

The McMinn County Board of Commissioners met in Regular Session on Monday, March 15, 2004, at 7:30 pm, in the Blue Room of the McMinn County Courthouse.

1. CALL TO ORDER

The meeting was called to order by Chairman David Crews.

2. INVOCATION

The Invocation was given by Commissioner J. W. McPhail.

3. PLEDGE TO THE FLAG

The Pledge to the Flag was led by Commissioner Dale Holbrook.

4. ROLL CALL

Roll Call was taken by Clerk Evonne Jones, as recorded:

Scott Curtis Present
Dale Holbrook P-present
Jack King Present
Roger Masingale Present
Gary Mason Present
J. W. McPhail Present
Bob Powers Present
Jack Powers Present
Owen Vincent Present
Chairman David Crews Present

5. APPROVAL OF MINUTES

Copies of the Minutes of the Regular Session on February 16, 2004 were provided to the Commissioners.

MOTION made by Commissioner Mason, and seconded by Commissioner King, to approve the Minutes of February 16, 2004.

Motion carried by voice vote.

6. APPROVAL OF BIDS AND PURCHASES

A. A Resolution to Approve and Award Annual Bid for Installation of New or Used Guardrail.

Mr. Luallen presented the following resolution to approve and award the annual bid for installation of new or used guardrail, along with the bid summary sheet and a letter of recommendation from the Commissioner of Highways to award the bid to both companies based on time of delivery.

Resolution No. 04-02 1

A RESOLUTION TO APPROVE AND AWARD ANNUAL BID FOR INSTALLATION OF NEW OR USED GUARDRAIL

WHEREAS, in order to properly perform the essential operations of county government, goods and services must often be let for bid; and

WHEREAS, Randall Moss, the McMinn County Highway Commissioner requests to bid installation of new or used guardrail for period of April 1, 2004 through March 31, 2005, in order to properly carry out the functions of each department; and

WHEREAS, McMinn County has followed the proper procedures in securing the bids; and

WHEREAS, Randall Moss, Commissioner of Highways has recommended the bid be awarded to both bidders based on time of delivery.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 15~ DAY OF MARCH, 2004, that this Commission does hereby approve the recommendation of the Highway Commissioner.

(Orig signed by John M. Gentry)
McMinn County Mayor

Attest:

(Orig signed by Evonne Jones)
County Clerk

MOTION made by Commissioner King, and seconded by Commissioner Bob Powers, to approve this resolution.

In response to a question from Commissioner Vincent, the Highway Commissioner explained that they would use the low bidder, as long as they could supply the order.

Motion carried by voice vote.

B. A Resolution to Approve and Award the Semi-Annual Bid of Motor Oil.

Mr. Luallen presented the following resolution to approve and award the semi-annual bid of motor oil, along with the bid summary sheet and the letters of recommendation from the various departments recommending the low bidder for each item.

Resolution No. 04-022

A RESOLUTION TO APPROVE AND AWARD THE SEMI-ANNUAL BID OF MOTOR OIL

WHEREAS, in order to properly perform the essential operations of county government, goods and services must often be let for bid; and

WHEREAS, the McMinn County Purchasing Department requests the purchase of Motor Oil, fluids and grease for April 1, 2004 through September 30, 2004, from Sweetwater Valley Oil and Parman Lubricants to the low bidder for each item in order to properly carry out the functions of each department; and

WHEREAS, McMinn County has followed the proper procedures in securing the bids; and

WHEREAS, Randall Moss Highway Commissioner, Arnold Sledge Board of Education Supervisor, Stan Moses Landfill Supervisor and Steve Frisbie Sheriff has recommended the bid be awarded to the low bidder for each item.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 15TH DAY OF MARCH 2004, that this Commission does hereby approve the recommendation of the McMinn County Supervisors and Department Heads.

(Orig signed by John M. Gentry)
McMinn County Mayor

Attest:

(Orig signed by Evonne Jones)
County Clerk

MOTION made by Commissioner Vincent, and seconded by Commissioner Mason, to approve this resolution.

