

COUNTY COMMISSION MEETING – DECEMBER 17, 2018

The Claiborne County Commission met in regular session on Monday, December 17, 2018 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: Patricia Heck, Recorder

AGENDA ITEM #2 – APPROVAL OF AGENDA:

MOTION: Commissioner Mundy– to approve agenda

SECOND: Commissioner Peters

Commissioner Hatmaker requested that item #1 under New Business be withdrawn. Commissioner Peters requested that the ESG program be placed on agenda for a vote. Second by Commissioner Nicholas Epperson. This entered as Res. 2018-087A, item #4 under Old Business.

Commissioner Mundy requested that item #3 under Old Business be moved to New Business under item #8A. Second by Commissioner Hatmaker.

Commissioner Honeycutt requested that the county insurance be placed on agenda for vote. Second by Nathan Epperson. This entered as item #11A under New Business.

Vote on agenda as amended / Motion carried by aye vote

AGENDA ITEM #3 – APPROVAL OF MINUTES:

MOTION: Commissioner Vass – to approve

SECOND: Commissioner Large

Motion carried by aye vote

AGENDA ITEM #4 – COUNTY OFFICE REPORTS

MOTION: Commissioner Hatmaker – to approve

SECOND: Commissioner Cosby

Motion carried by aye vote

AGENDA ITEM #5 – NOTARIES

MOTION: Commissioner Hatmaker – to approve

SECOND: Commissioner Mason

Motion carried by aye vote

Approved:

Priscilla A. Bush

Janice M. Pratt

Brandon A. McKnight

Sherry McCreary

AGENDA ITEM #6 – NOTARY BONDS

(no notary bonds presented)

OLD BUSINESS:

ITEM #1 – RES. 2018-081 – COUNTY ROAD ADDITION (Hummingbird Hill)

MOTION: Commissioner Brogan – to approve (as 2nd reading)

SECOND: Commissioner Vass

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

Resolution as follows:



RESOLUTION NO. 2018-081

WHEREAS, Guy Evans and Gary Powers own property with residences in the 7th District in Claiborne County.

WHEREAS, they would like to have the road to their residences become a county road.

WHEREAS, they were told by Claiborne County Road Superintendent, Ronnie Pittman, to have one of their commissioners to bring it in front of the Claiborne County Commission.

WHEREAS, they would like to have the road named Hummingbird Hill.

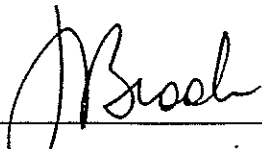
WHEREAS, after consulting with 911 there is no road named Hummingbird Hill in Claiborne County.

THEREFORE, we ask the road to be accepted as a county road.

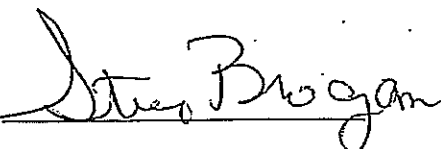
THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Claiborne County, Tennessee assembled in session on the 19th day of November 2018, that such resolution is approved.

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

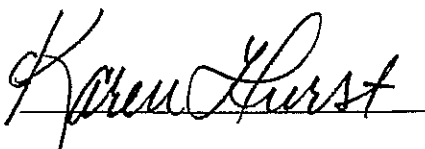
PASSED, AND APPROVED, this 19th day of November 2018.



COUNTY MAYOR



SPONSOR



COUNTY COURT CLERK

ROAD SUPERINTENDENT

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11-7-18 1:50 pm
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ITEM #2 – RES. 2018-085 – COUNTY ROAD ADDITION (Jeffers Lane)

MOTION: Commissioner Mundy – to approve (as 2nd reading)

SECOND: Commissioner Hatmaker

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

Resolution as follows:

RESOLUTION NO. 2018-085

WHEREAS, the property owner on Jeffers Lane, a private road that is .10 mile in length, with a gravel surface, located in the Eighth District of Claiborne County, wants to be added to the county road list and be a county maintained road. This roadway is owned by Michael Hensley, but there are three families that have residents that access their property, with a right of way of ingress and egress, that use this roadway, and

WHEREAS, the Road Superintendent and the 911 Director has approved this, and this resolution requires three readings to become a county road, and

THEREFORE, be it resolved, by the Board of County Commissioners of Claiborne County, Tennessee, assembled in session on the 19th day of November that such resolution is approved.

