

Minutes  
Special Called Meeting  
Bluff City Board of Mayor and Aldermen  
Sept. 12, 2017  
2:00 P.M.

Mayor Wells called the meeting to order at 2:00 p.m.

City Attorney Paul Frye stated that he advised the Board not to comment on anything that is currently going through the court system.

Members present were Sandra Madison, Jack Stratton, John Harrison and Richard Bowling.

Prayer was given by Alderman Stratton, followed by the Pledge of Allegiance.

Mayor Wells opened the floor for the following:

Citizen Comments – First Session – None

Discussion -Bluff City Storm Water Review- Todd Wood

Storm Water Coordinator Todd Wood presented the Annual Storm Water Report.

Mr Wood stated that we had gone through a new permit cycle that is good for 5 years. Mr Wood stated that we are essentially doing the same thing that we were doing before but one thing that may or may not change is in the construction part of it, with what is called Permanent Storm Water Management or some people call it water quality. Mr Wood stated that we are going to have to update those regulations sometime in the next couple of years, we were supposed to do it a few years ago but the State kept postponing that because of the new permit, plus there have been some lawsuits filed and they are being heard sometime in November. Mr Wood stated that if it goes the way the State thinks it will go, starting on January 1 we will have 90 days to submit a plan that says when we are going to change our water quality regulations to meet the state regulations and we have up to 18 months to do it. Mr Wood stated that if the lawsuit does not go in the direction the state thinks it's going to go, who knows what will happen at that point, but he will keep them updated. Mr Wood stated that they would focus on education and public involvement this year. Mr Wood stated that the town does a good job of good housekeeping at their facilities. Mr Wood asked if anyone had any questions and stated that it is more the Mayors role to ask if anyone in the public wanted to speak. Mayor Wells asked if anyone in the public had a question. There were no questions.

Discussion / Action – First Reading on Ordinance 2017-011

City Attorney Paul Frye read the ordinance which is an Ordinance to amend Ordinance 2017-007, known as the Appropriations Ordinance for the Fiscal Year Ending June 30, 2018. This is due to the McClelland Street Project as the contract price is \$178,380.00.

Motion to accept Ordinance 2017-011 on first reading was made by Alderman Bowling. Second by Alderman Harrison. All in favor. Motion carried.

Discussion / Action – First Reading on Ordinance 2017-010

City Attorney Paul Frye read the ordinance which is an Ordinance to Renew the Atmos Energy Corporation's Gas Franchise for 20 Years. Motion to accept was made by Alderman Bowling. Second by Alderman Harrison. Vote went as follows: Alderwoman Madison – No, All others – Yes. Motion carried.

Discussion / Action – Water Plant – Hire Plant Operator

Mayor Wells stated that our Water Plant Operator called her over the weekend and was upset because he had not renewed his water license and she told him she did not understand how anyone could let their water license run out. Mayor Wells stated that she told him there was nothing she could do about it until Monday but she was worried because the City could not be without a certified water operator, so she called Teresa (Nidifer) who has helped us out in the past and is certified, and asked her if she would be our operator until we could get something taken care of. Mayor Wells stated Dean (Fields) did not give a notice, he just did not come into work. He had called other people and told them he was quitting but did not call her or Allen (Allen Moultrie- Public Works Supervisor) and let them know he was no longer going to work for the city. Mayor Wells stated that yesterday she had talked to 2 operators one from Kingsport and one from Bristol. The one from Kingsport had let his license run out in January when he retired. Mayor Wells stated that she had asked him if he was willing to have his license renewed but he said he did not want to do it. The one from Bristol's license will run out in January but he thought it would be too much on him and he was not interested. Mayor Wells stated that what she was asking them to do was give approval to advertise in the newspaper for someone and Teresa has agreed to help us until we can find someone. Mayor Wells stated that they were paying Dean \$25.00 per hour plus benefits which amounts to \$66,234.00 per year and they do not feel they need a full time operator. Mayor Wells stated that it can be done in 4 hours a day and if they pay that person \$30.00 per hour that would be \$31,200.00 per year. Mayor Wells asked for approval to put it in the paper and to hire someone. Motion to approve was made by Alderman Harrison. Second by Alderman Bowling. Vote was as follows: Alderwoman Madison stated that before she answers, Dean came to her house and said Mayor you knew that he lost his license and he said you talked about it and said you were going to cut his pay. Mayor Wells stated that he called her and she called Teresa after she had talked to him and Teresa was working as the certified operator because the city cannot be without one. Mayor Wells stated that she started out trying to work with him and then the next thing she knew he was calling people around town telling people he could not work with her. So he told people that he was going to quit and he called Alderman Bowling and he said he was resigning so this is where we are now and we need to move on. With a motion and a second on

the floor the vote was as follows: Alderwoman Madison – No, All others in favor. Motion carried.