Motion carried by voice vote.

C. A Resolution to Approve and Award Inmate Transportation Cargo Van Bid.

Mr. Luallen presented the following resolution to approve and award inmate transportation cargo van bid, along with the bid summary and the letter of recommendation from Sheriff Frisbie.

Resolution No. 04-023

A RESOLUTION TO APPROVE AND AWARD INMATE TRANSPORTATION CARGO VAN BID

WHEREAS, in order to properly perform the essential operations of county government, goods and services must often be let for bid; and

WHEREAS, the Sheriffs Department has requested the purchase of Cargo Van for Inmate Transportation in order to properly carry out the functions of the department; and

(Cont'd)

WHEREAS, McMinn County has followed the proper procedures in securing the bids; and

WHEREAS, McMinn County Sheriff Steve Frisbie, has recommended the bid be awarded to Jackie Jones Ford of Cleveland, GA. the best bidder meeting specifications for \$26,995.00.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 15 TH DAY OF MARCH, 2004, that this Commission does hereby approve the recommendation of the Sheriff

(Orig signed by John M. Gentry)
McMinn County Mayor

Attest:

(Orig signed by Evonne Jones)
County Clerk

MOTION made by Commissioner King, and seconded by Commissioner Masingale, to approve this resolution.

In response to a question from Commissioner Jack Powers, Mr. Luallen said that this will be paid for from the drug fund.

Motion carried by voice vote.

D. A Resolution to Approve and Award Police Special Vehicles Four Door Sedan K-9 Unit Bid.

Mr. Luallen presented the following resolution to approve and award Police Special Vehicles Four Door Sedan K-9 Unit Bid, along with the bid summary and a letter of recommendation from Sheriff Frisbie.

Resolution No. 04-024

A RESOLUTION TO APPROVE AND AWARD FOUR DOOR SEDAN K-9 UNIT POLICE SPECIAL VEHICLES

WHEREAS, in order to properly perform the essential operations of county government, goods and services must often be let for bid; and

WHEREAS, the Sheriffs Department has requested the purchase of one Police Special Vehicle-Four Door Sedan K-9 Unit in order to properly carry out the functions of the department; and

WHEREAS, McMinn County has followed the proper procedures in securing the bids; and

WHEREAS, McMinn County Sheriff Steve Frisbie, has recommended the bid be awarded to Jackie Jones Ford of Cleveland, GA. the best bidder meeting specifications for \$25,700.00.

(Cont'd)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 15 TH DAY OF MARCH, 2004, that this Commission does hereby approve the recommendation of the Sheriff.

(Orig signed by John M. Gentry)
McMinn County Mayor

Attest:

(Orig signed by Evonne Jones)
County Clerk

MOTION made by Commissioner King, and seconded by Commissioner Bob Powers, to approve this resolution.

In response to a question from Commissioner McPhail concerning companies bidding that don't meet specifications, Mr. Luallen explained that one bidder submitted a base bid and then added the additional charges separately, which resulted in the bid being higher.

Motion carried by voice vote.

E. A Resolution to Approve and Award Sports Lighting System Bid for William G. Cooke Recreational Park.

Mr. Luallen presented the following resolution to approve and award sports lighting system bid for William O. Cooke Recreational Park, along with a bid summary sheet and a letter of recommendation from the Parks and Recreation Supervisor.

RESOLUTION NO. 04-025

A RESOLUTION TO APPROVE AND AWARD SPORTS LIGHTING SYSTEM
BID FOR WILLIAM G. COOKE RECREATIONAL PARK

WHEREAS, in order to properly perform the essential operations of county government, goods and services must often be let for bid; and

WHEREAS, the McMinn County requests the purchase of one sports lighting system for use at the William G. Cooke Recreational Park in order to properly carry out the functions of the department; and

WHEREAS, McMinn County has followed the proper procedures in securing the bids; and

WHEREAS, McMinn County Parks and Recreation Supervisor, Stan Moses recommends the bid be awarded to Alculight & Supply of Knoxville, TN the only bidder for \$23,000.