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

PASSED AND APPROVED this 19th day of November 2018.

Ronnie Pittman, Road Superintendent

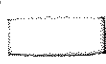
Joe Brooks, Mayor

David Mundy
Sponsor

ATTEST:

Karen Hurst
Karen Hurst, County Court Clerk

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11-7-18 3:40 pm
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ITEM #3 – (moved to item #8A under New Business)

ITEM #4 – RES. 2018-087A – BOARD OF EDUCATION (EESI Loan)

MOTION: Commissioner Peters – to approve

SECOND: Commissioner McCreary

(Discussion followed)

ROLL CALL VOTE as follows: 8 for; 13 against / Motion failed

For: Commissioners Clark, Nathan Epperson, Honeycutt, Nicholas Epperson, Rowe,
Brogan, McCreary, Peters

Against: Commissioners Shuford, Vass, Large, Campbell, Crawford, Mullins, Cosby,
Barnett, Brooks, Mason, Mundy, Murphy, Hatmaker

NEW BUSINESS:

ITEM #1 – (withdrawn by sponsor)

**ITEM #2 – RES. 2018-090 – SUPPORT OF EXTENDING THE BLACK LUNG DISABILITY
TRUST FUND**

MOTION: Commissioner Hatmaker – to approve

SECOND: Commissioner Vass

Motion carried by aye vote

(Resolutions as follows)

330
Sponsored by Jimmy Hatmaker Claiborne County District 9 county commissioner.

RES. 2018-090

Claiborne County Resolution in Support of Extending the Black Lung Disability Trust Fund

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 the coal that has fueled the United States; and

Whereas the Appalachian region 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, crucially, providing care for workers, such as our miners who have dedicated and risked their lives to work in the coal industry; and

Whereas black lung disease is an incurable and fatal disease caused by exposure to coal dust; and

Whereas rates of black lung disease are surging among coal miners in East Tennessee and one in five veteran working coal miners in Central Appalachia now has black lung; and

Whereas thousands of coal miners with black lung disease and their dependents rely on benefits from the federal Black Lung Disability Trust Fund; in FY2017, more than 650 miners in the state of Tennessee were paid more than \$6 million across all federal Black Lung claims¹; and

Whereas the Black Lung Disability Trust Fund is in poor financial health and in dire need of protection; unless Congress takes action, the rate of the Black Lung excise tax, which is paid into the trust fund, will be slashed by more than half at the end of 2018; this would undoubtedly threaten the financial health of the trust fund and put the benefits of miners in jeopardy; and

Whereas the steps required for coal miners to acquire federal black lung benefits are currently difficult and lengthy, and eligibility criteria should not be changed to make such processes more difficult; and

Whereas coal companies have a moral and legal responsibility to pay for their employees' health and disability costs associated with black lung disease, and the financial obligation to provide black lung benefits should not be shifted to taxpayers; and

Whereas no taxpayer money would be used to extend the Black Lung excise fee; and

¹ Source: US Department of Labor, Division of Coal Mine Workers' Compensation. URL: <<https://www.dol.gov/owcp/dcmwc/statistics/bls2017/DistributionOfClaimsByState2017.htm>>

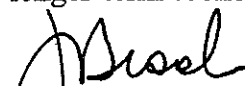
Whereas federal legislation to maintain the Black Lung excise fee at its current level could also assist in the passage of the RECLAIM Act (H.R. 1731), a bill sponsored by U.S. Rep. Hal Rogers (KY-5) to invest over the next five years \$1 billion from the federal Abandoned Mine Lands Trust Fund to fund reclamation and support economic development projects on abandoned mine lands in Tennessee and other affected states; and

