

COUNTY COMMISSION MEETING – MARCH 16, 2020

The Claiborne County Commission met in regular session on Monday, March 16, 2020 at 6:30 p.m. at the Courthouse in Tazewell, Tennessee. Meeting was opened by Officer Doug Evans. Invocation led by Commissioner Zach Mullins. Pledge led by Officer Doug Evans.

AGENDA ITEM #1 – CALL TO ORDER/ROLL CALL:

Chairman Mike Campbell called the meeting to order. County Clerk Karen Hurst called the roll by district. Commissioners present/absent as follows:

PRESENT:

District 1

Brent Clark
Whitt Shuford
Charlton Vass

District 2

Nathan Epperson
Juanita Honeycutt
Kim Large

District 3

Mike Campbell
Stacey Crawford
Nicholas Epperson

District 4

Zach Mullins
Anthony Rowe

District 5

Mitchell Cosby

District 6

Rosemary Barnett
Carolyn Brooks
Steve Mason

District 7

Steve Brogan
Sherry McCreary
Shawn Peters

District 8

David Mundy
Steve Murphy

District 9

James Hatmaker

21 commissioners present

Also present: Cynthia Logan, Recorder

AGENDA ITEM #2 – APPROVAL OF AGENDA:

MOTION: Commissioner Mundy – to approve

SECOND: Commissioner Mason

MOTION TO AMEND: Commissioner Peters – to add a Resolution concerning ARC grant application through the Board of Education and to include Commissioners Mullins and Rowe as co-sponsors of this resolution.

SECOND: Commissioner Hatmaker

(This recorded as Resolution 2020-029 and added as item #3A under New Business)

MOTION TO AMEND: Commissioner Hatmaker – to add a resolution concerning Abandoned Mine Land Reauthorization.

SECOND: Commissioner Mason

(This recorded as Resolution 2020-030 and added as item 3B under New Business)

(Item #2 cont.)

MOTION TO AMEND: Commissioner Brogan – to add an issue concerning Hatfield property.

SECOND: Commissioner McCreary

(This added as Item 3C under New Business)

Commissioner Mundy requested to add County Road Superintendent with discussion concerning funds from Nashville.

Vote on agenda as amended; Motion carried by aye vote

AGENDA ITEM #3 – APPROVAL OF MINUTES

MOTION: Commissioner Vass – to approve

SECOND: Commissioner Clark

Motion carried by aye vote

AGENDA ITEM #4 – COUNTY OFFICE REPORTS

MOTION: Commissioner Hatmaker – to approve

SECOND: Commissioner Mason

Motion carried by aye vote

AGENDA ITEM #5 – COUNTY HIGHWAY DEPT. WHEEL TAX QUARTERLY REPORT

MOTION: Commissioner Large – to approve

SECOND: Commissioner Cosby

Motion carried by aye vote

AGENDA ITEM #6 – COUNTY MAYOR'S REPORT

MOTION: Commissioner Nathan Epperson – to approve

SECOND: Commissioner Cosby

Motion carried by aye vote

AGENDA ITEM #7 – COUNTY SHERIFF’S OFFICE REPORT

MOTION: Commissioner Large – to approve
SECOND: Commissioner Clark

Motion carried by aye vote

AGENDA ITEM #8 – COMMITTEE REPORTS

MOTION: Commissioner Nathan Epperson – to approve
SECOND: Commissioner Rowe

Motion carried by aye vote

AGENDA ITEM #9 – NOTARY PUBLIC APPOINTMENTS

MOTION: Commissioner Hatmaker – to approve
SECOND: Commissioner Mundy

Motion carried by aye vote

APPROVED:
Joy M. Atkins

AGENDA ITEM #10 – NOTARY PUBLIC BONDS APPROVALS

(none)

OLD BUSINESS:

ITEM #1 – RESOLUTION 2020-021 – WATERLINE RESOLUTION

MOTION: Commissioner Mundy – to override County Mayor’s veto

SECOND: Commissioner Mason

(presentation by County Mayor)

(discussion followed)

ROLL CALL VOTE: 16 for; 5 against / Motion carried

*FOR: Commissioners Clark, Honeycutt, Large, Campbell, Crawford, Nicholas
Epperson, Cosby, Barnett, Brooks, Mason, Brogan, McCreary,
Peters, Mundy, Murphy, Hatmaker*

*AGAINST: Commissioners Shuford, Vass, Nathan Epperson, Mullins, Rowe
(Resolution as follows)*

RESOLUTION NO. 2020-021
WATERLINE RESOLUTION

WHEREAS, there is a need for several waterline extensions throughout Claiborne County on the following roads:

Pine Hill Road – future capability water for 50 citizens
Johnson Road – future capability water for 45 citizens
Shackleford Lane – future capability water for 11 citizens
Sharp Road and Mud Hollow Road – future capability for 29 citizens
Iron Works Road – future capability for 52 citizens
Poplar Grove Road – providing water for 10 citizens and connecting to existing waterline so that we would qualify for a future Community Development Block Grant (CDBG)

WHEREAS, these waterline extensions would have the capability of serving a total of 187 citizens of Claiborne County, with a future Community Development Block Grant (CDBG). Most of this waterline would serve the purpose of connecting the existing waterlines so that we would be eligible to apply for a Community Development Block Grant, in February 2021. If we choose not to pass this resolution for these waterline extensions then we will be unable to qualify for any future Community Development Block Grants, because of the areas that have no houses. However, if this resolution passes, then we could apply for another grant, which will provide water for approximately 187 county citizens.

THEREFORE, this resolution, if passed, will commit the Claiborne County Commission to a \$500,000 capital outlay note for this waterline project. If this waterline extension is approved, the Finance Department will administer bids for the Capital Outlay Notes. Vaughn and Melton Engineering will be conducting the engineering and the bidding process on the construction of these waterline extension, and

BE IT FURTHER RESOLVED that the resolution is amended as follows: that a workshop or study with the two water utility districts be conducted to see if “dead spots” could be filled that would not be covered by grants, to include all districts in the study and to bring back before the commission at the March, 2020 meeting, and

BE IT FURTHER RESOLVED, by the Board of Commissioners of Claiborne County, Tennessee, assembled in regular session on the 24th day of February, 2020, that such resolution be passed.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that this resolution take effect from and after its passage, the public welfare requiring it.

PASSED and APPROVED this 24th day of February, 2020.

VETO Bracl
County Mayor

David Mundy, Steven Murphy, Mitchell Cosby
Steve Mason, Carolyn Brooks, Rosemary Barnett
County Commissioner Co-Sponsors

ATTEST:

County Clerk

NEW BUSINESS:

**ITEM #1 – RES. 2020-026 – COMMUNITY HEALTH OF EAST TN FAMILY SERVICES;
USE OF COUNTY BUILDING**

MOTION: Commissioner Honeycutt – to approve
SECOND: Commissioner Peters

ROLL CALL VOTE: 21 for; 0 against / Motion carried
(Resolution as follows)

Resolution 2020-026

Whereas, the CEASE organization has closed operations in Claiborne and surrounding counties limiting the access to support and services for Citizens dealing with Domestic Violence and,

Whereas, the “Community Health of East Tennessee Family Services” a program for Victims of Domestic Violence that serves Campbell and surrounding Counties has offered services for Claiborne County and,

Whereas, the Building previously used by CEASE is now vacant.

Be it Hereby Resolved that the building left vacant by CEASE be made available for the services for Domestic Violence to be provided by the Community Health of East Tennessee organization for the purpose of providing services to Claiborne County residents without having to travel to their central location in Campbell County.

Be it Also Resolved, that the use of the County Building shall be temporary, until such time that a decision is made whether to extend the agreement. The county attorney is hereby asked to create a legal lease agreement with the “Community Health of East Tennessee” for temporary use of the building not to exceed 1 year at a minimal cost of \$ 3.00 (three dollars) allowing the agreement to be amended at a later date if the program becomes permanent in Claiborne County and the County agrees to extend the Lease.

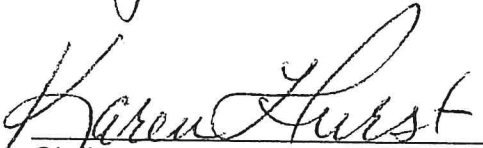
This resolution being Duly approved by the County Commission in session this **16th day of March, 2020**. The Public Welfare requiring it.



Claiborne County Mayor



Commissioner sponsor



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3-4-2020 13:10 pm
1211

ITEM #2 – RES. 2020-027 – CIRCUIT COURT CLERK (budget amendment)

MOTION: Commissioner Mullins – to approve

SECOND: Commissioner Nathan Epperson

ROLL CALL VOTE: 21 for; 0 against / Motion carried

(Resolution as follows)

RESOLUTION

2020- 027

Whereas, the Circuit Court Clerk of Claiborne County, Tennessee would respectfully submit to the Claiborne County Commission that there exists a fund, same being Office Supplies (53100-435) that was established in 2019-2020 budget year containing a \$16,064.30 balance. This fund is to be used to maintain the current supplies for General Sessions, Circuit, and Juvenile Courts of Claiborne County. At the present time said Circuit Court Clerk has had an audit finding for employee vacation and comp time being over county allowable amounts. There are more than adequate monies in said fund to pay a onetime payout to the following deputy clerks down to only 40 hours of comp time.

