

**COUNTY COMMISSION MEETING – FEBRUARY 25, 2019**

The Claiborne County Commission met in regular session on Monday, February 25, 2019 at 6:30 p.m. at the Courthouse in Tazewell, Tennessee. Meeting was opened by Officer Doug Evans. Invocation led by Commissioner Zach Mullins. A moment of silence was observed in memory of former County Commissioner Clyde Breeding and County Attorney Estep's mother-in-law Edwina Jennings. 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  
Shawn Peters

**District 8**

David Mundy  
Steve Murphy

**District 9**

James Hatmaker

**ABSENT:**

**District 7**

Sherry McCreary

20 commissioners present

Also present: Patricia Heck, Recorder

**AGENDA ITEM #2 – APPROVAL OF AGENDA:**

MOTION: Commissioner Vass – to approve agenda

SECOND: Commissioner Large

MOTION: Commissioner Rowe – to add Bill Williams who requested to address the commission on road conditions.

SECOND: Commissioner Mason

(This listed as item 9A under New Business.)

MOTION: Commissioner Hatmaker – to approve agenda as amended  
SECOND: Commissioner Mason

*Vote on agenda as amended / Motion carried by aye vote*

**AGENDA ITEM #3 – APPROVAL OF MINUTES:**

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

*Motion carried by aye vote*

**AGENDA ITEM #4 – COUNTY OFFICE REPORTS**

MOTION: Commissioner Rowe – to approve  
SECOND: Commissioner Mason

*Motion carried by aye vote*

**AGENDA ITEM #5 – NOTARIES**

MOTION: Commissioner Hatmaker – to approve  
SECOND: Commissioner Mullins

*Motion carried by aye vote*

Approved:

Andrea Ramsey Rosenbalm  
William W. Ragle  
Denise Keck

Jennifer A. Lovin  
Christina L. Thomas

**AGENDA ITEM #6 – NOTARY BONDS**

MOTION: Commissioner Hatmaker – to approve  
SECOND: Commissioner Large

*Motion carried by aye vote*

Approved:

Jennifer M. Nunn

sureties: Roger Ball and Frank Short



**OLD BUSINESS:**

**ITEM #1 – RES. 2018-099 – COUNTY ROAD ADDITION (Baylor Lane)**

MOTION: Commissioner Mullins – to approve (as 3<sup>rd</sup> and final reading)

SECOND: Commissioner Rowe

*Motion carried by aye vote*

*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 4<sup>th</sup> 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

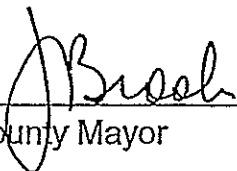
WHEREAS, the Road Superintendent has approved for Baylor Lane to be changed to a county road through required three readings, and

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 17<sup>th</sup> 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 17<sup>th</sup> day of December, 2018.

  
\_\_\_\_\_  
County Mayor

/s/ Zach Mullins and Anthony Rowe  
Co-Sponsors

ATTEST:  
  
\_\_\_\_\_  
County Clerk

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12-5-18 4:30 PM  
Kb

**NEW BUSINESS:**

**ITEM #1 – DISCUSSION – FAMILY JUSTICE CENTER**

County Mayor Brooks requested that D.A.G. Jared Effler and Asst. D.A.G. Carla Brewer be allowed to address the commission on a potential Family Justice Center. Commissioner Honeycutt offered to sponsor this discussion before the commission. D.A.G. Effler was then introduced to explain advantages of a Family Justice Center for the county and being able to combine resources for victims of domestic violence. General Effler further explained the grants available to apply for through the OCJP (Office of Criminal Justice Program) and the services these grants would provide. He further advised that the County Mayor has filed a letter of intent to apply for the Family Justice Center grants due to deadline dates. General Effler requested that the commission approve the filing of these grant applications for the services that can benefit these victims.

MOTION: Commissioner Peters – to suspend the rules to allow action to be taken on this item.

