-EVENT	Water	<u>\$1,500.00</u>
	Total Increased Expenditure	\$25,000.00

Purchasing Committee

26. Commissioner Wandell made a motion to approve a three year contract with Kelsan Inc. (county wide except for jails) for the period of 7-1-2017 thru 6-30-2020 for janitorial supplies. Seconded by Commissioner Scott. Motion carried by voice vote.

27. Commissioner Meredith made a motion to approve the following contracts. Seconded by Commissioner Warfield. Motion carried by voice vote.

- Ellison Sanitary Supply (county wide except for jails)-three year contract for the period of 7-01-2017 thru 6-30-2020 for janitorial supplies
- All Pro Supply(county wide except for jails)-three year contract for the period of 7-1-2017 thru 6-30-2020 for janitorial supplies
- Claxton Supplies(county wide except for jails)-three year contract for the period of 7-1-2017 thru 6-30-2020 for janitorial supplies

28. Commissioner Mead made a motion to approve a contract with AT&T for an agreement between the County and AT&T for the promotion of advanced broadband communications to begin the date all authorizing signatures are evidenced on the contract and to continue until terminated by either party by giving at least sixty days prior written notice. Seconded by Commissioner White. Motion carried by voice vote.

29. Commissioner White made a motion to approve a TDOT traffic signal maintenance agreement between the county and TDOT to establish that the County will be responsible for and pay all maintenance and operational costs of a new traffic light that will be provided by the TDOT at the intersection of SR-9 and SR-170 agreement to begin the date all authorizing signatures are evidenced on the contract and will continue for the life of the traffic light. Seconded by Commissioner Yager. Motion carried by voice vote.

30. Commissioner Meredith made a motion to approve a contract with Pitney Bowes for the Health Department for a lease for five years of a mailing machine to begin the date of all authorizing signatures are evidenced on the contract and the equipment is installed. Seconded by Commissioner White. Motion carried by voice vote.

31. Commissioner Scott made a motion to approve a RFP for internet service provider for a five year contract to include the installation and maintenance of a 1 Gigabit per second internet circuit at the courthouse. Seconded by Commissioner McKamey. Motion carried by voice vote.

Old Business

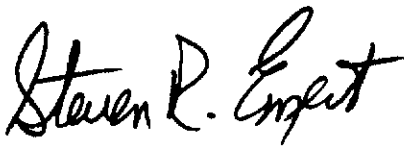
No action at this time.

New Business

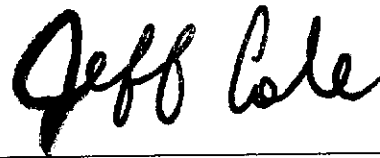
32. Commissioner Meredith made a motion to put on file the 2017 Annual Physical Inventory for Gary Long Road Superintendent. Second by Commissioner Alderson. Motion carried by voice vote.

Executive Session

33. Commissioner Alderson made a motion to accept a settlement in the Toyota verses Anderson County case contingent on Johnny Alley reviewing the settlement. Seconded by Commissioner White. Voting aye: Wandell, Alderson, Meredith, McKamey, White, Hitchcock, Mead and Yager. Voting no: Emert, Warfield, Vowell, Isbel, Creasey, Scott and Smallridge. Absent: Fritts. Motion failed.



Steven R Emert, Chairman
County Commission



Jeff Cole
County Clerk



EXHIBIT PAGE

AUGUST 24, 2017

EXHIBIT A: RESOLUTION 17-08-647 IN SUPPORT OF "BEHAVIORAL HEALTH OF ROCKY TOPS" APPLICATION FOR A CERTIFICATE OF NEED FOR AN INPATIENT GEROPSYCHIATRIC HOSPITAL TO BE LOCATED IN ROCKY TOP TENNESSEE

EXHIBIT B: AMENDED MOU FOR ANDERSON COUNTY SENIOR CENTER

EXHIBIT C: RESOLUTION 17-08-646 IN SUPPORT OF THE OIL AND GAS SEVERANCE TAX

***ALL ORIGINAL CERTIFIED COPIES OF DOCUMENTS ARE FILED IN THE COUNTY CLERKS CLINTON LOCATION LOCATED IN THE COURTHOUSE ROOM 111.**

Anderson County, Tennessee
Board of Commissioners
RESOLUTION NO. 17-08-647

A RESOLUTION IN SUPPORT OF "BEHAVIORAL HEALTH OF ROCKY TOP'S" APPLICATION FOR A CERTIFICATE OF NEED FOR AN INPATIENT GEROPSYCHIATRIC HOSPITAL TO BE LOCATED IN ROCKY TOP, TENNESSEE.

