

**THE REGULAR SESSION OF THE BOARD OF COMMISSION**  
**OF**  
**UNICOI COUNTY, TENNESSEE**  
**September 25, 2017**

BE IT REMEMBERED that the Unicoi County Board of Commissioners met in Regular Session at the Unicoi County Court House on Monday, September 25, 2017, at 6:00 p.m. Present and Presiding, Honorable Marie Rice, Chairman, the Honorable Greg Lynch, County Mayor, Mitzi Bowen, County Clerk, Doug Shults, Attorney, and the following Commissioners:

**ROLL CALL:** Esq. Bridget Peters “Present”, Esq. Marie Rice, “Present”, Esq. Kenneth Garland, “Present”, Esq. Glenn White, “Absent”, Esq. John Mosley, “Absent”, Esq. Todd Wilcox, “Absent”, Esq. Loren Thomas, “Present”, Esq. Gene Wilson, “Present”, Esq. Jason Harris, “Present”.

6- Present  
3- Absent (Glenn White, John Mosley & Todd Wilcox)

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Esq. Darrell Edwards opened the meeting with Prayer and the Pledge to the Flag was led by Esq. Loren Thomas.

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**Agenda Item #4**  
**Elect Unicoi County Commission Chairman for F/Y 2017-2018**

Motion made by Esq. Gene Wilson, said motion seconded by Esq. Kenneth Garland to elect Marie Rice Chairman for F/Y 2017-2018

**ROLL CALL:** Esq. Jason Harris “Yes”, Esq. John Mosley, “Absent”, Esq. Kenneth Garland, “Yes”, Esq. Glenn White, “Absent”, Esq. Bridget Peters, “Yes”, Esq. Todd Wilcox, “Absent”, Esq. Loren Thomas, “No”, Esq. Gene Wilson, “Yes”, Esq. Marie Rice, “Yes”.

5-Yes  
1-No (Loren Thomas)  
3-Absent (Glenn White, John Mosley & Todd Wilcox)  
Motion Approved

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**Agenda Item #5**  
**Elect Unicoi County Commission Vice Chairman for F/Y 2017-2018**

Motion made by Esq. Gene Wilson, said motion seconded by Esq. Kenneth Garland to elect Bridget Peters Vice Chairman for F/Y 2017-2018.

**ROLL CALL:** Esq. Jason Harris “Yes”, Esq. John Mosley, “Absent”, Esq. Kenneth Garland, “Yes”, Esq. Glenn White, “Absent”, Esq. Bridget Peters, “Yes”, Esq. Todd Wilcox, “Absent”, Esq. Loren Thomas, “No”, Esq. Gene Wilson, “Yes”, Esq. Marie Rice, “Yes”.

5-Yes  
1-No (Loren Thomas)  
3-Absent (Glenn White, John Mosley & Todd Wilcox)  
Motion Approved

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**Agenda Item #6**  
**Approve Minutes of Prior Session**

Motion made by Esq. Jason Harris, said motion seconded by Esq. Kenneth Garland to approve the Minutes of Prior Session (August 28<sup>th</sup> 2017).

Motion unanimously approved

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**Agenda Item #7**  
**Recognize Visitors and Citizens**

Rick Turner from 300 Turner Court Erwin, addressed the commission to extend the count highway for mail security. Esq. Loren Thomas addressed Mr. Turner and explained that he needed to go before the planning commission first. Esq. Loren Thomas stated that the Planning Commission would meet on the 2<sup>nd</sup> Monday in October.

Steven Morris addressed the commission on Ethics. Mr. Morris stated the definition of what Ethics is about. My reason for being here tonight is for that reason only right and wrong behavior. This committee is going to be voting on who is on the Ethics committee tonight. In my opinion there is an active investigation on Marie Rice.

Esq. Gene Wilson asked if he had proof of that. "I sure do", Mr. Morris stated. Mr. Frank Rogers stated that he could confirm that there was a referral. Esq. Chairman Marie Rice stated he said an active investigation. Mr. Frank Rogers stated he was not aware of that. We have a conflict of interest and had received a referral from adult protected service; the sheriff's office did on Elderly abuse, naming Ms. Rice as a suspect. We turned the case over to the State Attorney General office, with a conflict of interest. Esq. Marie Rice stated that she has a correspondence here from Tony Clark, DA, stating I think the brother from the lady that passed away instigated this. I don't think the Unicoi County Sheriff's office should have been involved. Actually Frank Rogers requested someone else to take a look at this.

Esq. Gene Wilson stated that came from the Attorney General office and we have to listen to them.

Mr. Morris stated he would be going back to his attorney.

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**Agenda Item #8**  
**Old Business/New Business**

Ms. Lance from the Limestone Cove area stated the traffic count was 4096 in a 24hr period. Esq. Marie Rice stated that she has been in contact with GigaBeam network out of Virginia, they cover southeast, southwest Virginia, southwest Kentucky and West Virginia, and he talked about cell towers and micro cell towers that goes on top of telephone poles. We are going to talk about this more. We continue to talk with Rusty Crowe also.