Debra Spadling	\$2,160.16
Emma Middleton	\$1,414.44
Lesley Chumley	\$2,748.93
Stephanie Carter	\$ 264.11

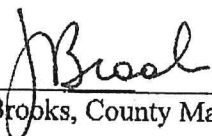
An excel spread sheet and employee sign latest time sheet is attached to this Resolution.

Now, Therefore, the Circuit Court Clerk respectfully submits this Resolution and ask for the approval of to transfer money from line item 53100-435 to the following accounts:

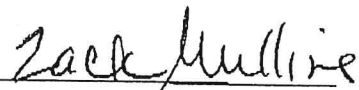
53100-162	Clerical Personnel	\$6,587.64
53100-201	Social Security	\$ 586.30
53100-204	State Retirement	\$ 329.38
53100-212	Employer Medicare	\$ 138.34
Total		\$7,641.66

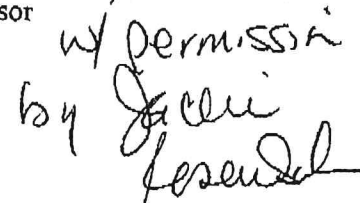
BE IT FURTHER RESOLVED, that this Resolution takes effect from and after its passage, the public welfare requiring it.

Duly passed and approved this _____ day of _____, 2020.



Joe Brooks, County Mayor



Sponsor
w/ permission
by 

ATTEST:



Karen Hurst, County Court Clerk

RECEIVED
3-4-2020 3:00 pm
KZ

ITEM #3 – RES. 2020-028 – DECREASE THE SIZE OF COUNTY COMMISSION

MOTION: Commissioner Nathan Epperson – to approve with amendment in paragraph 6 to read “*reduced in number from twenty-one to nine*” and to correct Pass and Approved date to read “*this 16th day of March, 2020*”.

SECOND: Commissioner Shuford

(discussion followed)

MOTION: Commissioner Hatmaker – to table this item until August

SECOND: Commissioner Mason

ROLL CALL VOTE (on Motion to Table): 18 for; 3 against / Motion carried / Item Tabled

*FOR: Commissioners Clark, Honeycutt, Large, Campbell, Crawford, Nicholas
Epperson, Mullins, Rowe, Cosby, Barnett, Brooks, Mason, Brogan,
McCreary, Peters, Mundy, Murphy, Hatmaker*

AGAINST: Commissioner Shuford, Vass, Nathan Epperson

**ITEM #3A – RES. 2020-029 – RESOLUTION AUTHORIZING CLAIBORNE COUNTY TO
SUBMIT 2020 APPALACHIAN REGIONAL COMMISSION GRANT APPLICATION**

MOTION: Commissioner Peters – to approve

SECOND: Commissioner Hatmaker

ROLL CALL VOTE: 21 for; 0 against / Motion carried

(Resolution as follows)

RESOLUTION No. 2020- 029

RESOLUTION AUTHORIZING CLAIBORNE COUNTY TO SUBMIT
2020 APPALACHIAN REGIONAL COMMISSION GRANT APPLICATION

WHEREAS, the Appalachian Regional Commission (ARC) Program as administered by the state of Tennessee offers grants to local jurisdictions within Appalachia to create opportunities for self-sustaining economic development and an improved quality of life, and

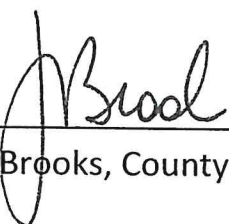
WHEREAS, the 2020 (ARC) for Claiborne County utilizing their Three Star status will allow for an ARC request up to but not to exceed \$432,250.00 federal funds with a match of \$185,250.00 and

NOW, THEREFORE, BE IT RESOLVED, that the Claiborne County Commission authorizes the Claiborne County Board of Education to apply for Appalachian Regional Grant funds, up to but not exceed \$432,250.00 of federal funds for the Springdale Sewer Project, and


IT IS FUTHER RESOLVED that the match funds will come from the Claiborne County Board of Education General Purpose Account in the amount of \$185,250.00. The total ARC grant application may be up to but will not exceed the amount of \$617,500.00. This requires no additional local funds.

IT IS FURTHER RESOLVED, that this resolution takes effect from and after its passage, the public welfare, requiring it.

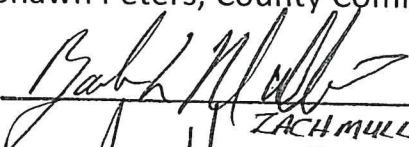
PASSED AND APPROVED, 16th day of March 2020.



