

STATE OF TENNESSEE

COUNTY OF JEFFERSON

BE IT REMEMBERED THAT, the Monthly Session of the Jefferson County Board of Commissioners began and was held in and for the aforementioned State and County on the 28th day of June 2018 A.D. at 6:30 P.M., at the Jefferson County Courthouse in Dandridge, Tennessee. Present and Presiding were Chairman Robert Tucker; Chief Deputy Clerk Frances Wright; and the following County Commissioners answering to Roll Call Docket Book 4 Page 33 to-wit: Todd Kesterson, Steve Douglas, David Gaut, Randy Baxley, John McGraw, Russell Turner, Tim Seals, Sammy Solomon, Robert Blevins, John Neal Scarlett, Terry Dockery, Jimmy Carmichael, David Seal, Bob Beeler, and Barbara Sheets. Sixteen (16) members were present, five (5) were absent Katy Huffaker, Rita Musick, Donnie Tabor, Ralph "Gene" Eslinger, and Randy Bales.

The Meeting was called to order by Chairman Robert Tucker. An invocation was given by Chaplain Donnie Tabor, Chairman Tucker led the Pledge of Allegiance.

APPROVAL & CORRECTIONS OF THE AGENDA:

Commissioner Scarlett requested at the time of the budget committee, he would need to change the order of some items, with this change the agenda was approved with no objection.

APPROVAL OF THE MINUTES:

Commissioner Solomon moved to approve the minutes of the Jefferson County Board of Commissioners, April 16, 2018 Regular Quarterly Session. Commissioner Seals seconded the motion and the minutes were **approved** with no objections voiced.

APPEARANCE OF CITIZENS:

David A. Gerard – 7th District – Requested that the occupancy tax money be directed to an earmarked fund for economic development rather than giving it to the chamber of commerce.

Linda McSmith – 8th District – Requested better communication with the public via the county website. She states that the website is not up to date with meeting dates, agendas, and approved minutes.

David L. Nelson – 6th District – Requested to restate his comments from the work session because he was approached by a commissioner who said he only wanted to raise taxes. He stated that he did not want to raise taxes, he only stated that the County could not plan to spend more than the revenue it expected to receive. Additionally, he gave statewide information on counties that had a mineral tax, stating that the tax was collected by the state and remitted quarterly to the counties minus an administration/collection fee.

Don S. Byers – 8th District – Requested better garbage service from Jefferson County to the Parrott's Chapel Community. He specifically requested that the county work with Sevier County to allow garbage to be disposed of at the Flat Creek convenience center in Sevier County.

Matthew Bobick – 8th District – Spoke on behalf of citizens of his community in reference to the lack of emergency medical services to the Parrott's Chapel community when the Chestnut Hill ambulance is pulled to Dandridge several times daily.

APPROVAL OF NOTARIES & BONDS:

Commissioner Seals moved to approve the list of notaries as presented, Commissioner Solomon seconded the motion. Hearing no objections, the motion **carried**, and the below named applicants for Notary Public were **approved** providing the proper bonds or property affidavits are filed in the office of the County Clerk.

| | | | |
|----------------------|----------------------|--------------------|----------------------|
| Alyson P. Susong | Angela Vanessa Smith | Audra Osborne | Elizabeth I Sweet |
| Barbara L. Trent | C. W. Russell Jr. | Charles Dixon Jr. | Constance Lee Amidei |
| Dale F. Fain | Debbie L. Vega | Donna Branch | Edward M. Britt |
| Elizabeth A. Finchum | Genia N. Wines | Irene S. Baxter | Jennifer L. Davis |
| Jocelyn Jade Allen | Judy Holtsclaw | Marsha J. Jones | Melissa May Worsham |
| Paige D. Banks | Rebecca D. Slone | Rhoda Gotay | Ronald W. Trudeau |
| Sharon D. Vickers | Stacy Masters | Stuart McConnell | Sue Ann Allen |
| SylvesterJ. Lacoste | Vicki A. Fowler | Keisha Ann Gregory | |

REPORTS FROM ELECTED OFFICIALS, DEPARTMENT HEADS, AND OTHER OFFICIALS:

- A. County Mayor, Alan Palmieri
 1. Mayor Palmieri requested the Commission hold a vote on allowing Attorney Richard Talley to proceed with the proposed Opioid Lawsuit. He advised that Mr. Talley was in attendance to answer any questions. Commissioner Seals moved to approve Attorney Talley representing Jefferson County in the lawsuit, Commissioner Kesterson seconded the motion. After a vote by show of hands yields 11 yes, 4 no, and 1 abstention by Dr. McGraw, participation in the lawsuit was **approved**.
 2. Mayor Palmieri request to place the following names on the floor for confirmation to the Animal Control Oversight Board. He states in the absence of Chairman Bales that these had been presented to him: Shirley Hammond: 1 year, Mackey Wilson: Term of Employment, Honey Miller: 1 year, Kris Spencer: 2 years, Randy Bales: 3 years, John McGraw: 1 year, and Katherine Noyes: 2 years. Motion to approve by Commissioner Seal, second by Commissioner Turner, with no objection the above-mentioned board members were **approved**.
 3. Mayor Palmieri stated to the Legislative Body that personnel matters were in the hands of department heads and elected officials, he stated that personnel matters should not be brought up in the Legislative Body meetings. He assured commission that he nor his daughter had any conversations with Finance Director Potts about his daughter obtaining employment in his office.
- B. County Clerk, Frank Herndon – 3rd Quarter Financial Report: Presented and Filed.
- C. Highway Superintendent, Charles Tipton – 3rd Quarter Work Accomplished Report: Presented and Filed.
- D. Register of Deeds, Ed Stiner – 3rd Quarter Financial Report: Presented and Filed.
- E. Sheriff, G.W. “Bud” McCoig – 3rd Quarter Report: Presented and Filed.
- F. Building Inspector, Rob Wilson – 3rd Quarter Permit Report & School Facilities Tax Comparison: Presented and Filed.
- G. Chamber of Commerce President & CEO, Darrell Helton – 3rd Quarter Report: Presented.
- H. Economic Development Alliance Director, Derrick Collins – 3rd Quarter Report: Presented.
- I. Emergency Communications District Executive Director, Justin Crowther – 3rd Quarter Report: Presented and Filed.
- J. Emergency Medical Service Director, Brad Phillips – 3rd Quarter Report: Presented and Filed.
- K. Environmental Services Director, Tom Carter – 3rd Quarter Report: Presented and Filed.

- L. Finance Director, Langdon Potts
 - 1. Debt Management Policy – Director Potts presented the Debt Management Policy for review and approval with no changes. Commissioner Seals provided a motion to approve as presented, seconded by Commissioner Turner, with no objection the policy was **approved**.
 - 2. County & Schools Summary Financial Statements for April 2018: Presented and Filed.
 - 3. County & Schools Summary Financial Statements for May 2018: Presented and Filed.
- M. Health Department County Director, Sherrie Montgomery – 3rd Quarter Report: Presented.
- N. UT Extension Jefferson County Director, Karen Nelms – 3rd Quarter Report: Presented.
- O. Veterans Service Officer, Curtis Hudson – 3rd Quarter Report: Presented and Filed.
- P. Wheel Tax Compliance Officer, Tim Satterfield – 3rd Quarter Report: Presented and Filed.

REPORTS OF COMMITTEES, BOARDS, & COMMISSIONS:

None.

UNFINISHED BUSINESS:

None.

NEW BUSINESS:

- A. Ginger Franklin, Jefferson County Trustee: Collection agreement for New Market City Tax. Moved for approval by Commissioner Baxley, seconded by Commissioner Turner, the agreement was **approved** with no objection voiced.
- B. Commissioner John McGraw, Discussion and Action to reconsider **Resolution 2016-4**, Mineral Tax. Commission McGraw made the following motion: I move that we revisit the mineral tax **Resolution 2016-4** in the July County Commission meeting. Commissioner Turner provided a second to the motion. After a vote by show of hands, the motion **failed** 9-7 for a lack of a majority.
- C. Zoning Officer Tim “Pop” Seals, **Resolution 2018-22**, Rezoning request from R-1(Rural Residential) to C-2(General Commercial) for property located at 2684 W Hwy 11-E in Strawberry Plains, Tennessee, owned by Patrick B. Charles, DDS & Nicholas J. Charles, DDS (Tax Map 042I Group D, Parcels 001.03 & 001.01). Commissioner Solomon moved to approve **Resolution 2018-22**, seconded by Commissioner Scarlett, **Resolution 2018-22** was **approved** with no objection voiced and Commissioner Seals abstaining.
- D. Finance Director Langdon Potts
 - 1. **Resolution 2018-17**, Resolution to declare equipment surplus and to authorize the Highway Department of Jefferson County to donate to the C.A.R.E. Companion Animal Rescue Education said equipment. A motion for approval was provided by Commissioner Dockery, seconded by Commissioner McGraw, with no objection voiced **Resolution 2018-17** was **approved**.
 - 2. **Resolution 2018-18**, Resolution to declare equipment surplus and to authorize the Highway Department of Jefferson County to donate to the C.A.R.E. Companion Animal Rescue Education said equipment. A motion for approval was provided by Commissioner Solomon, seconded by Commissioner McGraw, with no objection voiced **Resolution 2018-18** was **approved**.
 - 3. **Resolution 2018-19**, Resolution to declare equipment surplus and to authorize the Highway Department of Jefferson County to donate to the 4th Judicial District Recovery Services said equipment. A motion for approval was provided by Commissioner Solomon, seconded by Commissioner Kesterson, with no objection voiced **Resolution 2018-19** was **approved**.

