

The Englewood Board of Commissioners met in a **regular scheduled meeting** on Monday February 13th, 2017 at 6:00 PM. The meeting was in the Community Center Room inside the Municipal Building.

Call to order by Mayor

Mayor James Cox called the meeting to order.

Roll Call by City Recorder

City Recorder Alison Bull did roll call with Commissioners Gene Coleman, Shawn Martin, Jason Hitt, and Buford Hackler present, as well as Mayor James Cox.

Invocation

Commissioner Hitt gave invocation.

Pledge of Allegiance

Communication from the Mayor

Mayor Cox discussed his and Commissioner Hackler's trip to the Elected Officials class offered by MTAS.

Commissioner Reports

Commissioner Coleman said that the planning commission approved putting a Verizon tower in Englewood. He talked about how it will not only provide Verizon services but the tower will be able to accommodate other cellular services, as well.

Approval of January 2017 Minutes

Cox made a motion to approve the January 2017 minutes. Hackler seconded. All Ayes.

Agenda:

Old Business

Item A. Policy for Water & Gas

Town Manager Bob Cass said that no decisions were made for this, but that something needs to happen. He said that one of the things that will go into the policy is customer deposits and what to do with them. He discussed when someone passes away, the account needs to be changed within a few months to the person who will be living at the house and taking care of the bills. He said that it also applies to people who rent their houses out. When a renter leaves, the account owner needs to be changed over. Hitt said that Shawn mentioned using AUB as a model for our policy. Cass said that it will be a mess for us to get it straightened out.

they are bad, the water will run over and waste water. He doesn't have a price on them. He said they checked the backflow valve, and somebody had them tied where they wouldn't work.

Item N. Bids for Roof at Water Plant

Cass said that he didn't have any bids for the water plant. He said that East Tennessee talked about going down there when the weather cleared up, and Jordan verified. Coleman said to watch them because they're shady.

Item O. 2006 Ingleside, 37 Sunset – Property Taxes

Cass said that he wants them to know that he's been working on the cleanup progress. He said that taxes on that house (for Ingleside) haven't been paid since 2012. He also mentioned 37 Sunset and said the taxes haven't been paid since 2010. Martin asked if they were both bank owned. Cass said that they were both owned by finance companies. Cass mentioned that he is for selling the houses. Blair said that if he's not mistaken, the redemption period for the Sunset Ave. property runs in March of this year. He said if that's the case, the county will own it this year. Cass said the county needs to come clean it up.

Item P. Any Other Business to Legally Come Before the Board

Cass mentioned a couple of water accounts that have been illegally using water without paying.

Hackler said that he still wants to know where the three bids are on the backhoe. There's no record of three bids. There's no record of where the backhoe was even sold. Cox said that you're supposed to auction it off. Blair said that it's supposed to be declared surplus property. Hackler said that he would like to know, as a taxpayer, where it's at, what happened, and why there are no records of it. Cass said that he hasn't found any records on it.

Hackler also said that he wants to know why Jerry Shirk's restaurant is hooked up to the sewer illegally, and nothing has ever been done about it. Cass asked if that was hooked up when we were under a moratorium. Hackler said yes. Cass said that he bets the State doesn't know anything about it. Cox said that they used the city backhoe to do it. Hackler said that three people said that they saw the city doing it and Joe Hardwick operating it. Hackler said that according to the Charter, you can't use city equipment to do private jobs on private property. Cox said that the commissioners can't vote to do that, and that's what happened. Cass said that has to do with the code of ethics that everybody signed. Cass said not only that but also the city used the city's gas funds inappropriately. Cass said that the comptroller found that and they had to come up with a pay agreement on how they were going to pay it all back. Hackler said that was the other question, how they can transfer funds from one account to the other when that's strictly illegal. Hackler said these are things that need to be answered. Hitt asked if we had an ethics policy in place. Cass said that there has always been an ethics policy.

Hackler asked who they approach to find out the stuff that he has questions about. Cass said that Hackler needs to go to the District Attorney. Hackler confirmed that he needs to set up an appointment with him and Cass said no, he doesn't need to. Hitt asked who it was that found all of this stuff, and Cass said that it was the State Comptroller. Martin asked if the auditor found

New Business

Item A. January 2017 Financial Report

Cass presented the financial report.

Item B. Police Department Report

Police Chief Jason Pickel presented the police department report.

Item C. Fire Department Report

Fire Chief Billy Roach was unable to be there. Cass read Roach's report in his place.

Item D. Library Report

Virginia Key presented the library report.

Item E. Town Manager Report

Cass said that the water plant is almost through (being worked on). We were shut down in November and December, in which Englewood used Etowah water. The water plant is pumping up water that is very clean now. Englewood has been using 40,000-50,000 gallons because of leaks in the valves, but they are fixed now. Englewood is looking to put a new roof at the water plant.

Cass said that everything is in good shape for the pool, except that it will have to be painted before it opens.

Cass said that the sewer grant was submitted to the development district on the 10th. They are discussing and waiting on approval from the agency. The city's part will be around \$40,000-\$65,000 depending on how much we are approved for.