#### Citizen Comments – Second Session

Carol Keith of 305 Lakeview Circle, stated that she would like to ask the Mayor if she cut his pay by 25%. Mayor Wells stated yes I did cut Deans pay. Mrs Keith asked the board members if they knew she cut his pay by 25%. Alderwoman Madison stated she did not. Mrs Keith stated that she did not want to cause problems but she wanted to ask the board that before anybody could be fired or if they have a problem, can't they come to the board and present it if it's an appeal and the board make the final decision, is that wrong to ask. Mrs Keith stated she means no disrespect, but there is a problem when everybody is having a problem with you. Mrs Keith stated that she is not trying to be ugly but she stands with the people. Mrs Keith stated what we need is somebody to stand for what's right. Mrs Keith stated the man got his pay cut 25%. Mayor Wells stated I had to hire somebody for \$30.00 just because he didn't renew his license. Mrs Keith stated but you cut his pay. Alderman Bowling stated because he let his license run out. Mrs Keith asked Alderman Stratton if he would bring it in for a vote that if anybody has an appeal, for say somebody got fired, and the Mayor was the one that fired them and they feel they had a legit reason, would you be willing to set on the board and listen to that person. Alderman Stratton stated that he does not know that he would question. Alderwoman Madison stated I would. Mr Stratton stated that it is his understanding that he let his license run out, that is what he heard. Mrs Keith asked do you think you should have spoken to him about it. Mrs Keith asked if anyone talked to him about it, she said she knew he had reached out to him. Mr Stratton stated that it would be more up to him to come before the board and present it to them. Mrs Keith stated that's what I'm asking. Mr Stratton stated he did not do that. Mrs Keith stated that's what I'm asking now if someone has a problem and they want to appeal, can they come before the board to appeal their problems. If not Irene can say you're fired, you're fired and there is no in between. Alderman Bowling stated your 3 minutes is up but let me make a comment on that. Mrs Keith stated my 3 minutes is up Mr Bowling and thank you, you don't have to answer. Mayor Wells stated that she did not fire him he quit. Alderman Bowling stated he told me on the phone he quit that he let his license run out and I can't work with her and I (sentence ended) Mayor Wells stated please be quiet.

Carolyn Payne of 4818 Bluff City Hwy. stated that she spoke with Dean Fields, he renewed his own license and it was to be effective in October, why the rush to judgement. Any City or town pays for the license renewal for their employees. Mrs Payne asked Teresa (Nidifer) at \$30.00 per hour is it her understanding we only need someone 4 hours a day, and is that to run the distribution. Ms Nidifer stated I will not be here 4 hours a day they are looking to hire someone. Mrs Payne stated for 4 hours a day only part time position. Mrs Payne stated Dean Fields worked 8 hours a day and that was why he was being paid \$52,000.00 a year because he put in the hours

and he spent 4 hours a day in the ditches with the guys. Mrs Payne stated that she is confused about what they are doing here, they couldn't wait until his license got renewed and what is your responsibility on making sure your employee's licenses are renewed. Mrs Payne asked Sharon (Greene) if she got notifications. Mayor Wells stated that the employees get their own notifications. Mayor Wells stated that they usually get them in January and they have until July to pay for them. Mrs Payne stated that they have a whole lot of responsibility and it appears as though nobody is covering their backs up here and that's unfair. Mrs Payne stated I agree with what Carol Keith said, I can't believe that you all will sit up here and stand behind it and yes it is out there, nobody can work with you. Mayor Wells stated thank you.