4. **Resolution 2018-20**, Resolution to declare and to authorize the Sheriff's Department of Jefferson County to retire the Jefferson County Sheriff's Office K-9. A motion for approval was provided by Commissioner Solomon, seconded by Commissioner Turner, with no objection voiced **Resolution 2018-20** was **approved**.
 5. **Resolution 2018-28**, Authorizing and Approving Leases of Business Machines pursuant to Tennessee Code Annotated 7-51-904 for the benefit of departments in Jefferson County, Tennessee for the fiscal year beginning July 1, 2018 and ending June 30, 2019. A motion for approval was provided by Commissioner Solomon, seconded by Commissioner McGraw, with no objection voiced **Resolution 2018-28** was **approved**.
 6. **Resolution 2018-30**, Resolution to declare vehicles as surplus and to authorize the Sheriff's Department of Jefferson County to dispose of said equipment. A motion for approval was provided by Commissioner Solomon, seconded by Commissioner McGraw, with no objection voiced **Resolution 2018-30** was **approved**.
 7. **Resolution 2018-31**, Resolution to declare and to authorize the Sheriff's Department of Jefferson County to retire the Jefferson County Sheriff's Office Duty Weapon. A motion for approval was provided by Commissioner Kesterson, seconded by Commissioner Turner, with no objection voiced **Resolution 2018-31** was **approved**.
- E. Public Service Committee, Commissioner David Seal, **Resolution 2018-16**, Resolution Adopting Regulations Governing Outdoor Music Festivals and Special Events in Jefferson County, Tennessee. This resolution came as a recommendation from the Public Service Committee, a motion to approve was made by Commissioner Kesterson, seconded by Commissioner Seals, a vote by show of hands yielded a result of 11-5. **Resolution 2018-16 failed** for lack of 2/3 majority.
- F. Commissioner David Seal, **Resolution 2018-21**, Resolution requesting that Jefferson County, Tennessee be designated as a Broadband Ready Community by the Tennessee Department of Economic and Community Development and appointment of the Jefferson County, Tennessee Director of Information Technology and Communications as the single point of contact for broadband projects. A motion to approve was provided by Commissioner Seal, seconded by Commissioner Turner and with no objection voiced, **Resolution 2018-21** was **approved**.
- G. Budget Committee, Chairman John Neal Scarlett: At the request of Chairman Scarlett, Commissioner Baxley made a motion to suspend the rules so that the full body could rule on budget amendments that had not been heard by the budget committee. Commissioner McGraw provided a second, and with no objection voiced the rules were **suspended**.
- a) Year-End Budget Amendments
 1. Schools General Purpose Fund 141, Amendment #17, Items #1-10: **Approved** with no objection voiced.
 2. Schools Federal Purpose Fund 142, Amendment #12, Item #1: **Approved** with no objection voiced.
 3. Schools Federal Purpose Fund 142, Amendment #11, Items #1-5: **Approved** with no objection voiced.
 4. Schools Food Service Fund 143, Amendment #2, Item #1: **Approved** with no objection voiced.
 5. Schools Capital Projects Fund 177, Amendment #3, Item #1: **Approved** with no objection voiced.
 6. County General Fund 101, Amendment #12, Items #1-3: **Approved** on a Roll Call vote 15-1 (in favor: Kesterson, Douglas, Gaut, Baxley, McGraw, Turner, Seals, Solomon, Blevins, Scarlett, Dockery, Tucker, Carmichael, Seal, Beeler, and Sheets).
 7. County General Fund 101, Amendment #13, Items #1-5: **Approved** with no objection voiced.
 8. County General Fund 101, Amendment #14, Item #1: **Approved** with no objection voiced.
 9. County General Fund 101, Amendment #15, Items #1-3: **Approved** with no objection voiced.
 10. County General Fund 101, Amendment #13, Items #1-5: **Approved** with no objection voiced.