WHEREAS, *Behavioral Health of Rocky Top* and *Summit View of Rocky Top* are recognized as leaders in the health care industry, and have demonstrated an ongoing commitment to the advancement and improvement of the health care industry; and

WHEREAS, *Summit View of Rocky Top* operates a skilled nursing facility in Rocky Top, Tennessee, a portion of which is available for use as an inpatient geropsychiatric hospital; and

WHEREAS, *Behavioral Health of Rocky Top's* application for a Certificate of Need for an inpatient geropsychiatric hospital is the first step in the development of such a facility; and

WHEREAS, the Anderson County Commission recognizes the need for such a facility to better serve the medical needs of the community; and

WHEREAS, the Anderson County Commission feels that the approval of *Behavioral Health of Rocky Top's* application for a Certificate of Need is in the best interest of Anderson County and its citizens.

NOW, THEREFORE, BE IT RESOLVED by the Anderson County Board of Commissioners meeting in regular session this 21st day of August 2017 that we hereby recommend and support the approval of *Behavioral Health of Rocky Top's* application for a Certificate of Need for an inpatient geropsychiatric hospital within the city limits of the Town of Rocky Top, Tennessee.

RESOLVED, DULY PASSED AND APPROVED this 21st day of August 2017.

Steven R. Emert

Steven R. Emert, Chair, AC Comm.

Terry Frank

Terry Frank, County Mayor

ATTEST:

Jeff Cole

Jeff Cole, County Clerk



MEMORANDUM OF UNDERSTANDING ANDERSON COUNTY SENIOR CENTER

This Memorandum of Understanding (MOU) is made this 17th day of July, 2017, and effective on the date signed below; by and between the Parties hereto: Anderson County Government (hereinafter "County"); Michael Farley (hereinafter "Farley"); and the Anderson County Office on Aging and Senior Center (hereinafter "Seniors").

A. Purpose

To provide services, support, activities and programs to Anderson County Seniors and to set forth the rights and obligations of all parties to this MOU.

B. Rights and Obligations of County

County agrees to the following:

- 1) Provide a Director of Senior Programs for the Office on Aging and Senior Center including salary and all employee benefits. This position will be under the direction and control of the County Mayor. The Director will be responsible for the administration of all senior programs, operation of the Senior Center and compliance with all approved county policies and procedures;
- 2) A building suitable for the administration of senior programs to be located in a portion of the existing building at 205 Main Street, Clinton, TN 37716;
- 3) Structural and HVAC repairs will be the responsibility of the County; however, minor building repairs, maintenance, painting, cleaning and renovations will be the responsibility of the Seniors;
- 4) County will provide to the Seniors the large event center room, kitchen area, a minimum of 420 square feet of office space in the portion of the building facing Main Street, and adequate storage and parking areas. The garage area will not be included;
- 5) Mandatory Finance and Purchasing administration including an annual fiscal audit of all Senior accounts;
- 6) Property loss and casualty insurance for building and contents will be obtained by County and effective July 3, 2017;
- 7) County will retain all rent proceeds beginning on July 1, 2017 from existing and future tenants generated from the portion of the building not occupied by the event center;

- 8) County will retain sole and exclusive use of the garage area of the building;
- 9) County may host conferences and events at the Senior Center free of charge provided the event or conference does not conflict with scheduled Senior activities;
- 10) County will provide an additional \$15,000 for purchase from Farley of audio-visual components, lighting, furniture, kitchen utensils, tableware, appliances, game tables and all decorations. These items will become the property of Anderson County Government;
- 11) County agrees not to name the senior center facility in memory of, or in honor of any one specific county commissioner or person unless approved by a two-thirds (2/3) vote of its membership.

C. Rights and Obligations of Seniors

Seniors will provide and receive the following:

- 1) Seniors will receive all rental receipts generated from the event center for use in promoting programs and activities. No funds generated from the property will be retained by any person with the exception of Section C, 10 and C, 12. All funds generated will be timely deposited (within forty-eight (48) hours excepting weekends) and receipted by the County Finance Department without delay. Seniors will maintain a separate accounting of all funds received from event center rentals and expenditures required for operational purposes. The accounting records of the Seniors shall be compared and audited to the records maintained by the Finance Department no less than one time each fiscal year;
- 2) Seniors will take over all scheduling and reservations for the event center on July 1, 2017 and will change all signage and website information to reflect the appropriate contacts for future bookings;
- 3) Seniors will be responsible for scheduling event center usage including preparing the event center and clean-up;
- 4) Event center will be released to the Seniors for scheduling and hosting events no later than July 31, 2017;
- 5) Seniors will be responsible for all basic utilities including: electric, gas, water, telephone, cable and internet service. Utilities shall be transferred to the Seniors on July 31, 2017 and Seniors are responsible for providing notice to the specific providers;