Whereas an extension of the Black Lung excise tax can be paired with the RECLAIM Act (H.R. 1731), which will provide an economic boost to Appalachia through reclamation of abandoned coal mines to grow jobs and economic development, such as Claiborne County where it will cost \$2.7 million to clean up the remaining abandoned coal mines;² and

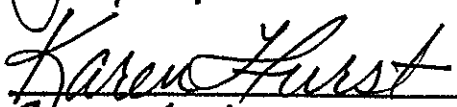
NOW, THEREFORE, LET IT BE RESOLVED THAT Claiborne County of Tennessee urges U.S. senators Lamar Alexander, Bob Corker, and incoming Senator Marsha Blackburn along with U.S. Representative Jimmy Duncan to support and vote for legislation to assist retired, disabled and laid-off coal miners, their families and communities.

Specifically, we urge passage of two bills needed for a just transition for coal miners and communities:

- a) Legislation that strengthens the solvency of the Black Lung Disability Trust Fund by maintaining the excise fee at its current level, rather than allowing it to decline at the end of 2018. Furthermore, this legislation should not make black lung benefits more difficult to acquire, or include a taxpayer bailout of the fund.
- b) The bipartisan RECLAIM Act (H.R. 1731), sponsored by U.S. Rep. Hal Rogers, which will help revitalize coal communities by creating thousands of good reclamation jobs and supporting longer-term economic development initiatives.



County Mayor



County Clerk

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11-29-18 12:17 pm
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² "Cost PAD Summary by State & County." electronic-Abandoned Mine Land Inventory System (e-AMLIS), Office of Surface Mining Reclamation and Enforcement. Accessed August 2, 2018.

ITEM #3 – RES. 2018-091 – BOARD OF EDUCATION (budget amendment)

ITEM #4 – RES. 2018-092 – BOARD OF EDUCATION (budget amendment)

ITEM #5 – RES. 2018-093 – BOARD OF EDUCATION (budget amendment)

MOTION: Commissioner Peters – to combine items 3,4 and 5 and approve

SECOND: Commissioner Nathan Epperson

Motion carried by aye vote

(Resolutions as follows)

Claiborne County Board of Education

RESOLUTION

RES. 2018-091

December 13, 2018

WHEREAS, the Claiborne County Board of Education has received a \$10,000 donation from ETHRA for water fountain refill stations.

WHEREAS, this resolution involves no local tax dollars.

BE IT THEREFORE RESOLVED by the Claiborne County Commission in session December 17, 2018 that the Claiborne County Board of Education be authorized to amend the **General Purpose Budget** by increasing the following line items.

REVENUE

INCREASE

Account Code No.

44570 Contributions

\$10,000

EXPENDITURES

Account Code No.

76100-707 Building Improvements

\$10,000

Dr. Joseph A. Miller

Dr. Joseph A. Miller
Claiborne County Schools Director

Shawn Peters

Commission Sponsor

Angelia Tucker

Angelia Tucker

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12-4-18 11:50 am

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Claiborne County Board of Education
RESOLUTION
RES. 2018-092

December 13, 2018

WHEREAS, the Claiborne County Board of Education has received \$23,185.80 dollars in insurance recovery, and

WHEREAS, these dollars need to be entered into the General Purpose Budget, and

WHEREAS, this resolution involves no local tax dollars.

BE IT THEREFORE RESOLVED by the Claiborne County Commission in session December 17, 2018 that the Claiborne County Board of Education be authorized to amend the General Purpose Budget by increasing the following line items.

REVENUE

INCREASE

Account Code No.

49700 Insurance Recovery

\$23,186

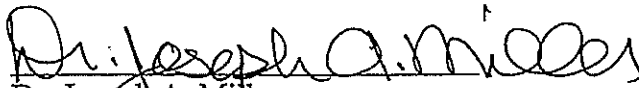
EXPENDITURES

Account Code No.