Teresa Nidifer of 150 Mayfield, Elizabethton Tn, stated that she has heard different things and she knew Dean and had recommended him when he first came to work here. Things have happened since then and she has noticed he did not have the energy he needed to present, to do the job that he was doing. Ms Nidifer stated on licenses, it is the employee's responsibility and the state holds that employee, not the county or city, that employee because they are very difficult to get and every employee she knows that has a license holds those just like it is close to their heart because they don't want them to fail to meet state requirements or to lapse. Ms Nidifer stated that on the lapsing part of the license, Dean did tell her that he did lapse on the payment and she called the state office and she told her that he did put a request in for the certification board and the certification board meets in October and if that board agrees with his explanation they may reinstate that and he can pay the fee at that time if not he would have to take his exam again and that would be in November or May. Ms Nidifer stated I know that he told you Mayor that he had planned to take the exam just in case so he was planning possibly in November to take that exam again if the certification board denied his re-entry on his license. Ms Nidifer stated that the certification board is very lenient and sometimes they are not. Ms Nidifer stated that she had served on that board and it is a case to case basis. It is up to the operator to keep their licenses and continuing education credit up to date. Ms Nidifer stated I saw him the Friday before to check out how the plant was going after you had called me and he told me everything was fine but it was not as fine as he told me. There were things that he waited until the last days of the month to collect which is against our SOP (Standard Operating Procedure) and by doing that if the sample had come back bad the city would have had a public notification and you would have no way to correct it by waiting so late to collect it. As a licensed operator, there's different times of the year that we have to collect certain types of State and EPA samples and when she talked to Dean he said everything was taken care of and nothing was due, which that was not actually true. Ms Nidifer stated that you only have to have one license to operate the water treatment plant but Dean also served as your distribution operator so ( Mayor Wells stated if you want to talk go into the hallway ) ( speaking to someone in audience) there are 2 licenses and she has both and has trained our personnel for the last 30 years off and on. Ms Nidifer stated that it seems like that every time there is a change either in the board or someone as their supervisor they tend to revert

back to bad habits and that is the biggest concern she has having her license without being here every single day. It is a big issue to have the analysis and the daily things done correctly and to insure that Bluff City has the superb drinking water they should have. Ms Nidifer stated to the Mayor that she does not know anyone else that would do the job she is doing, that you work for free and care sincerely for Bluff City. Ms Nidifer stated that she would have definitely recommended and she did recommend to the Mayor that she would cut that salary because you are no longer paying for a certified operator and you are going to have to hire one. Ms Nidifer stated that since, then they have talked and Bluff City is going to pick up the tab and insure that it is paid, but it is the operator's duty and if you don't have the care enough about your own license to keep those up you don't need to be a water operator of any kind. Ms Nidifer stated that she will say that you (Mayor) care for Bluff City. Mayor Wells stated that Allen was in the office when she told Dean about cutting his salary and he said out of his own mouth I expected my salary to be cut because I am not a certified operator. Ms Nidifer stated that she was sure that when he got it, it would go back to what it was. Mayor Wells stated yes she told him that. Mayor Wells stated that nobody said anything about firing him and he chose and instead of waiting, you were going to be not over him but the certified operator and it was his choice to- quit and it was pretty sorry that he did not give a notice or let anybody know he was leaving. Mayor Wells stated that she appreciates her (Teresa) because the test was due a week before it was done and it was not supposed to be done that late in the month and she really took care of Bluff City.

Alderman Bowling stated that Dean called him and told him that he could have his license renewed in October but he said I'm not going to do it I cannot work with the Mayor, I quit. That is what he told him on the phone. Mayor Wells stated that Allen was in there when the conversation took place but Allen is in California. Mayor Wells stated somebody that don't like somebody, he asked me if he could hug me and I think I called you and told you Mr. Frye because I thought is this going to be a set-up. Mayor Wells stated that she had done all she can and her main concern is Bluff City and nothing else.

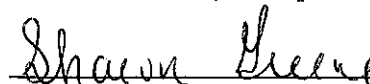
Mayor Wells announced that Vice Mayor Harrington was not present because his wife had just had their baby.

With no other business a motion to adjourn was made by Alderman Harrison. Second by Alderman Bowling. All in favor. Meeting was adjourned at 2:37 p.m.



Irene Wells, Mayor /City Manager

Attest this 12<sup>th</sup> day of September, 2017



Sharon Greene, Recorder / Finance Officer