

**ANDERSON COUNTY  
REGULAR SESSION  
COMMISSION MINUTES  
JANUARY 19, 2016**

**ANDERSON COUNTY**

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BE IT REMEMBERED THAT THE ANDERSON COUNTY BOARD OF COMMISSION MET IN REGULAR SESSION ON JANUARY 19, 2016 WITH THE FOLLOWING COMMISSIONERS PRESENT: CHUCK FRITTS, TRACY WANDELL, MARK ALDERSON, RICK MEREDITH, STEVE EMERT, PHIL WARFIELD, ZACH BATES, TIM ISBELL, ROBERT MCKAMEY, JERRY WHITE, WHITEY HITCHCOCK, STEVE MEAD, JERRY CREASEY, THERESA SCOTT, ANGELEQUE MCNUTT AND MYRON IWANSKI. ABSENT: NONE.

Prayer was led by Mr. Cook.

Pledge of Allegiance was led by Commissioner Alderson.

1. Commissioner Warfield made a motion to approve Consent Agenda. Seconded by Commissioner Mead. Motion carried by voice vote.

- December 17, 2015 County Commission Minutes.
- Notaries and Notary Bonds
- Courtesy Resolutions
  - Nicholas Reynolds (Exhibit A)
  - Darren Leach (Exhibit B)
- Director of Schools
  - Written Report
- County Mayor
- Law Director
  - Written Report
- Committee Reports
  - AC Municipal Solid Waste Region Board Minutes(1-12-16)
  - ADA Committee Minutes(1-4-16)
  - Animal Welfare Task Force Minutes(11-18-15, 1-11-16)
  - Veterans Service Advisory Committee Minutes(1-4-16)

#### Notaries

Martha Ann Acres

Eddie Loving

Cathy F Brown

Jenna McCarty

Melissa Maness Bunch

Tonya G McMillan

Claire M Chitwood

Lauren L McMillan

Mary Ann Condry

Kathy L Monger

Leslie England

Chelsea D Mooney

James Harness

Bryan K Moore

W Liz Hornung

Karen Postma

Kendal M Lewis

Leighann Riker

Richard T Loggins

Kathy L Tanner

Kathleen F Townsend

Michelle A Williams

Shane D West

Aaron Wright

**Notary Bonds**

**RLI**

Sandy H Smith

**Western Surety Company**

Brenda Whitaker

Larry D Perry

Raeshell Maples

Melanie Smith

Susan Lloyd

Dawn Flatford

Michelle P Duncan

DeAnna J Robertson

**SBCA**

Brittany Hamby

Patsye Thurman

Amentria M Pugh

**Travelers**

**Liberty Mutual**

Carolyn Jeanette Stevens

Cathy Payne

2. Commissioner Mead made a motion to pass Regular Agenda. Seconded by Commissioner Warfield. Motion carried by voice vote.

**Director of Schools**

No action at this time.

**Mayor**

3. Commissioner Iwanski made a motion that County Commission has accepted and reviewed with the County Mayor Anderson County's debt management policy currently on file in the Comptroller of the Treasury's Office. Seconded by Commissioner Meredith. Motion carried by voice vote.

4. Commissioner Iwanski made a motion to acknowledge that Commission and the County Mayor are aware that prior to the issuance of debt, an annual cash flow forecast must be prepared for the appropriate fund and submitted to the Comptroller's office. Seconded by Commissioner Mead. Motion carried by voice vote.

5. Commissioner Iwanski made a motion to move to Operations Report the discussion of adding the Mayors signature line back to Resolution 16-01-568 which is a resolution requesting the Department of Energy to further research and provide additional community and environmental information regarding its proposal to build a new landfill or expansion of the existing facility to accommodate radioactive and hazardous waste generated by ongoing remediation efforts. Seconded by Commissioner Mead. Motion carried by voice vote.