72710-399 Contracted Services
72620-336 Maintenance & Repair

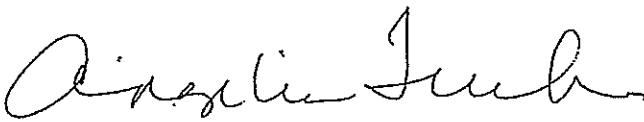
\$ 7,680

\$15,506


Dr. Joseph A. Miller
Claiborne County Schools

Shawn Peters

Commission Sponsor


Angelia Tucker
School Finance Director

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**Claiborne County Board of Education
RESOLUTION**

RES. 2018-093

December 13, 2018

WHEREAS, the Claiborne County Board of Education has received \$52,769.76 dollars for High Cost special education students to be expended in the **General Purpose Budget**, and

WHEREAS, this resolution involves no local tax dollars.

BE IT THEREFORE RESOLVED by the Claiborne County Commission in session December 17, 2018 that the Claiborne County Board of Education be authorized to amend the **General Purpose Budget** by increasing the following line items.

REVENUE

INCREASE

Account Code No.
47143 Education of the Handicapped

\$52,770

EXPENDITURES

Account Code No.
71200-725 Equipment

\$52,770

Dr. Joseph A. Miller

Dr. Joseph A. Miller
Claiborne County Schools Director

Shawn Peters

Commission Sponsor

Angelia Tucker

Angelia Tucker
School Finance Director

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ITEM #6 - RES. 2018-094 – TERMINATE LEASE AGREEMENT

MOTION: Commissioner Vass – to approve
SECOND: Commissioner Shuford

(Discussion followed)

MOTION: Commissioner Hatmaker – call for the question
SECOND: Commissioner Mundy

*ROLL CALL on call for question: 21 for, 0 against / Motion carried
(no further discussion)*

ROLL CALL on original motion: 2 for, 19 against / Motion failed

For: Commissioners Shuford, Vass

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

ITEM #7 - RES. 2018-095 – SHARE IN EXPENSE OF PAVING IN TOWN OF TAZEWELL

MOTION: Commissioner Shuford – to approve
SECOND: Commissioner Vass

(Discussion followed)

ROLL CALL VOTE: 3 for, 18 against / Motion failed

ITEM #8 – RES. 2018-096 – LIMITING COUNTY COMMISSIONERS SERVICE ON COMMITTEES

MOTION: Commissioner Clark – to approve and to include “boards” in resolution
SECOND: Commissioner Peters

MOTION TO AMEND: Commissioner Mundy – to include the Planning Commission, to include all paid and unpaid members of the committees or boards and that new appointments be made at the end of each respective term.

SECOND: Commissioner Hatmaker

ROLL CALL VOTE (on motion to amend): 21 for, 0 against / Motion carried

*ROLL CALL VOTE (on original motion as amended): 21 for, 0 against / Motion carried
(Resolution as follows)*

RESOLUTION LIMITING COUNTY COMMISSIONERS SERVICE ON COMMITTEES

RES. NO. 2018-096

WHEREAS, the Claiborne County Commission has several committees appointed by the County Commission, and;

WHEREAS, committee members receive compensation in the amount of one half (1/2) of the compensation for service as the County Commissioner, and;

WHEREAS, several commissioners serve on multiple committees, and;

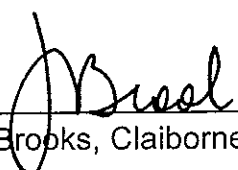
WHEREAS, all commissioners should have the opportunity to serve on the committees of the County Commission, and;

WHEREAS, the county commissioners should be limited to serving on two (2) committees of the County Commission at a time,

NOW THEREFORE, BE IT RESOLVED, that the Claiborne County Commission, meeting in regular session on the 17th day of December, 2018, hereby directs a county commissioner may not serve on more than two (2) committees at a time and may not receive compensation for service on more than two (2) committees at a time. This shall apply to board members along with committee members, all paid and unpaid serving members of boards and/or committees and the Planning Commission. Also new appointments shall take place at the end of existing terms.

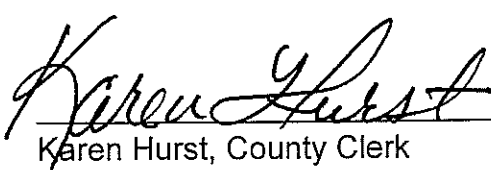
BE IT FURTHER RESOLVED that this resolution shall take effect upon its passage, the public welfare requiring it.