(Cont'd)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 15 TH DAY OF MARCH. 2004, that this Commission does hereby approve the recommendation of the Parks and Recreation Supervisor.

(Orig signed by John M. Gentry)
McMinn County Mayor

Attest:

(Orig signed by Evonne Jones)
County Clerk

MOTION made by Commissioner King, and seconded by Commissioner Mason, to approve this resolution.

In response to a question from Commissioner Mason, Mr. Stan Moses said that the lighting should be finished by the end of April or the middle of May and added that the season begins the last week in April.

Motion carried by voice vote.

F. A Resolution to Approve and Award VHF Radio Repeater Unit Bid for McMinn County Sheriffs Department.

Mr. Luallen presented the following resolution to approve and award VHF Radio Repeater Unit Bid for McMinn County Sheriffs Department, along with the bid summary sheet and letters of recommendation from Sheriff Fnisbie and Emergency Management Agency (EMA) Director Betty Hamby.

Resolution No. 04-026

A RESOLUTION TO APPROVE AND AWARD VHF RADIO REPEATER UNIT BID FOR MCMINN COUNTY SHERIFF'S DEPARTMENT

WHEREAS, in order to properly perform the essential operations of county government, goods and services must often be let for bid; and

WHEREAS, the McMinn County Emergency Management Agency Director, Betty Hamby requests the purchase of one VHF Radio Repeater Unit in order to properly carry out the functions of the department, and

WHEREAS, McMinn County has followed the proper procedures in securing the bids; and

WHEREAS, Betty Hamby, McMinn County EMA Director and Sheriff Steve Frisbie have recommended the bid be awarded to Cartwright Communications of Knoxville, TN. the best bidder meeting specifications for \$7,629.00.

(Cont'd)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 15 TH DAY OF MARCH, 2004, that this Commission does hereby approve the recommendation of the EMA Director and Sheriff.

(Orig signed by John M. Gentry)
McMinn County Mayor

Attest:

(Orig signed by Evonne Jones)
County Clerk

In response to a question from Commissioner Holbrook regarding the bid not being awarded to the low bidder, Mr. Luallen explained that Cartwright Communications was the low bidder if you take into account that the other bidders included an option for trade-in allowance for the old repeaters, and our old repeaters are being kept as backups.

MOTION made by Commissioner Vincent, and seconded by Commissioner King, to approve this resolution.

Motion carried by voice vote.

G. Resolution to Approve and Award Construction of a Masonry Concession Stand Bid at William G. Cooke Recreational Park.

Mr. Luallen presented the following resolution to approve and award construction of a masonry concession stand bid at William G. Cooke Recreational Park, along with the bid summary sheet and a letter of recommendation from Parks and Recreation Supervisor Stan Moses. Mr. Luallen explained that although the bid amount exceeded the budget, they will delete and change some construction items and negotiate a change with the contractor.

RESOLUTION NO. 04-027

A RESOLUTION TO APPROVE AND AWARD CONSTRUCTION OF A MASONRY CONCESSION
STAND BID AT WILLIAM G. COOKE RECREATIONAL PARK

WHEREAS, in order to properly perform the essential operations of county government goods and services must often be let for bid and

WHEREAS, the McMinn County requests the construction of a Masonry Concession Stand at William O. Cooke Recreational Park in order to properly carry out the functions of the department; and

WHEREAS, McMinn County has followed the proper procedures in securing the bids; and

WHEREAS, McMinn County Parks and Recreation Supervisor, Stan Moses, recommends the bid be awarded to the low bidder, RBA Construction, Inc. of Dayton, TN at \$49,829.00.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 15TH DAY OF MARCH, 2004, that this Commission does hereby approve the recommendation of the Parks and Recreation Supervisor.