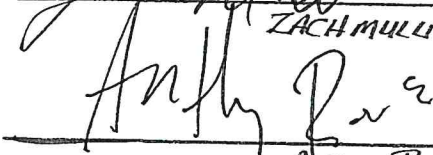
Joe Brooks, County Mayor



Shawn Peters, County Commissioner



ZACH MULLINS, Co. Commissioner



Anthony Rowe, Co. Commissioner

ATTEST:



Karen Hurst, County Clerk

ITEM #3B – RES. 2020-030 – ABANDONED MINE LAND FUND REAUTHORIZATION

MOTION: Commissioner Hatmaker – to approve

SECOND: Commissioner Mundy

*Motion carried by aye vote
(Resolution as follows)*

RESOLUTION NO. 2020- 030

Abandoned Mine Land Fund Reauthorization RESOLUTION

Whereas Claiborne County is a community in East Tennessee with many rich assets, including our land, water, heritage and people, who have for more than 100 years provided coal that has fueled the United States; and

Whereas Claiborne County and its residents are working to build a community that is strong, healthy and a place where our future generations can continue to live and find meaningful work and where we can build on and celebrate our assets;

Whereas Appalachia is experiencing economic distress with the decline of the coal industry and mining jobs, and we believe that a just and equitable transition to a future economy should be one that celebrates culture; invests in communities; generates meaningful jobs; and protects and restores land and water while, providing jobs for workers, such as our miners who have dedicated and risked their lives to work in the coal industry; and

Whereas Claiborne County has Abandoned Mine Land (AML) sites, which were abandoned prior to the passage of the Surface Mining Control and Reclamation Act and are therefore eligible for federal AML funding for reclamation; and

Whereas the reclamation of such sites provide local job opportunities at a time when economic growth is needed; and

Whereas the Abandoned Mine Land fee is set to expire in 2021 unless reauthorized by Congress; and

Whereas over \$10.6 billion dollars of AML sites have yet to receive funding for reclamation; and

Whereas Claiborne County has over \$12 million dollars of AML sites that have yet to receive funding for reclamation; and

Whereas the fund is financed by a fee on current coal production, so as to ensure that Tennessee's coal legacy is a positive legacy that leaves our communities better situated for the future;

Whereas this resolution bears no cost to the tax payers of Claiborne County Tennessee;

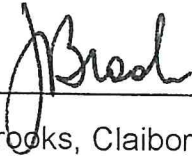
NOW, THEREFORE, LET IT BE RESOLVED THAT Claiborne County urges U.S. Senator Lamar Alexander and Senator Marsha Blackburn, along with U.S. Representatives David "Phil" Roe (TN-1), Tim Burchett (TN-2) Charles "Chuck"

Fleischmann (TN-3), Scott DesJarlais (TN-4), Jim Cooper (TN-5), John Rose (TN-6), Mark Green (TN-7), David Kustoff (TN-8), and Steve Cohen (TN-9) to support and vote for legislation that reauthorizes the AML program, including fee collection at no less than the current rate, for an additional 15 years.

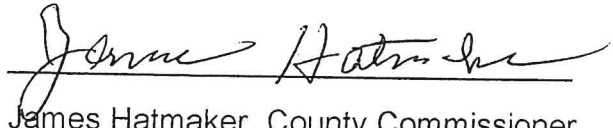
Specifically we urge the passage of H.R. 4248, sponsored by U.S. Representative Matt Cartwright, which would extend the existing fees for 15 years, expand funding for states with the greatest need, and reimburse states for AML fees that were sequestered since Fiscal Year 2013.

IT IS FURTHER RESOLVED, this resolution shall take effect upon its passage, the public welfare required it.

PASSED AND APPROVED this 16th day of March, 2020.



Joe Brooks, Claiborne County Mayor



James Hatmaker, County Commissioner

Sponsor

ATTEST:



Karen Hurst, County Clerk

ITEM #3C – HATFIELD PROPERTY

MOTION: Commissioner Brogan – to suspend the rules and authorize the County Mayor to execute a deed to property on Red Hill Road and Hwy. 63, consisting of the old Hwy. 63 road bed, to the Billy Hatfield heirs subject to the County Attorney verifying with the TN Dept. of Transportation.

SECOND: Commissioner Hatmaker

ROLL CALL VOTE: 21 for; 0 against / Motion carried

ITEM #3D – DISCUSSION – COUNTY ROAD SUPERINTENDENT

Road Superintendent Ronnie Pittman informed commission that monies are going to be available to county governments through the governor's 2020-2021 budget. Each county would receive a base payment of \$250,000.00 plus an additional payment based upon the county's population. These funds must be expended on a one-time capital project which could include road projects. Mr. Pittman is requesting that the county commission grant the use of these funds for the Road Department if and when they become available.

ITEM #4 – ADJOURNMENT

MOTION: Commissioner Mundy – to adjourn

SECOND: Commissioner Hatmaker

Motion carried by aye vote / Meeting adjourned

*Karen Lurst
Co. Clerk*