6. Commissioner Iwanski made a motion to refer to the Rules Committee Item 6 of Rule II which addresses the appearance of citizens stating that "this portion of the Agenda is to provide citizens an opportunity to address their government for items or concerns not on the Agenda. "Seconded by Commissioner McNutt. Motion carried by voice vote.

7. Commissioner Iwanski made a motion to refer to Rules Committee clarification for Rule II Item 7 and also clarification regarding the Mayors ability to provide reports or status updates for County Commission. Seconded by Commissioner Meredith. Motion carried by voice vote.

8. Commissioner Creasey made a motion to appoint Connie Aytes as Interim Director of Accounts & Budget. Seconded by Commissioner Mead. Motion carried by voice vote.

#### Law Director

9. Commissioner Fritts made a motion to utilize Chairman Emert to research and attempt to seek outside counsel to find someone that would be willing to take on the job of recovering all the excess legal funds that the citizens of Anderson County had to suffer due to all the enormous lawsuits we had to recover the funds that citizens were out. Seconded by Commissioner Mead. Motion carried by voice vote.

#### Purchasing

10. Commissioner Warfield made a motion to add a contract with Comcast for the Life Development Center to the end of the report. Seconded by Commissioner Meredith. Motion carried by voice vote.

11. Commissioner McKamey made a motion to approve a contract with Stowers Machinery Corp. for a one year maintenance agreement for the Courthouse generator for the period of December 2015 thru December 2016. Seconded by Commissioner Mead. Motion carried by voice vote.

12. Commissioner Warfield made a motion to approve a contract with Vintage Development for an eighteen month lease for Oak Ridge General Sessions Court for the period of January 1, 2016 thru June 30, 2017. Seconded by Commissioner Mead.

Commissioner Mead made a motion to amend previous contract to include that the lease is offering adequate courtroom office space as stated in the City Managers letter. Seconded by Commissioner Meredith. Motion carried by voice vote.

13. Commissioner McKamey made a motion to approve a contract with My Stash Storage unit(s) for Purchasing Department surplus items to replace warehouse location. Seconded by Commissioner Meredith. Motion carried by voice vote.

14. Commissioner McKamey made a motion to approve a contract with Comcast for the Life Development Center for a three year contract ending June 30, 2019. Seconded by Commissioner Scott. Motion carried by voice vote.

Budget Committee

15. Commissioner Meredith made a motion that a budget amendment for shortage on General Sessions Court be added to Group 6. Seconded by Commissioner McKamey. Motion carried by voice vote.

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

Decrease Revenue Code:

141-43551-SEFFS	School Based Health Services	\$8,000.00
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Increase Expenditure Code:

141-71200-725-SEFFS	Special Education Equipment	\$8,000.00
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Increase Revenue Code:

141-47640	ROTC Reimbursement	\$9,636.07
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Increase Expenditure Code:

141-71100-599	Other Charges	\$9,636.07
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Increase Expenditure Code:

141-71100-429	Instructional Supplies	\$50,000.00
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Decrease Reserve Code:

141-34555BEP	Reserve	\$50,000.00
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17. Commissioner McKamey made a motion to approve the following non-school appropriations. Seconded by Commissioner Creasey. Voting aye: Fritts, Alderson, Meredith, Emert, Warfield, Bates, Isbel, McKamey, White, Hitchcock, Mead, Creasey, Scott, McNutt and Iwanski. Voting no: Wandell. Absent: none. Motion passed.

