

COUNTY COMMISSION MEETING – OCTOBER 15, 2018

The Claiborne County Commission met in regular session on Monday, October 15, 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

District 9

James Hatmaker

ABSENT:

District 8

Steve Murphy

20 commissioners present – 1 absent

Also present: Patricia Heck, Recorder

AGENDA ITEM #2 – APPROVAL OF AGENDA:

MOTION: Commissioner Vass – to approve agenda

SECOND: Commissioner Large

MOTION TO AMEND: Commissioner Peters – to withdraw item #8 under New Business as no one is present with the Energy Systems Group

SECOND: Commissioner Nicholas Epperson

*Vote on motion to amend / motion carried by aye vote
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 Mason – to approve
SECOND: Commissioner Hatmaker

Motion carried by aye vote

AGENDA ITEM #5 – NOTARIES

MOTION: Commissioner Hatmaker – to approve
SECOND: Commissioner Mundy

Motion carried by aye vote

Approved:

Candice Marie Cinniamon
Kathy J. Wilson

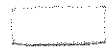
Samuel D. Gibson
Judy Kay Head

Randall K. Smith

AGENDA ITEM #6 – NOTARY BONDS

(no notary bonds presented)

OLD BUSINESS: none



NEW BUSINESS:

ITEM #1 – RES. 2018-069 – HWY DEPARTMENT (Purchase of Graders)

MOTION: Commissioner Mundy – to approve

SECOND: Commissioner Hatmaker

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

RESOLUTION NO. 2018-069

WHEREAS, a lease purchase agreement thru the state adopted program (NJPA) was approved three years ago on two road graders.

WHEREAS, the lease agreement ends this fiscal year, and in order to keep the two road graders available for use, a new lease must be passed or the current graders purchased per the existing approved contract.

WHEREAS, the Road Superintendent has determined that the best option is to purchase these graders, in order to provide the most economical and quality road work for the citizens of Claiborne County.

WHEREAS, the price of purchasing these road graders was included in the 2018-2019 budget for Highway Department Funds 131 and 176.

WHEREAS, the following equipment will be purchased:

	<u>Serial No.</u>	<u>Amount</u>	<u>Fund</u>	<u>Expiration of Lease</u>
Caterpillar Grader 12M3	N9F00208	\$132,400	131	November 2018
Caterpillar Grader 12M3	N9F00228	\$121,679	176	January 2019

NOW THEREFORE, BE IT RESOLVED by the Board of county Commissioners of Claiborne County, Tennessee, assembled in regular session on the 15th day of October, that such resolution be passed.

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

PASSED AND APPROVED this 15th day of October 2018.

Brook
COUNTY MAYOR

David Mundy
SPONSOR

ATTEST:

Karen Hurst
COUNTY CLERK

291

RECEIVED
10-3-2018 2:00 pm
RLC

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EXHIBIT 2
Concluding Payment Schedule to
Governmental Agreement

Quote number 488-6974

Dated _____, 20____

between
Caterpillar Financial Services Corporation
and
CLAIBORNE COUNTY HIGHWAY DEPARTMENT