(Orig signed by John M. Gentry)
McMinn County Mayor

Attest:

(Orig signed by Evonne Jones)
County Clerk

MOTION made by Commissioner McPhail, and seconded by Commissioner Bob Powers, to approve this resolution.

In response to a question from Commissioner Jack Powers concerning whether it was standard procedure to negotiate with the vendor after the bid is awarded, Mr. Luallen said that change orders can be made after the bid is awarded.

Motion carried by voice vote.

H. A Resolution to Approve Invoice Without Requisition.

Mr. Luallen presented the following resolution to approve an invoice for repair of a fax machine at the Health Department:

RESOLUTION NO. 04-018

A RESOLUTION TO APPROVE INVOICE WITHOUT REQUISITION

WHEREAS, the McMinn County Health Department requests payment of invoice made without a requisition to Bayne's Business Machines on February 17, 2004, for the repair of Brother 2750 Fax Machine in the amount of \$ 265.50; and

WHEREAS, in accordance with Financial Management Committee Policies and Procedures, after the fact approval is required by County Commission for expenses incurred without a requisition.

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 15TH DAY OF MARCH, 2004, that this Commission does hereby approve this payment of above invoice.

(Orig signed by John M. Gentry)

McMinn County Mayor

Attest:
(Orig signed by Evonne Jones)
County Clerk

MOTION made by Commissioner King, and seconded by Commissioner Vincent, to approve this resolution.

There was some discussion concerning proper procedures and it was decided a letter would be sent to the Health Department.

Motion carried by voice vote.

7. REVIEW AND APPROVAL OF CONTRACTS

A. A Resolution to Approve Audit Fee Proposal with HG&A Associates. P.C.

Mr. Luallen presented the following resolution to approve the audit fee proposal with HG&A Associates for the next fiscal year, along with a copy of their proposal. Mr. Luallen said that there is a \$500.00 increase over last year for McMinn County Fiscal & Fee Offices as well as the additional charge of \$1,500.00 to add the infrastructure assets related to the GASB 34 requirements.

RESOLUTION NO. 04-029

A RESOLUTION TO APPROVE AUDIT FEE PROPOSAL WITH HG&A ASSOCIATES, P.C.

WHEREAS, in order to properly perform the essential operations of county government McMinn County enters into a contract each year for auditing services; and

WHEREAS, HG&A proposes fees for the fiscal year ending June 30, 2004 of \$22,000 for McMinn County Fiscal and Fee Offices and \$14,250 for Woods Memorial Hospital District; and

WHEREAS, due to initial audit work regarding infrastructure assets to be added in 2004, a one time fee of \$1,500 is proposed for McMinn County Fiscal and Fee Offices; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 15th DAY OF MARCH, 2004, that this Commission does hereby approve the above audit fee proposal with HG&A Associates.

BE IT FURTHER RESOLVED THAT THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE does hereby approve a one time increase up to \$1,500 for audit work regarding the addition of infrastructure assets in 2004.

(Orig signed by John M. Gentry)
McMinn County Mayor

Attest:

(Orig signed by Evonne Jones)
County Clerk

MOTION made by Commissioner Masingale, and seconded by Commissioner King, to approve this resolution.

In response to a question from Commissioner Jack Powers, Mr. Luallen said that this audit fee proposal is approved year to year. In response to a question from Commissioner Vincent, Mr. Luallen said that this audit fee is for the audit of FY 03-04 and will be budgeted in FY 04-05

B. A Resolution to Approve the Contract Between McMinn County and the State of Tennessee Department of the Military and Tennessee Emergency Management Agency. for Funding of Emergency Management Assistance.

Mr. Luallen presented the following resolution to approve the contract for funding applicable to the administrative duties of the McMinn County Director of Emergency Management and added that this is for the federal fiscal year 03-04 and overlaps in our fiscal year.