Increase Expenditure Code:

101-52200-351	Rentals	\$2,400.00
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Decrease Reserve Code:		
101-39000 (34615)	Designated Gov Deals Reserve	\$2,400.00
Decrease Revenue Code:		
101-48610-SENR	Donations-Office on Aging	\$1,893.00
Increase Expenditure Code:		
101-56300-499	Senior Citizens-Other Supplies	\$1,893.00
Increase Expenditure Code:		
101-52500-709	Data Processing Equipment	\$500.00
Decrease Reserve Code:		
101-39000	County Clerk Computer Fees	\$500.00
Increase Expenditure Code:		
101-51600-709	Data Processing Equipment	\$4,250.00
Decrease Reserve Code:		
101-39000	Data Processing Equipment-Reserve	\$4,250.00
Increase Revenue Code:		
205-44570	Contributions	\$127,311.52
	EMS forgiveness of beginning receivable	
Decrease Reserve Code:		
205-39000	Restricted Net Assets	\$127,311.52
Increase Expenditure Code:		
101-51900-316	Contributions	\$127,311.52
	EMS Forgiveness of beginning receivable	

Decrease Decrease Code:

101-39000	Unassigned Fund Balance	\$127,311.52
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Increase Expenditure Codes:

171-91110-709	Data Processing Equip. (I-Pads)	\$10,000.00
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171-91110-709	Data Processing Equip. (Software)	4,000.00
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171-91110-708	Communication Equip. (Sound system In the Commission's Ct Room)	11,000.00
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Decrease Reserve Code:

171-34585	Restricted – Capital Projects	\$25,000.00
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18. Commissioner Meredith made a motion to approve the following non-school transfers. Seconded by Commissioner Iwanski. Motion carried by voice vote.

Increase Expenditure Codes:

101-56300-307	Cable and Internet	\$1,150.00
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101-56300-307-0100	Cellphone	450.00
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101-56300-355	Travel	1,500.00
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101-56300-399	Other Contracted Services	2,000.00
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101-56300-415	Electricity	2,500.00
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101-56300-434	Natural Gas	250.00
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101-56300-454	Water	1,000.00
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101-56300-499	Other Supplies and Materials	3,900.00
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	Total Expenditures Increased	\$12,750.00
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Decrease Expenditure Code:

101-56300-189	Other Salaries and Wages	\$12,750.00
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Increase Expenditure Code:

101-55110-499-PPI	Other Supplies and Materials	\$1,366.00
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Decrease Expenditure Code:

101-55390-310	Health Dept. Approp to State	\$1,366.00
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19. Commissioner McKamey moved to approve the following General Fund unassigned fund balance appropriations. Seconded by Commissioner Isbel. Voting aye: Fritts, Wandell, Alderson, Meredith, Emert, Warfield, Bates, Isbel, McKamey, White, Hitchcock, Mead, Creasey, Scott, McNutt and Iwanski. Voting no: none. Absent: none. Motion passed.

Increase Expenditure Code:

101-51900-399	Other Contracted Services	\$5,400.00
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Decrease Reserve Code:

115-34535	Unassigned	\$5,400.00
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Increase Expenditure Code:

101-53310-351	Rentals	\$6,200
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Decrease Reserve Code:

101-39000	Unassigned Fund Balance	\$6,200
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Highway Department

20. Commissioner Alderson made a motion to take Gradies Court a roadway off of Hickory Valley Road into the county road system. Seconded by Commissioner Meredith. Motion carried by voice vote.

21. Commissioner McKamey made a motion to put an updated road list on file for Anderson County on file in the County Clerk's office. Seconded by Commissioner Warfield. Motion carried by voice vote.

Operations Committee

22. Commissioner Isbel made a motion to approve resolution 16-01-569 to establish an Audit Committee. (Exhibit C) Seconded by Commissioner Mead. Motion carried by voice vote.

23. Commissioner Iwanski made a motion to to approve a resolution 16-01-567 to adopt the County Financial Management Ststem of 1981. (Exhibit D) Seconded by Commissioner Scott.

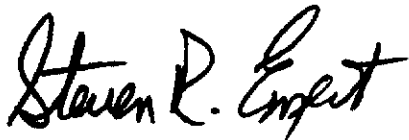
Voting aye: Fritts, Wandell, Alderson, Meredith, Emert, Warfield, Isbel, White, Mead, Creasey, Scott, McNutt and Iwanski. Voting no: McKamey and Hitchcock. Absent: Bates. Motion passed.