Description of Unit: 1 Caterpillar 12M3 serial # N9F00208

Number of Payments Made	Beginning Balance	Payment Amount	Balloon	Interest 2.49002%	Concluding Payment (*)
0	243,563.28	0.00	0.00	0.00	243,563.28
1	243,563.28	3,482.57	0.00	505.40	240,586.11
2	240,586.11	3,482.57	0.00	499.21	237,602.75
3	237,602.75	3,482.57	0.00	493.03	234,613.21
4	234,613.21	3,482.57	0.00	486.83	231,617.47
5	231,617.47	3,482.57	0.00	480.61	228,615.51
6	228,615.51	3,482.57	0.00	474.38	225,607.32
7	225,607.32	3,482.57	0.00	468.13	222,592.88
8	222,592.88	3,482.57	0.00	461.89	219,572.20
9	219,572.20	3,482.57	0.00	455.61	216,545.24
10	216,545.24	3,482.57	0.00	449.33	213,512.00
11	213,512.00	3,482.57	0.00	443.04	210,472.47
12	210,472.47	3,482.57	0.00	436.74	207,426.64
13	207,426.64	3,482.57	0.00	430.41	204,374.48
14	204,374.48	3,482.57	0.00	424.08	201,315.99
15	201,315.99	3,482.57	0.00	417.73	198,251.15
16	198,251.15	3,482.57	0.00	411.38	195,179.96
17	195,179.96	3,482.57	0.00	405.00	192,102.39
18	192,102.39	3,482.57	0.00	398.61	189,018.43
19	189,018.43	3,482.57	0.00	392.22	185,928.08
20	185,928.08	3,482.57	0.00	385.80	182,831.31
21	182,831.31	3,482.57	0.00	379.38	179,728.12
22	179,728.12	3,482.57	0.00	372.94	176,618.49
23	176,618.49	3,482.57	0.00	366.48	173,502.40
24	173,502.40	3,482.57	0.00	360.02	170,379.85
25	170,379.85	3,482.57	0.00	353.54	167,250.82
26	167,250.82	3,482.57	0.00	347.05	164,115.30
27	164,115.30	3,482.57	0.00	340.54	160,973.27
28	160,973.27	3,482.57	0.00	334.02	157,824.72
29	157,824.72	3,482.57	0.00	327.49	154,669.64
30	154,669.64	3,482.57	0.00	320.94	151,508.01
31	151,508.01	3,482.57	0.00	314.39	148,339.83
32	148,339.83	3,482.57	0.00	307.80	145,165.06
33	145,165.06	3,482.57	0.00	301.22	141,983.71
34	141,983.71	3,482.57	0.00	294.62	138,795.76
35	138,795.76	3,482.57	0.00	288.01	135,601.20
36	135,601.20	3,482.57	132,400.00	281.37	0.00

125,372.52 132,400.00 ✓ 14,209.24

PLEASE NOTE: FINAL PAYMENT FOR PURCHASE IS \$132,400

EXHIBIT 2
**Concluding Payment Schedule to
 Government Agreement**

Quote number 500-3672
 Asset #1: "Motor Grader" 263,166.00

Dated _____, 20__

between
 Caterpillar Financial Services Corporation
 and
 CLAIBORNE COUNTY HIGHWAY DEPARTMENT

Description of Unit: 1 Caterpillar 12M3 serial # N9F00228

Number of Payments Made	Beginning Balance	Payment Amount	Balloon	Interest 2.49001%	Concluding Payment (*)
0	226,879.69	0.00	0.00	0.00	226,879.69
1	226,879.69	3,288.26	0.00	470.78	224,062.21
2	224,062.21	3,288.26	0.00	464.93	221,238.88
3	221,238.88	3,288.26	0.00	459.07	218,409.69
4	218,409.69	3,288.26	0.00	453.20	215,574.63
5	215,574.63	3,288.26	0.00	447.32	212,733.69
6	212,733.69	3,288.26	0.00	441.42	209,886.85
7	209,886.85	3,288.26	0.00	435.52	207,034.11
8	207,034.11	3,288.26	0.00	429.59	204,175.44
9	204,175.44	3,288.26	0.00	423.67	201,310.85
10	201,310.85	3,288.26	0.00	417.72	198,440.31
11	198,440.31	3,288.26	0.00	411.76	195,563.81
12	195,563.81	3,288.26	0.00	405.80	192,681.35
13	192,681.35	3,288.26	0.00	399.81	189,792.90
14	189,792.90	3,288.26	0.00	393.82	186,898.46
15	186,898.46	3,288.26	0.00	387.82	183,998.02
16	183,998.02	3,288.26	0.00	381.80	181,091.56
17	181,091.56	3,288.26	0.00	375.76	178,179.06
18	178,179.06	3,288.26	0.00	369.73	175,260.53
19	175,260.53	3,288.26	0.00	363.66	172,335.93
20	172,335.93	3,288.26	0.00	357.60	169,405.27
21	169,405.27	3,288.26	0.00	351.52	166,468.53
22	166,468.53	3,288.26	0.00	345.42	163,525.69
23	163,525.69	3,288.26	0.00	339.32	160,576.75
24	160,576.75	3,288.26	0.00	333.19	157,621.68
25	157,621.68	3,288.26	0.00	327.07	154,660.49
26	154,660.49	3,288.26	0.00	320.92	151,693.15
27	151,693.15	3,288.26	0.00	314.76	148,719.65
28	148,719.65	3,288.26	0.00	308.60	145,739.99
29	145,739.99	3,288.26	0.00	302.41	142,754.14
30	142,754.14	3,288.26	0.00	296.22	139,762.10
31	139,762.10	3,288.26	0.00	290.00	136,763.84
32	136,763.84	3,288.26	0.00	283.79	133,759.37
33	133,759.37	3,288.26	0.00	277.55	130,748.66
34	130,748.66	3,288.26	0.00	271.30	127,731.70
35	127,731.70	3,288.26	0.00	265.05	124,708.49
36	124,708.49	3,288.26	121,679.00	258.77	0.00
	<u>118,377.36</u>	<u>121,679.00</u>	<u>13,176.67</u>		