Resolution No. 04-030

A RESOLUTION TO APPROVE THE CONTRACT BETWEEN MCMINN COUNTY AND
THE STATE OF TENNESSEE DEPARTMENT OF THE MILITARY AND TENNESSEE EMERGENCY
MANAGEMENT AGENCY,
FOR FUNDING OF EMERGENCY MANAGEMENT ASSISTANCE

WHEREAS, in order to properly perform the duties of county government as prescribed by law, it is often in McMinn County's interest to enter into contracts with other entities; and

WHEREAS, McMinn County desires to enter into contract with Tennessee Emergency Management Agency to acquire \$16,301.00 in grant funding applicable to the administrative duties of the McMinn County Director of Emergency Management; and

WHEREAS, the term of this contract is for the period commencing on October 1, 2003 and ending on September 30, 2004.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 15th DAY OF MARCH 2004 that this Commission does hereby agree to enter into contract with Tennessee Emergency Management Agency to receive grant funding of \$16,301.00 for Emergency Management Assistance.

AND FURTHERMORE RESOLVES to grant authority to the County Mayor or his designee to carry out the duties of said contract.

(Orig signed by John M. Gentry)
McMinn County Mayor

Attest:

(Orig signed by Evonne Jones)
County Clerk

MOTION made by Commissioner King, and seconded by Commissioner Bob Powers, to approve this resolution.

Motion carried by voice vote.

C. A Resolution to Approve the Contract Between McMinn County and State of Tennessee Department of Health.

Mr. Luallen presented the following resolution to approve the contract for this fiscal year for operation of our Health Department. Mr. Luallen explained that this amount is quite a bit less than last year because they allowed us to hold monies to pay for the renovations at the Health Department.

Resolution No. 04-031

A RESOLUTION TO APPROVE THE CONTRACT BETWEEN MCMINN COUNTY

AND STATE OF TENNESSEE DEPARTMENT OF HEALTH

WHEREAS, it is the conviction of McMinn County, that every individual in the County has good health care readily available; and

WHEREAS, in order to properly perform the duties of county government as prescribed by law, it is often in McMinn County's interest to enter into contracts with other entities; and

WHEREAS, McMinn County has previously entered into a contract with the State of Tennessee Department of Health to protect and improve the physical health of the county citizens through the prevention of conditions that may threaten good health; and

WHEREAS, the total appropriation for which the county shall be billed is \$10,435; and

WHEREAS, it is the purpose of the local health department to protect and improve the physical health of the county citizens through the prevention of conditions that may threaten good health; and

WHEREAS, McMinn County Health Department does provide these services and both parties do hereby agree to these provisions in the contract for FY 2003-04.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 15TH DAY OF MARCH 2004, that this Commission does hereby approve this contract.

(Orig signed by John M. Gentry)
McMinn County Mayor

Attest:

(Orig signed by Evonne Jones)
County Clerk

MOTION made by Commissioner Masingale, and seconded by Commissioner Holbrook, to adopt this resolution.

Motion carried by voice vote.

8. APPROVAL OF BUDGET AMENDMENTS

Mr. Luallen requested approval of the following budget amendments and provided copies to the Commissioners:

Fund: Drug Control #122

Date: March 11,2004

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Reserve	Undesignated Fund Balance	39000	<u>52,695.00</u>	
Drug Enforcement	Law Enforcement Equipment	54150-716		52,695.00

EXPLANATION: To budget expenditures related to the purchase of K-9 Unit and Cargo Van (previously approved).

MOTION made by Commissioner King, and seconded by Commissioner Masingale, to approve this budget amendment.

Motion carried by roll call vote, as recorded:

- Scott Curtis Aye
- Dale Holbrook Aye
- Jack King Aye
- Roger Masingale Aye
- Gary Mason Aye
- J. W. McPhail Aye
- Bob Powers Aye
- Jack Powers Aye
- Owen Vincent Aye
- Chaimian David Crews Aye

Fund: Road & Bridge Fund# 131

Date: March 15, 2004

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Federal Thru State	Other Federal Thru State	47500	38,520.00	
Reserve	Undesignated Fund Balance	39000	115,587.00	
Highway & Bridge Maint	Asphalt/Hot Mix	62000-404		55,098.00
	Pipe-Metal	62000440		23,000.00
Operation & Maint. of Equipment	Diesel Fuel	63100-412		16,000.00
Capital Outlay	Highway Construction	68000-713		60,000.00

EXPLANATION: To account for Revenue and Expenditures related to Presidential Disaster Declaration FEMA Grant for flood in 2003.