New Business

24. Commissioner Iwanski made a motion to refer to Nomination Committee the resolution to adopt the County Financial Management System of 1981 so that they can establish four commissioners to serve. Seconded by Commissioner Mead. Motion carried by voice vote.

25. Commissioner McKamey made a motion to refer to Operations Committee the discussion of a committee to address notifying people about the sale of their properties due to delinquent taxes. Seconded by Commissioner Scott. Motion carried by voice vote.

Meeting adjourned.



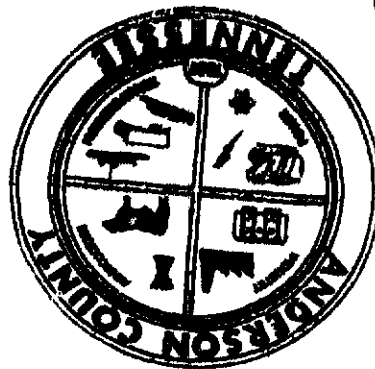
Steven R Emert, Chairman

County Commission



Jeff Cole

County Clerk



**JANUARY 19, 2016**

**EXHIBIT A: RESOLUTION HONORING NICHOLAS REYNOLDS FOR HIS ACADEMIC ACCOMPLISHMENTS**

**EXHIBIT B: RESOLUTION HONORING DARREN LEACH PRINCIPAL OF CLINCH RIVER COMMUNITY SCHOOL**

**EXHIBIT C: RESOLUTION TO ESTABLISH AN AUDIT COMMITTEE**

**EXHIBIT D: RESOLUTION TO ADOPT THE COUNTY FINANCIAL MANAGEMENT SYSTEM OF 1981**

**\*ALL ORIGINAL CERTIFIED COPIES OF DOCUMENTS ARE FILED IN THE COUNTY CLERK'S CLINTON LOCATION  
LOCATED IN COURTHOUSE ROOM 111**

Anderson County

EXHIBIT

Board of Commissioners

A

RESOLUTION NO. 16-01-571

RESOLUTION HONORING NICHOLAS REYNOLDS FOR HIS ACADEMIC ACCOMPLISHMENTS

WHEREAS, Nicholas Reynolds is a fifth grade student at Andersonville Elementary School who has excelled as a student in academics, social skills and behaviorally. He has attended Andersonville Elementary School since he started in preschool and is admired by his teachers and fellow students; and

WHEREAS, recently Nicholas competed with over 200 hundred state-wide students for the prestigious "Rise to the Challenge" scholarship sponsored by the State of Tennessee Collaborative on Reforming Education (SCORE); and

WHEREAS, he was awarded a \$1,000.00 scholarship for a well-drafted and inspirational paper he penned about his teacher, Mrs. McCrary, who challenged him to be the best student he could possibly be by not allowing him to be satisfied or bored with his already superior academic performance; and

WHEREAS, Mrs. McCrary through the use of her own money, time and compassion taught Nicholas and other exceptional students middle school algebra by utilizing after school math groups, peer challenges and seventh grade math textbooks; and

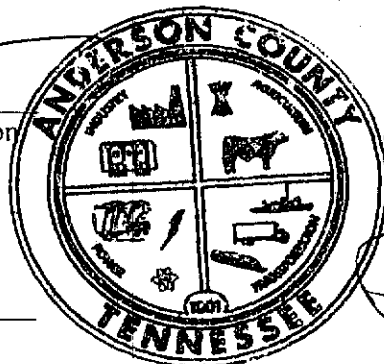
WHEREAS, Nicholas excelled in this unique academic environment despite being deaf in one ear, and his grateful relationship with Mrs. McCrary inspired him to write his scholarship winning essay.