PLEASE NOTE: FINAL PAYMENT FOR PURCHASE IS \$121,679

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ITEM #2 – RES. 2018-070 – ARTHUR COMMUNITY CENTER (Repairs)

MOTION: Commissioner Brogan – to approve
SECOND: Commissioner Peters

MOTION TO AMEND: Commissioner Mason – to amend amount to \$5000.00 as other community centers were allocated that amount in the budget.
SECOND: Commissioner Mundy

With further discussion and recommendations made for certain corrections in Resolution, MOTION TO AMEND was withdrawn by Commissioner Mason; Commissioner Brogan requested that those corrections be included in his original motion and reflect as follows:

In paragraph 2, the “contribution” would be corrected to read a “one time contribution”
In paragraph 3, the “following budget amendment” would be corrected to read the “following 2018-2019 budget amendment”

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

RESOLUTION NO. 2018-070

WHEREAS, the Arthur Community Center (located in the seventh district), is in need of a new roof. The facility is used by the citizens of the Arthur community on a regular basis for community events, and has been used in the past for Audit Education, Head Start, and the Alpha School Training Classes.

WHEREAS, in order to better serve the citizens of this community, a request is being made for a one-time contribution in the amount of \$6,500. This money will be used for materials only, with all labor being donated by citizens of the community.

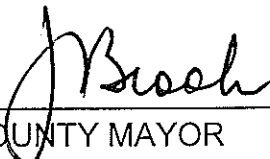
THEREFORE, in order for this resolution to take place the following 2018-19 budget amendment must be approved:

101-39000	Undesignated Fund Balance	\$6,500 (Decrease)
101-58400-316	Other Charges-Contributions	\$6,500 (Increase)

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Claiborne County, Tennessee, assembled in regular session on the 15th day of October, that such resolution be passed.

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

PASSED AND APPROVED this 15th day of October, 2018.



COUNTY MAYOR

Steve Brogan

SPONSOR

ATTEST:



COUNTY CLERK

ITEM #3 - RES. 2018-071 – TRI-COUNTY HONOR GUARD (Donation)

MOTION: Commissioner Mason – to approve
SECOND: Commissioner Hatmaker

Chairman recognized Gary Hansard who spoke on behalf of Tri-County Honor Guard.

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

RESOLUTION NO. 2018 - 071

A RESOLUTION TO APPROVE CONTRIBUTION

WHEREAS, the TRI-COUNTY HONOR GUARD is a nonprofit organization whose purpose is to honor fallen veterans of Claiborne, Grainger and Union Counties by rendering military funeral honors to such veterans at no cost to their families, and

WHEREAS, the Honor Guard is experiencing financial difficulties and is holding fund raising activities to help solve this problem, and

WHEREAS, Claiborne County has been generous in the past few years in contributing to this worthy cause but has not done so in the present fiscal budget, and

WHEREAS, the TRI-COUNTY HONOR GUARD respectfully requests a donation in the amount of \$2,500 from Claiborne County in order to continue providing funeral honors to the veterans and their families it serves, and

WHEREAS, the current budget be amended by decreasing Undesignated Fund Balance 101-39000 by \$2,500 and increasing Other Charges-Contributions 101-58400-316 by \$2,500.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioner of Claiborne County, Tennessee, assembled in regular session on the 15th day of October, 2018, that this resolution be APPROVED, as outlined above.

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

PASSED AND APPROVED this 15th day of October, 2018.

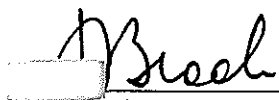
ATTEST:



County Clerk

/s/ STEVE MASON

Sponsor



County Mayor

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ITEM #4 - RES. 2018-072 – COUNTY SURPLUS PROPERTY (sale of)

MOTION: Commissioner Shuford – to approve

SECOND: Commissioner Vass

Commissioner Honeycutt presented evidence to commission that this property was sold in April and that deed is recorded; upon review of same by County Attorney, he advised that no action would be necessary in this matter.

Motion was withdrawn by Commissioner Shuford.