SECOND: Commissioner Mason

*Motion carried by aye vote*

MOTION: Commissioner Hatmaker – to give County Mayor’s office approval to apply for grants.

SECOND: Commissioner Nathan Epperson

*ROLL CALL VOTE: 20 for; 0 against / Motion carried*

**ITEM #2 – RES. 2019-009 – BOARD OF EDUCATION (budget amendment)**

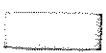
**ITEM #3 – RES. 2019-010 – BOARD OF EDUCATION (budget amendment)**

MOTION: Commissioner Peters – to combine items 2 and 3 and approve

SECOND: Commissioner Brooks

*ROLL CALL VOTE: 20 for; 0 against / Motion carried*

*Resolutions as follows:*



Claiborne County Board of Education  
**RESOLUTION**  
*2019-009*

February 14, 2019

WHEREAS, the Claiborne County Board of Education has received \$12,407.30 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 February 25, 2019 that the Claiborne County Board of Education be authorized to amend the General Purpose Budget by increasing the following line items.

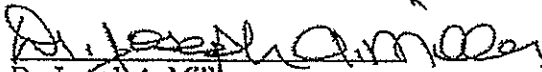
REVENUE

INCREASE

Account Code No.		
49700	Insurance Recovery	\$12,408

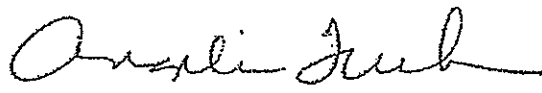
EXPENDITURES

Account Code No.		
72710-399	Contracted Services	\$ 8,000
72710-453	Vehicle Parts	\$ 4,408

  
Dr. Joseph A. Miller  
Claiborne County Schools

*Shawn Peters*

Commission Sponsor

  
Angelia Tucker  
Finance Director

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2-6-19 3:45 pm  
kh

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**Claiborne County Board of Education  
RESOLUTION  
2019-010**

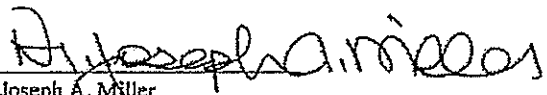
February 14, 2019

WHEREAS, the Claiborne County Board of Education needs to amend the Read to be Ready Grant in the General Purpose Budget in order to adhere to grant guidelines, and

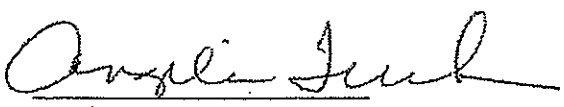
WHEREAS, this resolution involves no local tax dollars.

BE IT THEREFORE RESOLVED by the Claiborne County Commission in session February 25, 2019 that the Claiborne County Board of Education be authorized to amend the General Purpose Budget by adjusting the following line items.

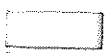
		<u>INCREASE</u>	<u>DECREASE</u>
<u>EXPENDITURES</u>			
Account Code No.			
71100-429	Instructional Supplies	2,661.26	
72210-189	Other Salaries & Wages		2,025.00
72210-201	Social Security		222.29
72210-204	Retirement		340.50
72210-210	Unemployment		19.52
72210-212	Medicare		53.95

  
\_\_\_\_\_  
Dr. Joseph A. Miller  
Claiborne County Schools Director

Shawn Peters  
\_\_\_\_\_  
Commission Sponsor

  
\_\_\_\_\_  
Angelia Tucker  
Finance Director

**RECEIVED**  
2-6-19 | 3:45 pm  
Khr



**ITEM #4 – RES. 2019-011 – KEEP AMERICA BEAUTIFUL**

MOTION: Commissioner Hatmaker – to approve and to amend resolution to include a rain date of April 27<sup>th</sup>, 2019.