- 6) All daily cleaning and general maintenance will be the responsibility of the Seniors. At all times property, interior and exterior, will be maintained in a clean and safe condition free of hazards to the general public and seniors;
- 7) Cleaning supplies and paper products will be the responsibility of the Seniors;
- 8) At all times Seniors will comply with any and all directives mandated by ETHRA including timely submission of required forms and grant documents. Funds received from ETHRA will be maintained in a separate budget code from revenues received from the rental of the event center;
- 9) Seniors will comply with all policies and procedures adopted by the County Finance Department and will utilize only those official forms approved by the Finance and Purchasing Departments;
- 10) Seniors may engage Michael Farley at any time needed to assist with set-up of various events hosted by seniors at the rate of \$250.00 per event payable only through revenue received from event center;
- 11) Seniors may contract with vendors, caterers, event coordinators, clean-up and maintenance personnel, and other related contractors by following the Purchasing and Finance Policies as approved by the Anderson County Board of Commissioners. All payments shall be generated exclusively from event center proceeds and shall be reported to, and paid by the Finance Department.

D. Rights and Obligations of Farley

Farley agrees to the following:

- 1) Farley shall sell to County all property associated with 205 Main Street, Clinton, TN. (also known as Map: 074J, Group F, Parcel 004.00) and including all real estate, hereditaments, appurtenances and improvements attached thereto and contained thereon (subject to the provisions and limitations contained herein). Sale shall be subject to all terms embodied in the real estate sales contract between Farley and the County dated April 20, 2017;
- 2) Unless agreed to in advance and in writing the closing on the proposed senior building will be no later than July 3, 2017;
- 3) Farley shall also sell to the County for a sum of \$15,000 all audio-visual components, lighting, furniture (20 tables, 160 chairs, all couches), kitchen utensils and tableware (including 30 plus table cloths), appliances, game tables, television and all decorations;

- 4) Farley reserves the right to remove all metal shelving, storage cabinets, car lifts and outbuildings before September 1, 2017;
- 5) Starting on July 1, 2017 Farley will turn over all existing event center reservations to the Seniors;
- 6) Farley shall notify all existing tenants on or before July 1, 2017 to remit all lease payments going forward to:

Anderson County Finance Department
Ms. Natalie Erb, Director
100 North Main Street, Room 210
Clinton, TN 37716

- 7) Farley shall be available to assist the Seniors, upon request, with various set-ups for different types of events and operational advice starting on July 1, 2017 for a sum of \$250.00 per event. Seniors must provide Farley with a minimum two week notice prior to the event when possible;
- 8) Farley agrees to have all personal property removed from the premises by September 1, 2017;
- 9) Farley shall not engage in the business of event hosting for ten (10) years at any other large scale event facility competing for the same type of events, and same, or past clientele within a twenty (20) mile radius of 205 Main Street, Clinton, TN., excluding the F.O.P. Lodge located at 424 Goans Ave., Clinton;
- 10) Farley reserves the right to schedule future events with notice to the Seniors through December 31, 2017; however, Farley will not receive hosting fees, other than the \$250.00 set-up fee when requested for assistance by the Seniors. Seniors will receive all monies generated from the event center rental beginning on July 1, 2017;
- 11) Starting on July 1, 2017 Farley will supply the Seniors with all names and contact information of previous clients, caterers, vendors and maintenance personnel previously serving or using the event center.

E. General Provisions

- 1) **Release.** The parties hereby agree to release and hold County harmless from and against any and all claims, lawsuits, or the like associated with County's

performance of this agreement, or as it relates to the past, present, or future financial condition of the County or the performance of services under this Agreement;