NOW THEREFORE, BE IT RESOLVED by the Anderson County Legislative Body meeting in regular session this 19th day of January 2016 that we honor Nicholas Reynolds for his academic accomplishments and his devotion and dedication to be an exceptional student and person. Nicholas is truly an inspiration to his community, his school and all citizens of Anderson County. We wish him well in his future education and career endeavors.

BE IT FURTHER RESOLVED that we proclaim Tuesday, January 19th, 2016 as "Nicholas Reynolds Day" in Anderson County to honor his significant academic accomplishments and remarkable success.

APPROVED this 19th day of January 2016.

Steve Emert, Chair, AC Commission



Terry Frank, Mayor

ATTEST: Jeff Cole, County Clerk

Phillip Warfield, Commissioner

**Anderson County**  
**Board of Commissioners**

EXHIBIT

B

RESOLUTION NO. 16-01-570

**RESOLUTION HONORING DARREN LEACH  
PRINCIPAL OF CLINCH RIVER COMMUNITY SCHOOL**

**WHEREAS**, Darren Leach is a highly regarded Principal in the Anderson County School System and well-known across the state for his dedication and devotion to the special needs students at the Clinch River Community School and across the state; and

**WHEREAS**, Principal Leach earned the distinction of "Principal of the Year" for the East Tennessee CORE region and has been recognized as a finalist for the "Tennessee Principal of the Year" award that only a very few educational professionals achieve during their career; and

**WHEREAS**, he is a highly regarded educational diplomat who serves as a board member for the East Tennessee Alternative Education Association and the distinguished Governor's Alternative Education Association; and

**WHEREAS**, the Clinch River Community School is devoted to students that need a specialized educational environment in order to succeed and Principal Leach has proven himself as a perfect fit for this difficult job; and

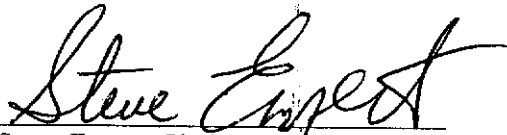
**WHEREAS**, Principal Leach has produced one of the most highly successful alternative schools in the state through the implementation of various educational and individualized counseling programs that focus on the parent, student, school and community relationships and utilize positive educational reinforcement and mentoring through family, peer groups, church and business partners; and

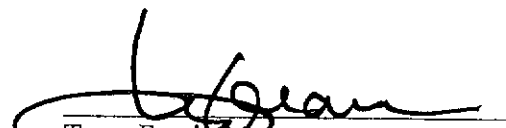
**WHEREAS**, Principal Leach is a humble and professional man who desires no special awards or recognition to continue to devote his professional career to the special Clinch River students he loves most. Instead, he is driven by his own unique passion and desire to serve these students and make them future community leaders and successful adults.

**NOW THEREFORE, BE IT RESOLVED** by the Anderson County Legislative Body meeting in regular session this 19<sup>th</sup> day of January 2016 that we honor Principal Leach for remarkable success as an educational professional, and his deeply rooted passion and devotion to the students at the Clinch River Community School. His love and dedication for these special students make him a true asset to all Anderson County citizens.


**BE IT FURTHER RESOLVED** that we proclaim Friday, January 22<sup>nd</sup>, 2016 as "Principal Darren Leach Day" in Anderson County to honor his significant educational and community accomplishments.

**APPROVED** this 19<sup>th</sup> day of January 2016.

  
Steve Emert, Chair, AC Commission

  
Terry Frank, Mayor

ATTEST:

  
Jeff Cole, County Clerk



## Anderson County

## Board of Commissioners

## RESOLUTION NO. 16-01-569

## RESOLUTION TO ESTABLISH AN AUDIT COMMITTEE

**WHEREAS**, *Tennessee Code Annotated* (T.C.A.) Section 9-3-405, encourages county governments to establish an independent Audit Committee, and provides that the Tennessee Comptroller of the Treasury (Comptroller) may require an Audit Committee in counties that (1) are in noncompliance with the accounting and financial reporting standards required by the Governmental Accounting Standards Board or have recurring findings from the annual audit for three or more consecutive years that are determined by the Comptroller's office to be a material weakness in internal control or material noncompliance with government auditing standards; and