SECOND: Commissioner Mason

*ROLL CALL VOTE: 20 for, 0 against / Motion carried  
Resolution as follows:*

**KEEP AMERICA BEAUTIFUL**

*2019-011*

**WHEREAS**, volunteers from Partners for a Clean Community, Keep America Beautiful, and the Claiborne County Litter Program coordinate the collection of trash in Claiborne County, and

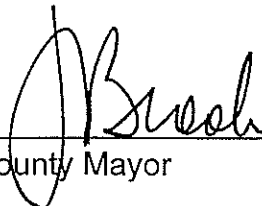
**WHEREAS**, an incentive of \$1 per bag of trash is offered as part of the event, and

**WHEREAS**, the organizations are working with various cities and businesses to help with funding, and so,

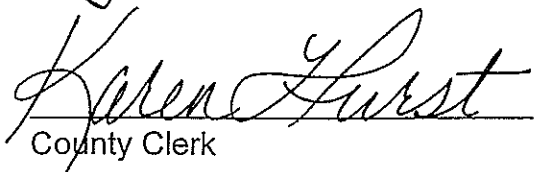
**BE IT THEREFORE RESOLVED** that the Claiborne County Commission meeting in regular session on February 25<sup>th</sup>, 2019, hereby designates April 13<sup>th</sup>, 2019 as “**GREAT AMERICAN CLEANUP**” in Claiborne County and hereby adopts this resolution.

**BE IT FURTHER RESOLVED** that, in case of rain, the cleanup will be scheduled for April 27<sup>th</sup>, 2019.

**DULY PASSED AND APPROVED** this 25<sup>th</sup> day of February, 2019, the public welfare requiring it

  
\_\_\_\_\_  
County Mayor

James Hatmaker, Sponsor \_\_\_\_\_

  
\_\_\_\_\_  
County Clerk

**ITEM #5 – RES. 2019-012 – TN DEPT. OF TRANSPORTATION PROPOSAL (construction project)**

MOTION: Commissioner Crawford – to approve  
SECOND: Commissioner Mason

*Motion carried by aye vote  
Resolution as follows:*





ACCEPTANCE OF THE PROPOSAL OF THE  
TENNESSEE DEPARTMENT OF TRANSPORTATION  
TO CONSTRUCT A PROJECT DESIGNATED AS  
FEDERAL PROJECT NO. HSIP/PHSIP-33(119),  
STATE PROJECT NO. 13004-2215-94, S.R.-33:  
INTERSECTION AT ENGLAND INDUSTRIAL ROAD/LYNCH LANE  
RESOLUTION NO. 2019-012

WHEREAS, the Tennessee Department of Transportation has presented a Proposal to Claiborne County, Tennessee, concerning Federal Project No. HSIP/PHSIP-33(119), State Project No. 13004-2215-94, S.R.-33, which involves the replacement of the Intersection at England Industrial Road/Lynch Lane, and;

WHEREAS, the Claiborne County Commission has determined that the above referenced project will benefit Claiborne County, Tennessee, and the citizens thereof, and;

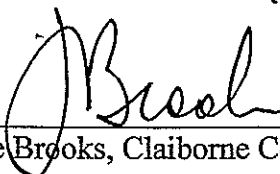
WHEREAS, the Claiborne County Commission wishes to cooperate with the State of Tennessee, Department of Transportation, in its make road and bridge improvements in Claiborne County, Tennessee, and;

WHEREAS, said Proposal is incorporated herein by reference, the same as if copied herein verbatim, with copy of said Proposal attached hereto, and;

WHEREAS, the terms and conditions of said Proposal to the Claiborne County, Tennessee as submitted by the State of Tennessee, Department of Transportation, are accepted and approved by the Claiborne County Commission and Claiborne County, Tennessee shall fulfill all obligations concomitant thereto.

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


Duly passed and approved this 25<sup>th</sup> day of February, 2019.