- 2) **Default.** In the event of default by the by any of the parties hereto, the County may bring suit against the other parties to enforce the terms of this Agreement. In such event, the prevailing party shall be entitled to recover any remedies available at law and/or equity including reasonable attorney's fees and costs associated with the default;
- 3) **No Oral Modification.** No modification, amendment, supplement to or waiver of this Agreement or any of its provisions shall be binding upon the parties hereto unless made in writing and duly signed by all the parties;
- 4) **Waiver.** A failure of any party to exercise any right provided for herein, shall not be deemed to be a waiver of any right hereunder;
- 5) **Entire Agreement.** This Agreement sets forth the entire understanding of the parties as to the subject matter and may not be modified except in a writing executed by all parties;
- 6) **Severability.** In the event any one or more of the provisions of this Agreement is invalid or otherwise unenforceable, the enforceability of the remaining provisions shall be unimpaired;
- 7) **Cancellation.** In the event any party materially breaches, defaults or fails to perform hereunder, this Agreement may be cancelled by the other party with cause on thirty (30) days written notice to the other, if the event constituting the breach, default, or failure is not cured during that time;
- 8) **Exhibits.** Any Exhibits attached hereto or incorporated herein are made a part of this Agreement for all purposes. The expression "this Agreement" means the body of this Agreement and the Exhibits;
- 9) **Multiple Counterparts; Effectiveness.** This Agreement may be executed in multiple counterparts, each of which shall be deemed an original for all purposes and all of which shall be deemed, collectively, one Agreement. This Agreement shall become effective when executed and delivered by all the parties;
- 10) **Jurisdiction.** Each party hereby irrevocably consents to the jurisdiction of all state courts sitting in Tennessee or all federal courts sitting in Knoxville, Tennessee and agrees that venue for any legal action brought in connection with this Agreement shall lie exclusively in such courts;

- 11) **Binding Effect.** This Agreement shall be binding upon and inure to the benefit of the parties and upon their respective successors, heirs, or assigns;
- 12) **Choice of Law.** This Agreement shall be governed and construed in accordance with the laws of the State of Tennessee;
- 13) **Notice.** Any notice required or provided pursuant to this Agreement shall be in writing and sent or delivered to the parties;
- 14) **Titles and Subtitles.** Titles of paragraphs and subparagraphs are for convenient reference only and shall not have the effect of modifying, amending, or changing the express terms of this Agreement;
- 15) **Assignment.** This Agreement shall be assignable only upon the written consent of the non-assigning party. Consent to an assignment shall not be unreasonably withheld. In the event of assignment or succession, the terms and conditions of this Agreement shall be binding upon the parties and their successors, assigns, heirs, executors, and/or administrators;
- 16) **Further Documentation.** The parties agree for themselves and their successors and assigns to execute any and all instruments in writing which are or may become necessary or proper to carry out the purpose and intent of this Agreement;
- 17) **Reversion.** If Seniors fail to comply with the terms, provisions, policies and procedures contained or referenced herein the building usage, real estate and contents will revert to County upon approval by the Anderson County Board of Commissioners;
- 18) **Amendments.** Any future amendments to this MOU must be agreed to in writing by the parties affected and approved by the Anderson County Board of Commissioners.

By affixing their signature below the parties hereto acknowledge they have read this agreement, they have authority to execute and accept the terms embodied herein.

For County:

Steven R. Emert, Chair, County Comm.

Terry Frank, County Mayor

Date Signed: _____

Date Signed: _____

For Seniors:

Stephen Griffith, President

Cherie Phillips, Director

Date Signed: _____

Date Signed: _____

For Michael Farley:

Michael Farley

Date Signed: _____

Anderson County Board of Commissioners
Anderson County, Tennessee

Resolution No. 17-08-646

**A RESOLUTION IN SUPPORT OF REALLOCATION OF THE OIL AND GAS SEVERANCE
TAX**

WHEREAS, Tennessee's diverse geology and geography has blessed the state with a variety of mineral resources which represent a significant economic contribution to the state of Tennessee through commercial sales and taxes; and

WHEREAS, Anderson County ranks first in natural gas production and fifth in oil production across the state; and

WHEREAS, the oil and gas industry pays a severance tax equal to 3% of gross product severed; and

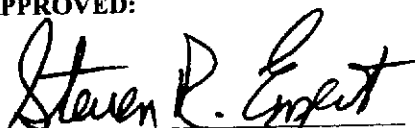
WHEREAS, this severance tax is currently divided between the state and the county from which the mineral is severed by a 2/3 to 1/3 ratio; and

WHEREAS, this severance tax division is contrary to other mineral severance taxes where the county receives the entire amount, less administrative fees; and

WHEREAS, reallocating the state's share of the oil and gas severance tax would decrease the state's general fund by one one-thousandth of a percentage;

NOW THEREFORE BE IT RESOLVED, that meeting this 21st day of August, 2017, the Anderson County Board of Commissioners supports legislation to reallocate the oil and gas severance tax from the current ratio to one in which counties would receive the entire amount, less administrative fees, in order to standardize the severance tax across the mineral extraction industries and to more appropriately fund the counties from which the land and labor to fuel the industry exist.

APPROVED:


 Steve Emert, Commission Chairman


 Mrs. Terry Frank, County Mayor

ATTEST:


 Jeff Cole, Anderson County Clerk