Esq. Chairman Marie Rice reminded that the Tennessee County Commissioners meeting will be in Jonesborough October 10<sup>th</sup> 2017.

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**Agenda Item #9**

**Appoint Paul Berry, Ed Herndon, Bridget Peters, Marie Rice and Glenn White to Unicoi County Ethics Committee for F/Y2017-2018**

Motion made by Esq. Kenneth Garland, said motion seconded by Esq. Gene Wilson to appoint Paul Berry, Ed Herndon, Bridget Peters, Marie Rice and Glenn White to Unicoi County Ethics Committee for F/Y2017-2018

Esq. Loren Thomas asked that Esq. Marie Rice remove herself from the Ethics committee, since you are under investigations. Esq. Marie Rice stated that also in the email that question was asked if the investigation had been concluded. "It has been concluded," Tony Clark stated. Esq. Marie Rice states when you are falsely accused, people can make any accusations towards people that they want to make. I am just glad the judicial system and our DA's office can see through that. Esq. Marie Rice stated as far as she knows she is not under investigation. I don't even know what I have been accused of.

Esq. Marie Rice stated that she did not see how this has any bearing on this. Esq. Kenneth Garland stated anybody can be investigated but it doesn't make them guilty.

All In Favor/Motion approved

1-Loren Thomas Opposed

3-Absent (Glenn White, John Mosley & Todd Wilcox)

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**Agenda Item #10**

**Vote on Resolution Approving an Inter local/Consortium agreement by and between the Local Elected Officials of Local Workforce Development Area 1 and a Partnership agreement by and between the Consortium of Local Chief Elected Officials, the Northeast Tennessee Workforce Development Board, and the alliance for Business Training for the Implementation of the Workforce Innovation and Opportunity Act as Amended June, 2017 (Kathy Pierce, AB&T)**

Motion made by Esq. Loren Thomas, said motion seconded by Esq. Gene Wilson approving the resolution of an Inter local/Consortium agreement by and between the Local Elected Officials of Local Workforce Development Area 1 and a Partnership agreement by and between the Consortium of Local Chief Elected Officials, the Northeast Tennessee Workforce Development Board, and the alliance for Business Training for the Implementation of the Workforce Innovation and Opportunity Act as Amended June, 2017

Motion unanimously approved

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**Agenda Item #11**

**Discuss Economic Capital Investment Plan and Update on Unicoi County Economic Development Board (Tyler Engle)**

Motion made by Esq. Gene Wilson said motion seconded by Jason Harris to table the Economic Capital Investment Plan and bring back to the County Commission next month.

Motion unanimously approved

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**Agenda #12**

**Discuss and Vote on Grant to Improve the Gathering Place (Jamie Rice & Tyler Engle)**

Motion made by Esq. Kenneth Garland said motion seconded by Jason Harris to approve the grant to improve the Gathering Place

Motion unanimously approved  
No copy of Grant

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**Agenda #13**

**Discuss Method of Appointment of Civil Service Board Member to Replace Jim Bowman**

Motion made by Esq. Loren Thomas said motion seconded by Gene Wilson to advertise in our local paper and appoint someone at next month meeting.

Motion unanimously approved

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**Agenda #14**

**Discuss Method of Conducting Business in County Commission (Roberts Rule or other), approve Agenda, Waive Agenda, etc., State Audit Recommends we prepare and disburse agenda 10 days prior to county commission meeting. Discuss Addendums**

Motion made by Esq. Loren Thomas said motion seconded by Gene Wilson to use Roberts Rule, have the packets and agenda 10 days prior to meeting and to accept addendums at time of meetings.

All in Favor (Marie Rice & Jason Harris opposed)  
Motion Fails

Motion made by Esq. Jason Harris said motion seconded by Kenneth Garland to table agenda #14 until we have information and look at this next month meeting.

All in Favor (Gene Wilson & Loren Thomas opposed)  
Motion Fails

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Esq. Gene Wilson left the meeting

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County Commission took a recess

Captain Ed Herndon called the meeting back into session

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**Agenda #15**

**Discuss ambulance Service Committee Recommendations**

Motion made by Esq. Kenneth Garland said motion seconded by Jason Harris for the County to look at purchasing property and building a building for the ambulance station

All in favor (Loren Thomas opposed)  
Motion Fails

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**Agenda #16**

**Approve Inter Local Agreement between Unicoi County Sheriff’s Department and the Town of Erwin to Allow City to Utilize Prisoners for Local Service Projects in Accordance with the State Code Ann § 41-2-123**

Motion made by Esq. Kenneth Garland to table agenda #16, motion fails for lack of second.

Motion made by Esq. Loren Thomas said motion seconded by Jason Harris to Approve Inter Local Agreement between Unicoi County Sheriff’s Department and the Town of Erwin to Allow City to Utilize Prisoners for Local Service Projects in Accordance with the State Code Ann § 41-2-123 with attaching the fee schedule to the agreement.