ITEM #5 – RES. 2018-073 – AGENDA PREPARATION

MOTION: Commissioner Clark – to approve

SECOND: Commissioner Vass

MOTION TO AMEND: Commissioner Honeycutt – that the duty of agenda preparation remain with the County Clerk and that the County Mayor be provided copies of any item filed for the commission agenda.

SECOND: Mason

County Mayor requested that a copy be provided to him of any resolution being filed with the clerk for the agenda.

ROLL CALL VOTE (on motion to amend): 5 for, 15 against / Motion failed

For: Commissioners Honeycutt, Barnett, Brooks, Mason, McCreary

Against: Commissioners Clark, Shuford, Vass, Nathan Epperson, Large, Campbell, Crawford, Nicholas Epperson, Mullins, Rowe, Cosby, Brogan, Peters, Mundy, Hatmaker

MOTION TO AMEND: Commissioner Mundy – when a commissioner files an item for agenda, have the clerk stamp with date and time, get a copy of same and take to the County Mayor.

SECOND: Commissioner Brooks

Upon further discussion, Commissioner Clark agreed to make those changes in the resolution and include them in his original motion.

Changes to paragraph 4 would read as follows: "NOW THEREFORE, BE IT RESOLVED, the Claiborne County Commission meeting in regular session on the 15th day of October, 2018, hereby directs and requires that the agenda be prepared by the County Clerk, that any resolution filed be date and time stamped by the clerk, and that a copy be obtained by that commissioner and given to the County Mayor.

*ROLL CALL VOTE (on original motion with changes) : 20 for, 0 against / Motion carried
(Resolution as follows)*

RESOLUTION NO. 2018-073

WHEREAS, the Claiborne County Commission conducts their meetings pursuant to an Agenda, and

WHEREAS, the Claiborne County Mayor should be allowed to review and assist in preparation of the agenda, and

WHEREAS, it would be beneficial to the County Commissioners to have the input and assistance of the County Mayor in preparation of an Agenda,

NOW THEREFORE, BE IT RESOLVED, the Claiborne County Commission meeting in regular session on the 15th day of October, 2018, hereby directs and requires the agenda be prepared by the County Clerk, that any resolution filed be date and time stamped by the clerk, and that a copy be obtained by that commissioner and given to the County Mayor.

BE IT FURTHER RESOLVED, the Claiborne County Mayor shall assist and be involved in preparation of the Agenda.

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

Duly passed and approved this 15th day of October, 2018.



COUNTY MAYOR

Brent Clark

SPONSOR

ATTEST:



COUNTY CLERK



ITEM #6 – RES. 2018-074 – ESTABLISHING FINANCE COMMITTEE

MOTION: Commissioner Rowe – to approve

SECOND: Commissioner Vass

MOTION TO AMEND: Commissioner Honeycutt – that the 4 elected members all be county commissioners and that the 2 members who are not part of the county commission be non-voting members.

SECOND: Commissioner Brooks

ROLL CALL VOTE (on motion to amend): 11 for, 9 against / Motion carried

For: Commissioners Nathan Epperson, Honeycutt, Crawford, Nicholas Epperson, Barnett, Brooks, Mason, McCreary, Peters, Mundy, Hatmaker

Against: Commissioners Clark, Shuford, Vass, Large, Campbell, Mullins, Rowe, Cosby, Brogan

ROLL CALL VOTE (on original motion as amended): 11 for, 9 against / Motion carried

For: Commissioners Nathan Epperson, Honeycutt, Crawford, Nicholas Epperson, Barnett, Brooks, Mason, McCreary, Peters, Mundy, Hatmaker

AGAINST: Commissioners Clark, Shuford, Vass, Large, Campbell, Mullins, Rowe, Cosby, Brogan

(Resolution as follows)

RESOLUTION NO. 2018-074

WHEREAS, Claiborne County has adopted and operates under the County Financial Management System of 1981, and;

WHEREAS, this system requires a county financial management committee consisting of the county mayor, supervisor of highways, superintendent of education (director of schools), and four members elected by the county legislative body. These latter four need not be members of the county legislative body, but may be T.C.A. § 5-21-104(b), and;

WHEREAS, the committee establishes policies, procedures, and regulations to implement a sound, efficient county financial system T.C.A. § 5-21-104 (e), and;

WHEREAS, it has been established the county mayor should be involved in the appointment process, and;

BE IT RESOLVED the four (4) elected members should have a background in finance.