Duly passed and approved this 17th day of December, 2018.

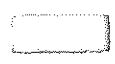
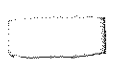


Joe Brooks, Claiborne County Mayor

SPONSOR:
Brent Clark, County Commissioner



Karen Hurst, County Clerk



ITEM #8A – RES. 2018-087 – AGRICULTURAL COMMITTEE APPOINTMENT

(This item withdrawn by sponsor)

ITEM #9 – RES. 2018-097 – BUDGET AMENDMENT (Connectivity/Other Equipment)

MOTION: Commissioner Peters – to approve

SECOND: Commissioner McCreary

(Discussion followed)

ROLL CALL VOTE: 21 for, 0 against

(Resolution as follows)

WHEREAS, there is a need for updating technologies within county, and,

WHEREAS, there is an excess of money in 51800-166 of \$16,598.60, and,

WHEREAS, these dollars need to be moved into new accounts for use:

- 51800-350 Connectivity
- 51800-790 Other Equipment

NOW THEREFORE, the Claiborne County Commission, meeting in regular session on the 17th day of December, 2018, hereby agrees and authorizes the Claiborne County Finance Director be authorized to amend the General Budget by moving the following line items.

REMOVE

Account Code No.

51800-166	Custodial Personnel	\$16,000.00
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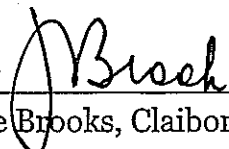
ADD

Account Code No.

51800-350	Connectivity	\$6,000.00
51800-790	Other Equipment	\$10,000.00

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


PASS AND APPROVED this 17th day of December, 2018.



 Joe Brooks, Claiborne County Mayor

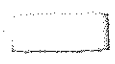
 Shawn Peters, County Commissioner

ATTEST:



 Karen Hurst, County Clerk

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ITEM #10 – RES. 2018-098 – BUDGET COMMITTEE

MOTION: Commissioner Peters – to approve
SECOND: Commissioner Hatmaker

(Discussion followed)

MOTION TO AMEND: Commissioner Shuford – to table this item
SECOND: Commissioner Brooks

(At this point Commissioner Peters withdrew his original motion – no further action)

ITEM #11 – RES. 2018-099 – ROAD ADDITION (BAYLOR LANE)

MOTION: Commissioner Mullins – to approve (as 1st reading)
SECOND: Commissioner Rowe

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

RESOLUTION 2018-099

WHEREAS, the property owner on Baylor Lane, a private road that is approximately one-half mile, with a gravel surface, located in the 4th District of Claiborne County, requests that Baylor Lane be added to the county road list and be a county-maintained road. This property is owned by Charlotte Ramsey, and is access to two (2) residences and a cemetery, and

WHEREAS, the Road Superintendent has approved for Baylor Lane to be changed to a county road through required three readings, and

WHEREAS, Baylor Lane would be maintained as a county road only to the cemetery which would be approximately 4/10 of one mile, and so,

BE IT THEREFORE RESOLVED by the Board of County Commissioners of Claiborne County, Tennessee, assembled in regular session on the 17th day of December, 2018, that this resolution be approved, and

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

PASSED and APPROVED this 17th day of December, 2018.

Brook
County Mayor

/s/ Zach Mullins and Anthony Rowe
Co-Sponsors

ATTEST:

Karen Hurst
County Clerk

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12-5-18 4:30 pm
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ITEM #11A – COUNTY INSURANCE

MOTION: Commissioner Honeycutt – to approve county insurance with no increase in costs
SECOND: Commissioner Mason

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

ITEM #12 – SEWER EXTENSION AT SPRINGDALE SCHOOL – Discussion item

Update given by County Mayor on current status of grant for providing sewer service to Springdale School. No further action.