  
\_\_\_\_\_  
Joe Brooks, Claiborne County Mayor

ATTEST:

  
\_\_\_\_\_  
Karen Hurst, County Clerk

SPONSOR:

  
\_\_\_\_\_  
Stacey Crawford  
County Commissioner

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2-11-19 4:30 pm  
KH

**ITEM #6 – RES. 2019-013 – COUNTY ROAD LIST ADDITION (portion of Lone Holly Lane)**

MOTION: Commissioner Crawford – to approve  
SECOND: Commissioner Large

*(Following discussion, it was concluded that this would require only one (1) reading)*

**ROLL CALL VOTE: 20 for; 0 against / Motion carried**  
Resolution as follows:

RESOLUTION NO. 2019-013

**WHEREAS**, Lone Holly Lane has been maintained by the county road department in the past, and;


**WHEREAS**, Lone Holly Lane is listed on the E911 system as a road, and;

**WHEREAS**, Lone Holly Lane is listed on the property tax assessment, and;

**THEREFORE, BE IT RESOLVED**, the last .10<sup>th</sup> of a mile of Lone Holly Lane is to be added back to the county road list.

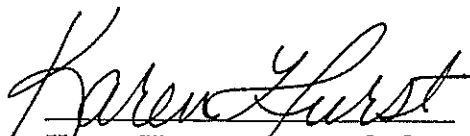
**BE IT FURTHER RESOLVED** that this resolution shall take effect after its passage, the public welfare requiring it.

**PASSED AND APPROVED** this the 25<sup>th</sup> day of February 2019.

  
\_\_\_\_\_  
Joe Brooks, County Mayor

\_\_\_\_\_  
Stacey Crawford, County Commissioner

ATTEST:

  
\_\_\_\_\_  
Karen Hurst, County Clerk

\_\_\_\_\_  
Ron Pittman, Road Superintendent

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2-12-19 4:30 pm  
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**ITEM #7 – RES. 2019-014 - AGRICULTURAL COMMITTEE APPOINTMENT**

MOTION: Commissioner Mundy – to approve appointment of Stacey Crawford to agricultural committee

SECOND: Commissioner Mason

*(County Agent Tom Rison informed commission that this would be for 3 consecutive (2 yr.) terms for a total of 6 yrs.)*

*Motion carried by aye vote*

*Resolution as follows:*

**WHEREAS**, the State of Tennessee requires that all counties cooperating with the state agricultural extension service by making an appropriation for extension work shall elect an agricultural extension committee composed of seven (7) members, and;

**WHEREAS**, three (3) of such members shall be elected from the membership of the county legislative body, and;

**WHEREAS**, one (1) of the current County Commissioners was not reelected thus creating a vacancy, and;

**WHEREAS**, the functions of the committee shall be to:

- (1) Act with duly authorized representatives of the state agricultural extension service in the employment and/or removal of personnel receiving funds from county extension appropriations;
- (2) Act with duly authorized representatives of the state agricultural extension service in formulating the county extension budget, and serve as liaison between the extension service and the county legislative body on financial and other matters relating to the work;
- (3) Act in an advisory capacity on county extension program formulation; and
- (4) Act in an advisory capacity on activities performed in connection with carrying out the program.

**WHEREAS**, the agricultural committee is to be made up of members who are farmers, and;

**WHEREAS**, Stacey Crawford is both a county commissioner and receives income as a farmer, and;

**THEREFORE, BE IT RESOLVED**, that Stacey Crawford is to be appointed to the agriculture committee

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

**PASSED AND APPROVED** this 25<sup>th</sup> day of February 2019.

  
 \_\_\_\_\_  
 Joe Brooks, Claiborne County Mayor

  
 \_\_\_\_\_  
 David Mundy, County Commissioner

ATTEST:

  
 \_\_\_\_\_  
 Karen Hurst, County Clerk

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 2-12-19 4:30 pm  
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**ITEM #8 – RES. 2019-015 – AUTHORIZE LIGITATION ON BEHALF OF CLAIBORNE COUNTY, TENNESSEE WITH NO COST TO THE TAXPAYERS**

MOTION: Commissioner Mundy – to approve  
SECOND: Commissioner Mason

Thomas Jessee, an attorney with Jessee Law Office in Greeneville, TN was present to address commission on potentially representing the county in the opioid lawsuit. D.A.G. Jared Effler also addressed commission concerning his representation of the county and the current status (in appeals process) of the lawsuit filed through his office. Dan Spurlock, of the Stand in the Gap coalition, spoke about wanting the commission, in considering the decisions to make, to know of the severity of the drug problem in this county and the needs in the future of those affected.