All in favor (Marie Rice and Kenneth Garland opposed)  
Motion Fails

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**Agenda #17**

**Declare following vehicles surplus and allow sheriff department to sell at public auction: 2006 Chevy (Maroon) KL1TG56616B562138 (Seized Vehicle) 2007 Nissan Pick-Up (Red) 1N6AD07W77C424168 (Seized Vehicle) International Flatbed truck DTID N4562742110003 Chevy Kodak Flatbed Truck DTID W56MPV52370150**

Motion made by Esq. Jason Harris said motion seconded by Loren Thoams to declare following vehicles surplus and allow sheriff department to sell at public auction or Gov Deals:  
2006 Chevy (Maroon) KL1TG56616B562138 (Seized Vehicle) 2007 Nissan Pick-Up (Red) 1N6AD07W77C424168 (Seized Vehicle) International Flatbed truck DTID N4562742110003 Chevy Kodak Flatbed Truck DTID W56MPV52370150

All in Favor (Marie Rice opposed)  
Motion Fails

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**Agenda #18**

**Report on Debt Obligation (No Vote Needed)**

Table to next month

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**Agenda #19**

**Budget Amendments: County Clerk \$28,960.66 and Circuit Court \$66,223.00**

Motion made by Esq. Jason Harris said motion seconded by Kenneth Garland to vote on the budget amendment separate.

Motion unanimously approved

Motion made by Esq. Jason Harris said motion seconded by Bridget Peters to approve the following budget amendment: **County Clerk:** Debit 34515 Restricted for Finance **\$28,960.66**

and credit 52500-106 Deputy \$1560.00 162 Deputy \$3321.22 (money to cover new employee), 189 Deputy \$1560.00, 201 Social Security \$399.36, 204 Retirement \$ 476.68, 212 Medicare \$93.40, 307 Communications \$8600.00, 335 Maintenance and Repair \$1800.00, 399 Contracted Services \$950.00, 435 Office Supplies \$2500.00, 452 Utilities \$1500.00, 524 Staff Development \$200.00, 719 Office Equipment \$2000.00, 709-Data Processing \$2000.00, 337-Maintenance & Repair \$2000.00. **Total \$28,960.66**

Motion unanimously approved

Motion made by Esq. Jason Harris said motion seconded by Bridget Peters to approve the following budget amendment: **Circuit Court Clerk:** Debit 34520 Restricted for Administration of Justice Debit **\$15,000.00** and credit 53100-337 Maintenance and repair \$15,000.00. **Total: \$15,000.00**

Motion unanimously approved

Motion made by Esq. Kenneth Garland said motion seconded by Jason Harris to table the following budget amendment until next month, when we can speak with Mr. Shelton: **Circuit Court Clerk:** Debit Fund Balance 39000 **\$23,234.00** and credit 53300-102 Judge \$20,000.00, 201 Social Security \$1,240.00, 204 Retirement \$1704.00 and 212 Medicare \$290.00.

Motion unanimously approved

Motion made by Esq. Jason Harris said motion seconded by Kenneth Garland to table the following budget amendment until next month, when we can speak with Mr. Shelton. **Circuit Court Clerk:** Debit Fund Balance 39000 **\$27,989.00** and credit 53100-169 Part Time Personnel \$26,000.00, 201 Social Security \$1,612.00 and 212 Medicare \$377.00.

Motion unanimously approved

Motion made by Esq. Jason Harris said motion seconded by Bridget Peters to table the following budget amendment until next month, when we can speak with Mr. Shelton. **Circuit Court Clerk:** Debit Fund Balance \$15,000.00 overtime pays for his employees

Motion unanimously approved

County Mayor Greg Lynch withdrawals his budget amendment per County Attorney to bring back next month with more information on the Industrial Development Railroad Spur.

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Addendum to the Agenda

**Approve Resolution to provide 20% Match Toward TDEC (TN Depart of Environment and Conservation) Grant for New compactor and Recycle containers Estimate Amount not to Exceed \$15,000.00**

Motion made by Esq. Jason Harris said motion seconded by Loren Thomas to waive the agenda.

Motion unanimously approved

Motion made by Esq. Kenneth Garland said motion seconded by Jason Harris to approve Resolution to provide 20% Match Toward TDEC (TN Depart of Environment and Conservation) Grant for New compactor and Recycle containers Estimate Amount not to Exceed \$15,000.00

Motion unanimously approved

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Agenda #20

**Elect Notaries: Damaris Melinda Higgins and Janet M. Green**

Motion made by Esq. Kenneth Garland said motion seconded by Jason Harris to approve the following notaries: Damaris Melinda Higgins and Janet M. Green

Motion unanimously approved

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Agenda #21

**Motion for Adjournment**

Motion made by Esq. Kenneth Garland said motion seconded by Jason Harris to adjourn the September 25<sup>th</sup>, 2017 County Commission meeting.

Motion unanimously approved

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**MARIE RICE, CHAIRMAN**

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**GREG LYNCH, COUNTY MAYOR**

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**MITZI BOWEN, COUNTY CLERK**