**WHEREAS**, the Comptroller and the Government Finance Officers Association of the United States and Canada recommends that all county governments establish an Audit Committee as a best practice and to assist the County Commission in the oversight of the public funds and financial reporting process; and

**WHEREAS**, the Anderson County Commission realizes the need, especially in today's current environment of fewer available resources, for increased transparency and accountability of public funds, and that the County Commission is ultimately responsible for ensuring that management is meeting its internal control and financial reporting responsibilities; and

**WHEREAS**, the County Commission finds it to be in the best interests of Anderson County to establish an Audit Committee;

**NOW THEREFORE, BE IT RESOLVED** by the County Commission of Anderson County, meeting this 19th day of January, 2016, that:

**SECTION 1.** Pursuant to the provisions of T.C.A. § 9-3-405, the County Commission of Anderson County does hereby establish an Audit Committee to provide independent review and oversight of the county's financial reporting processes and the county's internal controls, a review of the external auditor's report and follow-up on management's corrective action, and compliance with laws, regulations, and ethics.

**SECTION 2.** The Audit Committee will consist of seven (7) members, to be comprised of members of the County Commission, citizens of Anderson County, or a combination of both, as determined by the Audit Committee. To insure the committee's independence and effectiveness, no Audit Committee member will be an elected official (with the exception of elected County Commissioners), employee, spouse of an official/employee, or person that commingles assets with an official/employee of

Anderson County. While committee members need not be accountants, they should possess sufficient knowledge and experience in finance, business, and accounting to discharge the committee's duties. The members of the Audit Committee shall be appointed by the County Commission to staggered four (4) year terms. To establish staggered terms, the initial members of the committee shall be appointed so that four (4) of the members serve three (3) year terms and three (3) members serve one (1) year terms. Thereafter all members shall be appointed to serve four (4) year terms as appointed by the Anderson County Commission at its September meeting.

**SECTION 3.** Meetings of the Audit Committee shall be held in accordance with the provisions of T.C.A. § 9-3-405. Meetings shall be subject to the open meetings provisions of T.C.A. Title 8, Chapter 44, except that upon a majority vote of those members in attendance for the public portion of a meeting, the Audit Committee may hold confidential, nonpublic executive sessions to discuss the following items as authorized in T.C.A. § 9-3-405:

- (1) Items deemed not subject to public inspection under T.C.A. §§ 10-7-503 and 10-7-504, and all other matters designated as confidential or privileged;
- (2) Current or pending litigation and pending legal controversies;
- (3) Pending or ongoing audits or audit related investigations;
- (4) Information protected by federal law; and
- (5) Matters involving the reporting of illegal, improper, wasteful, or fraudulent activity under T.C.A. § 9-3-406, where the informant has requested anonymity.

The Audit Committee will follow Roberts Rules of Order. Each year at its first meeting, the committee will elect a chairman, vice-chairman, and secretary. Meeting agendas will be prepared by the chairman and provided in advance to members along with appropriate briefing materials. Minutes of the Audit Committee meetings will be filed in the Office of the County Clerk.

**SECTION 4.** The committee shall have access to the services of a financial expert, either through a committee member or an outside party engaged by the committee for this purpose. Such financial expert should, through both education and experience, and in a manner specifically relevant to the county government sector, possess (1) an understanding of generally accepted accounting principles and financial statements; (2) experience in preparing or auditing financial statements of comparable entities; (3) experience in applying such principles in connection with the accounting for estimates, accruals, and reserves; (4) experience with internal accounting controls; and (5) an understanding of Audit Committee functions.