11. Debt Service Fund 151, Amendment #3, Item #1: **Approved** with no objection voiced.
 12. Capital Fund 171, Amendment #5, Item #1: **Approved** with no objection voiced.
 13. Capital Fund 171, Amendment #6, Item #1: **Approved** with no objection voiced.
 14. Landfill Fund 207, Amendment #5, Item #1: **Approved** with no objection voiced.
 15. Schools General Purpose Fund 141, Amendment #19, Items #1-26: **Approved** with no objection voiced.
 16. Schools Federal Purpose Fund 142, Amendment #13, Items #1-10: **Approved** with no objection voiced.
 17. Schools Federal Purpose Fund 142, Amendment #14, Item #1: **Approved** with no objection voiced.
 18. Schools Food Service Fund 143, Amendment #3, Item #1: **Approved** with no objection voiced.
 19. Schools Capital Projects Fund 177, Amendment #4, Item #1: **Approved** with no objection voiced.
 20. County General Fund 101, Amendment #16, Items #1-24: **Approved** on a Roll Call vote 16-0 (in favor: all present).
 21. Courthouse and Jail Maintenance Fund 112, Amendment #1, Item #1: **Approved** on a Roll Call vote 16-0 (in favor: all present).
 22. Law Library Fund 114, Amendment #1, Item #1: **Approved** on a Roll Call vote 16-0 (in favor: all present).
 23. Sanitation Fund 116, Amendment #2, Item #1: **Approved** with no objection voiced.
 24. Highway Fund 131, Amendment #3, Items #1-6: **Approved** on a Roll Call vote 16-0 (in favor: all present).
 25. Debt Service Fund 151, Amendment #4, Items #1-2: **Approved** with no objection voiced.
 26. Capital Fund 171, Amendment #7, Items #1-2: **Approved** on a Roll Call vote 16-0 (in favor: all present).
 27. Landfill Fund 207, Amendment #6, Items #1-2: **Approved** with no objection voiced.
 28. General Purpose Fund 141, Amendment #18 Items #1-3: **Approved** with no objection voiced.
- b) 2018-2019 Budget
1. **Resolution 2018-27:** Resolution to adopt a continuing budget and tax rate for the fiscal year beginning July 1, 2018 and to authorize the issuance of tax anticipation notes and to authorize the expenditure of funds by the various county offices and departments for Jefferson County, Tennessee: **Approved** with no objection voiced.
 2. **Resolution 2018-26:** Resolution making appropriations to non-profit charitable organizations of Jefferson County, Tennessee for fiscal year beginning July 1, 2018 and ending June 30, 2019: Commissioner Seal moved to amend **Resolution 2018-26** by the following:
 - a. That any non-profit, county board, or other entity that receives funding from the proceeds generated by the Occupancy Tax [Hotel/Motel Tax] be required to meet the following as a condition of funding for fiscal year ending June 30, 2019:
 - i. Be subject to or fully comply with the requirements of the Open Meetings Act TCA § 8-44-101.
 - ii. Be subject to or fully comply with the requirements of the Public Records Act TCA § 10-7-503.
 - iii. Provide County Commission with a written statement that demonstrates specific expenses that will be paid from use of the Occupancy Tax prior to the awarding of funding.
 - iv. Account for all expenses paid from appropriations from the Occupancy Tax to the individual receipt level after funding has been awarded by County Commission and expended by the receiving entity.
 - b. That County Commission award funding from the proceeds of the Occupancy Tax only for expenses related to “tourism and industrial recruitment” as required by the following authorities: State of Tennessee Private Chapter 17, enacted February 22, 1995, as ratified by County Commission on April 17, 1995 and by TCA § 67-4-1403 requiring that Occupancy Tax Revenue be used for the purpose of its enactment.

c. County Commission may award funding in part or whole to any non-profit, county board, or other entity that is in compliance with the requirements of this amendment.

The authority for this amendment is traceable to Article I, Section 9, United States Constitution, and the Statutes cited herein, and TCA § 5-9-109 which provides authority for local governments to set guidelines for appropriations to non-profits.

Roll Call vote requested under CCRP Rule VII(D)

Commissioner Blevins provided a second. After discussion, with a Roll Call vote taken and the amendment **failed** 3-13 (in favor: McGraw, Blevins, and Seal). A vote was taken on **Resolution 2018-26** in its original state and it was **approved** on a voice vote 15-1.

3. **Resolution 2018-25:** Resolution making appropriations for the various funds, departments, institutions, offices, and agencies of Jefferson County, Tennessee, for fiscal year beginning July 1, 2018 and ending June 30, 2019. After a voice vote **Resolution 2018-25** was **approved** 15-1.
 4. **Resolution 2018-24:** Resolution fixing the tax levy in Jefferson County, Tennessee, for the fiscal year beginning July 1, 2018. After a voice vote **Resolution 2018-24** was **approved** 15-1.
 5. **2018-2019 Recapitulation:** Upon movement by the budget committee and after a voice vote, the recapitulation was **approved** 15-1.
- c) **Resolution 2018-29:** Resolution to increase the threshold over which public advertisement and sealed competitive bids or proposals are required. Moved for approval by Commissioner Gaut, seconded by Commissioner Seals. After a voice vote **Resolution 2018-29** was **approved** with no objection voiced.
- d) 2018-2019 Budget Amendment
1. General Purpose Fund 141, Budget Amendment #1, Items #1-3: Motion to approve by Commissioner Scarlett, seconded by Commissioner McGraw, **approved** with no objection voiced.

Hearing no further business before the commission, Chairman Tucker **adjourned** the meeting at 7:40 PM.