ITEM #13 – ADJOURNMENT

MOTION: Commissioner Brogan – to adjourn
SECOND: Commissioner Vass

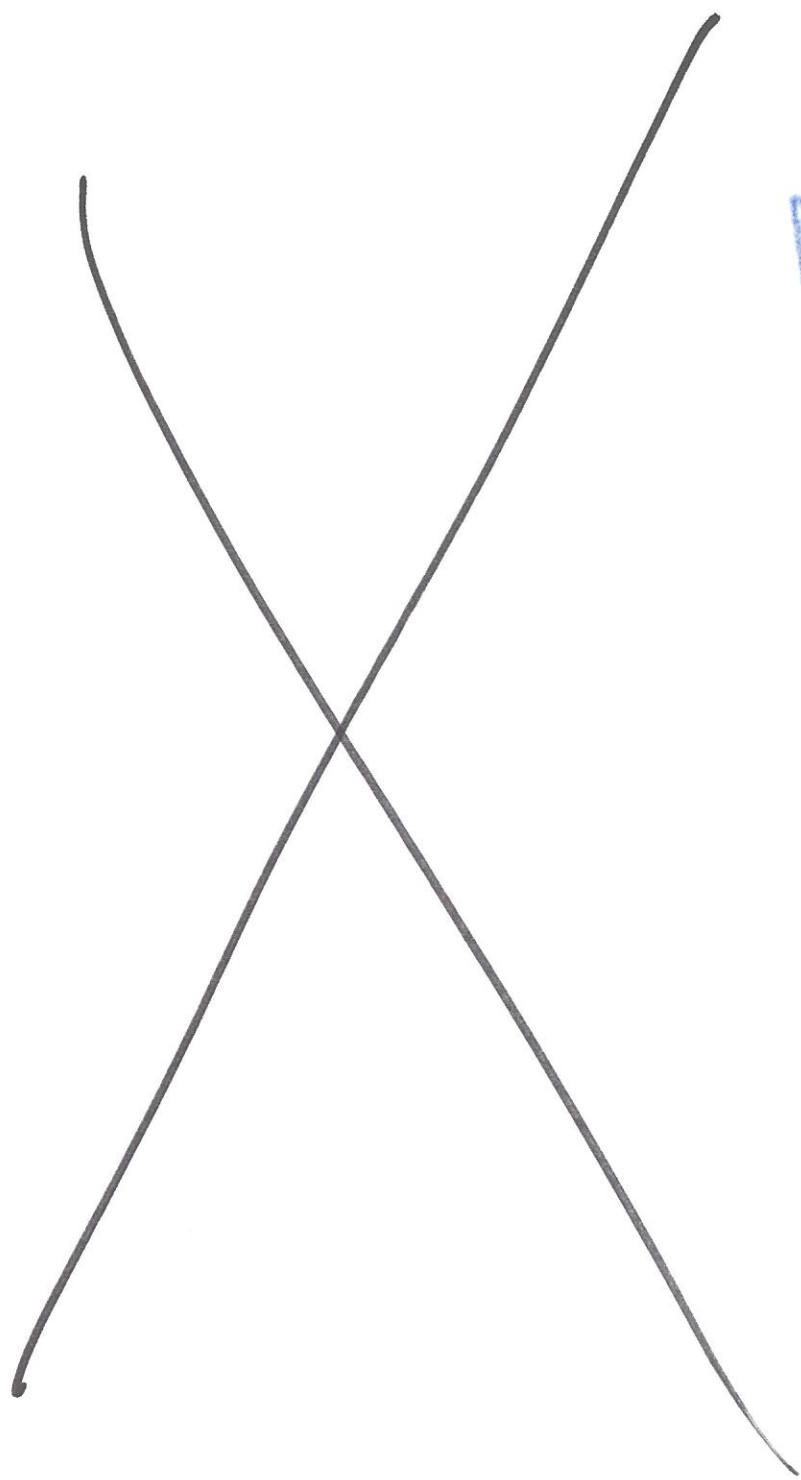
Motion carried by aye vote / Meeting adjourned

*Karen Hurst
County Clerk*

APPROVED
1-28-2019

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APPROVED