**SECTION 5.** The duties and responsibilities of the Audit Committee are:

(a) To participate in the entrance conference of the annual audit in order to discuss planning and areas of potential concern and to meet with the external auditor prior to commencement of the annual audit. To carefully review, upon completion of the county's annual audit, all audit findings in audit report and consult with the external auditors regarding any irregularities and deficiencies disclosed in the annual audit. The Audit Committee is empowered to meet with management to discuss audit findings and/or disagreements with the external auditors. The committee should satisfy itself that appropriate and timely corrective action has been taken by management to remedy any identified weaknesses. The committee should determine what corrective action, if any, should be recommended to the County Commission.

(b) To consider the effectiveness of the internal control system, including information technology security and control, review the effectiveness of the system for monitoring compliance with laws and regulations, and review the process for communicating the county's ethics policies to county personnel and monitoring compliance therewith.

(c) To establish a process by which employees, taxpayers, or other citizens may confidentially report suspected illegal, improper, wasteful or fraudulent activity under provisions of T.C.A. § 9-3-406.

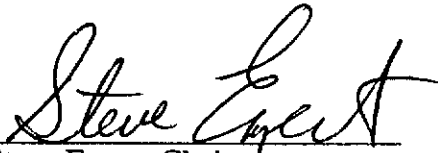
(d) To annually present a written committee report detailing how it discharged its duties and any committee recommendations to the full County Commission.

**SECTION 6.** The Audit Committee will be adequately funded to carry out the duties and responsibilities as set out in this Resolution and under applicable law.

**SECTION 7.** This resolution creating the duties and responsibilities of the Audit Committee has been submitted to the Comptroller prior to approval by this legislative body, and this resolution conforms with the report issued by the Comptroller.


Adopted this 19th day of January, 2016.

APPROVED:

  
Steve Emert, Chairman

  
Terry Frank, County Mayor

ATTEST

  
Jeff Cole, County Clerk





Anderson County

EXHIBIT

Board of Commissioners

D

RESOLUTION NO. 16-01-567

**RESOLUTION TO ADOPT THE COUNTY FINANCIAL  
MANAGEMENT SYSTEM OF 1981**

WHEREAS, the Tennessee General Assembly has enacted the County Financial Management System of 1981, codified at Tennessee Code Annotated Sections 5-21-101 through 5-21-130; and

WHEREAS, Tennessee Code Annotated authorized counties to adopt the provisions of the County Financial Management System of 1981 by a two-thirds (2/3) majority vote of the county legislative body; and

WHEREAS, after studying this optional law and hearing from consultants from the County Technical Assistance Service the Anderson County Legislative Body has determined that it is in the best interest of Anderson County to adopt the County Financial Management System of 1981 and to follow the adoption procedure delineated in the law.

NOW THEREFORE, BE IT RESOLVED by the Anderson County Legislative Body meeting in regular session this 19<sup>th</sup> day of January that henceforth Anderson County shall be governed by the provisions of the County Financial Management System of 1981.

BE IT FURTHER RESOLVED, A Finance Committee shall be established and confirmed at the next meeting of the County Legislative Body. Within thirty (30) days after such appointment the Finance Committee shall meet and start the process of establishing an implementation plan, in consultation with Accounts and Budget Director, Purchasing Agent, and the Anderson County Schools CFO. The implementation plan shall begin with the FY 2016/2017 budget year which begins July 1, 2016. The implementation plan shall be submitted to County Commission by July 1, 2016 and the implementation process shall be completed by August 1, 2017.

BE IT FURTHER RESOLVED, this Resolution shall take effect immediately upon two-thirds (2/3) majority vote.

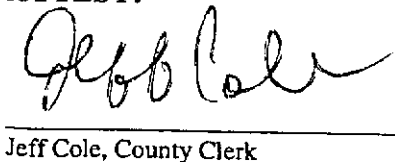
Adopted this 19th day of January, 2016.

APPROVED:

  
Steve Emert, Chairman

~~VETO~~  
Terry Frank, County Mayor

ATTEST:

  
Jeff Cole, County Clerk