METROPOLITAN LYNCHBURG MOORE COUNTY

UTILITY DEPARTMENT

BOARD MEETING

February 11, 2020

The Metro Utility Board meeting scheduled for February 11, 2020 at 6:05 P.M. was called to order by Shawn Adams, Chairperson. Members present were: Shawn Adams, Sunny Rae Moorehead, Meghan Bailey, Keith Moses, Mayor Bonnie Lewis, Brooke Fanning and Russell Sells.

Motion was made by Keith Moses and seconded by Meghan Bailey to approve the minutes of the January 14, 2020 meeting. Motion carried 4-0.

Visitors: Don Scholes (TAUD Counsel), Gene Johnson, Colby Rogers, Ronnie Cunningham, Heath Ferrell, Lt. Gary Tankersley, Deputy Arthur Barad, and Jason Deal.

Mayor Bonnie Lewis: Mayor Lewis began by yielding a moment of her time to Meghan Bailey. Mrs. Bailey announced to the board that she will be resigning from the utility board effective immediately. She is working on obtaining her master’s degree and felt like she did not have enough time to devote to the utility board.

Mayor Lewis addressed the board by first stating the goal of her presentation, which is to make all parties involved to be aware of their position within the utility department. She stated her position as Metro Mayor, the General Manager, the utility employees and the utility board all have a certain role within the utility department. She is hopeful that after her presentation that “all parties will know their rung on the ladder”. She reviewed the Metro Charter specifically Article 4 – **Metropolitan Executive Departments and Boards** -- § 4.04—*Members of the Boards* –“Members of the boards shall be appointed by the Metropolitan Executive, subject to confirmation by the Metropolitan Council. Vacancies on boards shall be filled for any unexpired term in the same manner. The Metropolitan Executive shall be ex-officio voting member of all boards created pursuant to this Article. Members shall serve until removed by the Metropolitan Executive.” She went on to remind the utility board of their recent adoption and creation of the utility board through a Metro Ordinance.

She further explained that certain recent events have occurred within the utility department regarding an email being forwarded from the Chairperson, Shawn Adams, to a former Metro employee, Gene Johnson, and then posted to the Metro Utility Department’s Facebook page by Mr. Johnson, creating an awkward situation for the utility. Mayor Lewis reviewed and presented a detailed timeline, beginning in 2017 to present, of correspondence emails from Gene Johnson to a variety of other individuals and governmental agencies.

Mayor Lewis asked Mr. Don Scholes, Esq. (TAUD) to address the board before she finished her presentation. Mr. Scholes outlined his role with Tennessee Association of Utility Districts and how he became involved with Metro Utility Department. Mr. Scholes also expressed his legal opinion regarding the Metro Charter and Metro Ordinance outlining the role of the Metro Mayor.

She reiterated that Mr. Russell Sells is the General Manger of the Utility, hired by the utility board. Mr. Sells, according to the recently adopted Metro Ordinance, has complete authority to hire and dismiss employees at-will. He also has the right to set salaries for the utility employees. Mayor Lewis reminded the board that the only portion of Human Resources they have control over is the hiring and dismissal of the General Manager. She reminded the board that the General Manager makes the operational decisions regarding employees and that the utility employees need to see the utility board respect his authority and position. This will translate into a more positive work ethic at the utility and will allow the utility to move forward.

Mayor Lewis requested that the board create a policy refusing dismissed employees from having further contact between current employees or utility board members and entry to utility properties after their dismissal. Sunny Rae Moorehead made the motion: that once an employee has been dismissed from the Metro Utility’s employment they are no longer allowed to have contact with current employees and utility board members regarding utility business, nor allowed onto Metro Utility’s property for anything other than their final exit interview and follow up human resource business. Keith Moses seconded. The motion carried 4-0 with Shawn Adams abstaining.

Manager’s Report: Russell Sells explained to the board that tomorrow the Raw Water Intake pump will be completely installed and fully functioning. He also informed them that the utility had experienced a couple of i/I overflows due to the rainy weather. These have been reported appropriately.

Mayor Lewis also asked that Mr. Sells list a few of the items he had been able to work on at the Water Treatment Plant since Gene Johnson’s dismissal in December 2019. Mr. Sells listed a handful of items he has narrowed down as contributing factors to the department’s high water loss numbers. He also listed a few items they are currently investigating to see how the life of the plant can be extended.

Adjourn: A motion was made by Meghan Bailey and seconded by Sunny Rae Moorehead to adjourn at 7:15 pm. Motion passed 5-0.

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Shawn Adams, Chairperson