*(Discussion)*

MOTION: Commissioner Vass – to table resolution until after the appeals process  
SECOND: Commissioner Shuford

*ROLL CALL VOTE (on motion to table) – 7 for; 13 against / Motion failed*

*FOR: Commissioners Clark, Shuford, Vass, Nathan Epperson, Rowe, Cosby, Peters*

*AGAINST: Commissioners Honeycutt, Large, Campbell, Crawford,  
Nicholas Epperson, Mullins, Barnett, Brooks, Mason, Brogan, Mundy,  
Murphy, Hatmaker*

*(Discussion)*

MOTION: Commissioner Rowe – to table until next month's meeting so county attorney can be present to advise commission.  
SECOND: Vass

*(Discussion)*

*ROLL CALL VOTE (on motion to table) – 6 for; 14 against / Motion failed*

*FOR: Commissioners Clark, Shuford, Vass, Mullins, Rowe, Cosby*

*AGAINST: Commissioners Nathan Epperson, Honeycutt, Large, Campbell,  
Crawford, Nicholas Epperson, Barnett, Brooks, Mason, Brogan,  
Peters, Mundy, Murphy, Hatmaker*

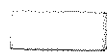
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*ROLL CALL VOTE (on original motion) – 12 for; 8 against / Motion carried*

*FOR: Commissioners Honeycutt, Large, Campbell, Crawford, Nicholas Epperson,  
Rowe, Barnett, Brooks, Mason, Peters, Mundy, Hatmaker*

*AGAINST: Commissioners Clark, Shuford, Vass, Nathan Epperson, Mullins,  
Cosby, Brogan, Murphy*

*Resolution as follows:*



RESOLUTION NO. 2019 - 015

**A RESOLUTION TO AUTHORIZE LITIGATION ON BEHALF OF  
CLAIBORNE COUNTY, TENNESSEE WITH NO COST TO THE  
TAXPAYERS**

**WHEREAS**, the Claiborne County Board of County Commissioners has the authority to adopt resolutions with respect to county affairs of Claiborne County, Tennessee, pursuant to Section 5-1-118©, as amended, of the Tennessee Code Annotated, and

**WHEREAS**, The Claiborne County Board of County Commissioners has the authority to take action to protect the public health, safety and welfare of the citizens and residents of Claiborne County, Tennessee, and

**WHEREAS**, there exists a serious public and safety crisis involving opioid abuse, addiction, morbidity and mortality in Claiborne County, and

**WHEREAS**, the diversion of legally produced controlled substances into the illicit market causes or contributes to the serious public health and safety crisis involving opioid abuse, addiction, morbidity and mortality in Claiborne County, and

**WHEREAS**, the opioid crisis unreasonably interferes with rights common to the general public of Claiborne County; involves a significant interference with the public health, safety, peace, comfort and convenience of citizens and residents of Claiborne County; includes the delivery of controlled substances in violation of state and federal laws and regulations and therefore constitutes a public nuisance, and

**WHEREAS**, the opioid crisis is having an extended and far-reaching impact of the general public health and safety of citizens and residents of Claiborne County and must be abated, and

**WHEREAS**, the violation of any state and federal laws controlling the distribution of a controlled substance is hostile, harmful and adverse to the public welfare of the citizens and residents of Claiborne County and constitutes a public nuisance, and

**WHEREAS**, the Board of County Commissioners has the authority to abate or cause to be abated, any public nuisance including those acts that unreasonably interfere with rights common to the general public of Claiborne County and/or involve a significant interference with the public health, safety, peace, comfort and convenience of citizens and residents of Claiborne County, and