Item F. Bill for Vacflow, Clean Out Raw Water Pump Station at Water Plant

Cass said that Buford talked to Vacflow and had them come down and clean out the pump station. Cass said they agreed on \$1,100.00 for the final price but when they started they weren't pumping anything out except water. The mud was underneath all of the water. Cass said that he brought Englewood's compressor down there and mixed up the mud. When that happened, they started complaining about the mud weighing their truck down. Cass ended up getting someone in who could actually do it, because Vacflow couldn't. Then, Vacflow sent a bill for much more than \$1,100.00 and Cass was informed that they charge per hour. Cass said that he wants to know what the board wants to do about the bill. Cass said that he believes the Town owes him something but not the full amount of the bill. Martin asked if the Town got a written estimate. Cass said no, they just talked about it. Cass said they didn't mention charging \$125/hour. Hackler said that the job was explained to him clearly and they said that they could do it. Martin asked Cass if it was just Hackler who talked to Vacflow or did Cass also talk to them. Cass said that he was present when Vacflow was down there. Hackler asked if he thinks the guy will call. Cass said that it's been two months and they haven't called.

Item G. Appoint Planning Commission Member

Cox recommended Hackler to be the new planning commissioner. Hackler seconded. All Ayes.

Item H. Library Request for \$3,250.00 Budget Amendment/Increase

Cass said that he's the only person who works for the board. He said that he's the only person that the board needs to come to. Cass also said that anybody that gets a check from the Town of Englewood works for him. Cass said the library has been going over their budget every year. He said he knows that if he increases the budget, the library will expect it every year. Library Director Erica Laudermilk said that she only drew up the budget request because she was approached and asked to draw one up. Coleman said that the way he understands it is that it's Bob's job to do that, and that if you give one department an increase, then you have to give every department an increase. Laudermilk said that she just wanted to let them know that she was approached to draw up a request, so she did. Cass reiterated that it's his job, not the board's job.

Item I. Donation Request from Civic and Youth Groups Policy

Cass said that he wants to come up with a policy on how to handle donations to groups. He said that everybody thinks the city should donate. Hitt suggested that there be a cap on the amount of donations. Coleman said he thinks that anyone asking for a donation should come into the board meetings to request donations. Englewood attorney Russ Blair said that when Etowah did it, they had a cap on how much they were going to give per year. Coleman said for Englewood to cap it and go from there.

Item J. Public Records Policy (TML)

Cass discussed how anybody can come into city hall and look at anything except what's against the law. Cass said anything that anybody wants to find out, it's their right and business. Ordinance 02-13-17-97 was presented (this information was from MTAS to adopt this public records policy by July of 2017) for an open records policy to be adopted. Coleman made the motion. Hitt seconded. All Ayes.

Item K. Athens Animal Shelter Payment

Cass said that this has been an issue for a while. He said they started to charge by the dog. Then, he said, he noticed that the same dogs were still around in town. Cass said he got a bill the other day for \$3,101.45. Cass said that he called and asked for the contract and they sent him the original contract, which was a set amount per year but then they started charging per dog. Hackler made a motion to pay the bill. Hitt seconded. All Ayes.

Item L. Appoint Engineers for CDBG Grant for Sewer

Cass said that they need to appoint engineers for the CDBG. Cass said that he thinks McGill has done a good job. Cox said that he believes they need to go with McGill. Hackler seconded. All Ayes.

Item M. Replacement for Altitude Valves for Both Water Tanks

Cass said that an altitude valve is a valve that once it gets to a certain height, it shuts the water off. Cass said that the altitude valves are bad on both of the water tanks we have. He said that if


anything on that. Cass said that the auditor wants to make sure that it's being paid back. Someone asked if the money is being paid back and Bull confirmed that it has been completely satisfied. Cass said that he's not sure if it's satisfied or not since they broke the law. Bull said that it's been completely paid back and in that way, it has been satisfied.

Martin asked about the tornado siren. Cass said that it has been tested and all tests were good.

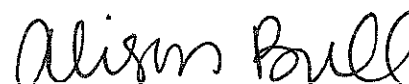
Martin asked about the ethics and said that Cass, Hackler, and Cox were together earlier that day and asked if that wasn't against code of ethics – that the others were left out. Cass said the reason he was left out was because he wasn't there. Martin said that he didn't know anything about it. Cass said as long as you don't say how you're going to vote, they can talk about anything they want to. Cox said that Martin never comes around to see what's going on. Martin said that he comes in all the time to City Hall. Blair said that they can't deliberate on any issue. Cox said that Martin puts them down about something at every meeting. Martin asked what he meant. Cox asked about pictures that Martin had brought to the first meeting, and Martin said they were for his own purpose, since he is on the board. Cox made a comment that he was doing it for Tony and that they called down to Etowah and they wanted to know if Cass was coming back or not, because they didn't want to give their certificates unless Cass came back. Cass said that's the main reason that he came back. Martin said that in the meeting Gene said that Cass already knew that he had the job and Cass wasn't at that meeting, so he just assumed they had already been discussing it. Cass said that he knew they asked him to be hired back but he didn't know he was going to take it. Cox made a suggestion about resigning. Martin said that was another thing he didn't appreciate was Cox coming to his house asking him to resign. Cox said that he didn't ask Martin to resign he said that if he was in his position he would since he was voted in illegally. Martin asked what the difference was in his and Gene's positions. Cox said they advertised Coleman's position and not his. Cass said that they could go on about this stuff but he didn't know that he had the position.

Item Q. Adjournment

Cox made a motion to adjourn. Hackler seconded. All Ayes.



Mayor, James Cox



City Recorder, Alison Bull