BE IT FURTHER RESOLVED the four (4) elected members shall all be county commissioners.

BE IT FURTHER RESOLVED one (1) of two (2) county commissioners shall be the chairman and the other shall be a county commissioner with a degree in finance or similar degree or a degree holder with equivalent experience in finance or business or a county commissioner with equivalent experience in finance or business.

BE IT FURTHER RESOLVED that two (2) members who are financial leaders of the community shall be recommended to the county commission by the county mayor for their approval and shall be non-voting (advisory) members only.

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

PASSED AND APPROVED this 15th day of October, 2018.



COUNTY MAYOR

Anthony Rowe

SPONSOR

ATTEST:


COUNTY CLERK



ITEM #7 – APPOINTMENT OF FINANCE COMMITTEE

7/11/2012

County Mayor Brooks presented his recommendations to the Commission for appointment to the Finance Committee; those recommended as follows:
Ralph Carter, Jo Ann Barnard and J. Adam Robertson

(Chairman called for 5 minute recess to allow commission to review recommendations)

Upon resumption of meeting, Chairman reminded commission that 2 positions would be appointed and that 3 recommendations had been submitted by the County Mayor; these would be for the non-voting (advisory) members. A roll call vote will be taken and each commissioner will call a name to fill the first position. Once first position is filled with a majority vote, the roll call vote for second position would be taken. At this time, Ralph Carter, a recommended candidate, requested that his name be withdrawn as one of the potential members due to the consumption of time involved.

MOTION: Commissioner Mundy – to fill the 2 positions (non-voting members) with the other 2 recommended candidates (Jo Ann Barnard and J. Adam Robertson)
SECOND: Commissioner Hatmaker

Motion carried by aye vote

MOTION: Commissioner Hatmaker – to appoint Mike Campbell, Juanita Honeycutt, David Mundy and Whitt Shuford to the finance committee
SECOND: Commissioner Mason

Upon questions concerning procedure, County Attorney advised commission that they could vote each seat one at a time or vote as a group or slate

MOTION: Commissioner Clark – to appoint Mike Campbell, Mitchell Cosby, Whitt Shuford and Kim Large to finance committee
SECOND: Commissioner Vass

Chairman directed commission, upon roll call, to vote for either slate #1 (Campbell, Honeycutt, Mundy, Shuford) or slate #2 (Campbell, Cosby, Shuford, Large)

ROLL CALL as follows:

For Slate #1 – Commissioners Honeycutt, Crawford, Nicholas Epperson, Barnett, Brooks, Mason, McCreary, Mundy, Hatmaker

For Slate #2 – Commissioners Clark, Shuford, Vass, Nathan Epperson, Large, Campbell, Mullins, Rowe, Cosby, Brogan

Passed – Commissioner Peters

Motion failed: 9 (for slate #1); 10 (for slate #2); 1 pass

MOTION: Commissioner Peters – to vote on each nominated member individually and to nominate Whitt Shuford.

SECOND: Commissioner Brogan

ROLL CALL VOTE: 18 for; 2 against / Motion carried

For: Commissioners Clark, Shuford, Vass, Nathan Epperson, Large, Campbell, Crawford, Nicholas Epperson, Mullins, Rowe, Cosby, Brooks, Mason, Brogan, McCreary, Peters, Mundy, Hatmaker

Against: Commissioners Honeycutt, Barnett

MOTION: Commissioner Vass – to nominate Mitchell Cosby

SECOND: Commissioner Large

ROLL CALL VOTE: 12 for; 8 against / Motion carried

For: Commissioners Clark, Shuford, Vass, Nathan Epperson, Large, Campbell, Mullins, Rowe, Cosby, Brogan, McCreary, Peters

Against: Commissioners Honeycutt, Crawford, Nicholas Epperson, Barnett, Brooks, Mason, Mundy, Honeycutt

MOTION: Commissioner Peters – to nominate Anthony Rowe

SECOND: Commissioner Nicholas Epperson

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

Finance Committee seated as follows: County Mayor, Supervisor of Highways, Director of Schools, Mike Campbell, Whitt Shuford, Mitchell Cosby, Anthony Rowe, Jo Ann Barnard (advisory member) and J. Adam Robertson (advisory member).

ITEM #8 – (withdrawn)

ITEM #9 – ADJOURNMENT

MOTION: Commissioner Mundy – to adjourn

SECOND: Commissioner Hatmaker

Motion carried by aye vote / Meeting adjourned

APPROVED

11-19-18