**WHEREAS**, Claiborne County has expended, is expending and will continue to expend in the future, county funds to respond to the serious health and safety crisis involving opioid abuse, addiction, morbidity and mortality within Claiborne County, and

WHEREAS, the Board of County Commissioners has received information and believes that those in the chain of distribution of controlled substances (manufacturers and wholesale distributors) in Claiborne County, Tennessee and surrounding areas, may have violated state and federal laws and regulations that were enacted to prevent the diversion of legally produced controlled substances in the illicit market, and

WHEREAS, based on the 2006-2015 national data from Centers for Disease Control and Prevention, Claiborne County was identified as the seventh worst county in the nation in the prescribing of 2,808 morphine equivalent milligrams per person annually. Without a doubt this opioid crisis is a scourge on the community, a public health and safety crisis. Further, the Board of Commissioners finds that the opioid epidemic to be a public nuisance in the county and desire to hire legal counsel to represent the county to fight the opioid epidemic and those responsible for same, and

**WHEREAS, it is understood that this litigation involves no cost to the county, even if the county does not prevail in this lawsuit and attorney fees will only be paid if they prevail and such fees and expenses shall be taken out in accordance with the contract, which is presented herewith, and**

WHEREAS, Claiborne County is no longer involved in any litigation involving the opioid epidemic, as the lawsuit filed by the District Attorney General, on behalf of Claiborne County, and was dismissed by the Circuit Court Judge, upon motion of the defendant pharmaceutical companies, and

WHEREAS, any funds that Claiborne County may be received as a result of this litigation shall be placed into a special revenue account, to be used exclusively in the fight against the opioid epidemic and shall be administered by a committee designated by the Board, who shall decide how such funds shall be dispersed.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Claiborne County, Tennessee, assembled in regular session on this 25<sup>th</sup> day of February, 2019, that based upon the above, hereby declares that the opioid epidemic in Claiborne County is a public nuisance which must be abated for the benefit of Claiborne County and its citizens and residents.

**BE IT FURTHER RESOLVED** that the county mayor is hereby directed and authorized to execute the necessary documents to hire legal counsel to represent Claiborne County to fight the opioid epidemic and those responsible for same.

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

**PASSED AND APPROVED** this 25<sup>th</sup> day of February, 2019.





ATTEST:

**WILLIAM**

*Paul J. May*  
Sponsor

\_\_\_\_\_  
County Clerk

*Veto - J. Brook*  
County Mayor

RECEIVED  
5-13-19 2:28 pm  
KH

(At this time, Commissioner Sherry McCreary was in attendance of the meeting)

**ITEM #9A – DISCUSSION – ROAD DRAINAGE PROBLEMS**

Bill Williams, a resident of the 4<sup>th</sup> district, addressed the commission concerning road drainage problems on Brogan Lane. Mr. Williams stated he would be willing to provide road base material from his property to assist in correcting this problem.

**ITEM #9 – DISCUSSION – COURTHOUSE ROOF**

County Mayor Brooks addressed the commission with the roof leaking problem at the courthouse. He advised that the roofer who performed the most recent roof replacement has been contacted but has not fixed the problem and a course of action is needed to get repairs done.

MOTION: Commissioner Peters – to suspend the rules and allow action to be taken on this item

SECOND: Commissioner Mundy

*Motion carried by aye vote*

MOTION: Commissioner Peters – to approve County Mayor to advertise for quotes to repair roof and bring back to commission

SECOND: Commissioner Nathan Epperson

*Motion carried by aye vote*

**ITEM #10 - ADJOURNMENT**

MOTION: Commissioner Mundy – to adjourn

SECOND: Commissioner Mason

*Motion carried by aye vote / Meeting adjourned*

*Karen Luust  
Co. Clerk*

**APPROVED**  
*3-18-19*