Mr. Luallen explained that we have actually received all of those monies, and added that the final payment was received late last week.

MOTION made by Commissioner Vincent, and seconded by Commissioner King, to approve this budget amendment.

Motion carried by roll call vote, as recorded:

Scott Curtis Aye
Dale Holbrook Aye
Jack King Aye
Roger Masingale Aye
Gary Mason Aye
J. W. McPhail Aye
Bob Powers Aye
Jack Powers Aye
Owen Vincent Aye
Chairman David Crews Aye

9. ACCEPTANCE OF THE INDEPENDENT AUDITOR'S REPORT FOR YEAR ENDED JUNE 30, 2003

Mr. Luallen requested acceptance of the audit by HG&A Associates which was provided to and reviewed by the Commission last month.

MOTION made by Commissioner McPhail, and seconded by Commissioner Curtis, to accept this audit.

Motion carried by voice vote.

10. WOOD MEMORIAL HOSPITAL FINANCIAL REPORT MR. DAVID SOUTHERLAND

Mr. David Southerland, Administrator of Woods Memorial Hospital, updated the Commissioners on the financial condition of the hospital and referred to a written summary as of January 31, 2004. Mr. Southerland reviewed the totals compared with the "budgeted amounts" for several items including admissions, emergency room visits, outpatient visits, surgery volume, and laboratory procedures. Mr. Southerland said that our Diagnostic Imaging Department had a slower month but added that this is a reflection of our outpatient volume being down. He said that gross revenues for the month of January were \$3.2 million compared to a budget of \$3.2 million right on budget. Mr. Southerland explained that we are approximately \$267,000.00 ahead of where we were last year at this time. Our hospital by itself continues to be close to break-even, but the nursing home is the component of the operation that generates the most cash. Mr. Southerland added that our Home Health Services has made \$138,000.00 year to date, and the Dialysis Center is finally starting to look profitable.

Mr. Southerland said that they are in the processing of renovating the operating room suites due to some moisture problems and they will be renovating A wing portion of the nursing home which is badly needed.

In response to a question from Mr. Gentry, Mr. Southerland said the volume at the Wound Care Center is picking up and added that they are the only rural wound care center in East Tennessee and a good referral source from outside the community. In response to a question from Chairman Crews, Mr. Southerland said that their budgeted amounts for surgery are a reflection of the losses from the opening of the surgery center in Athens.

In response to a question from Commissioner Vincent, Mr. Southerland reviewed the numbers of the ambulance service and added that they are in the process of interviewing for a new director of the ambulance service.

11. MCMINN COUNTY VETERANS -MR. BILL STEWART

Mr. Bill Stewart thanked the Commission for being allowed to speak on behalf of 4,668 veterans in McMinn County. Mr. Stewart provided the Commission with a Request for Budget Increase from Mr. Tom Green, Veterans Service Officer, who Mr. Stewart said has a reputation of being one of the best Veterans Service Officers in the State. He is requesting that the Veterans Service Office Administrative Assistant position be funded full time status with benefits. Mr. Stewart said that over the past five years, he has had seven assistants and with the exception of one, they all left due to pay and benefit issues. Mr. Stewart explained that this is a very demanding position because many situations take a lot of investigation in order to comply with government standards and he gave some important statistics justifying the full time status.

Chairman Crews thanked Mr. Stewart and said that the Budget Committee would review this request.

12. COMMENTS FROM THE AUDIENCE

None.

13. RESOLUTIONS

A. A Resolution to Encourage the Tennessee General Assembly to Approve SB3242 and 11B3289 Regarding Classifications of Real and Personal Property.

Mr. Gentry presented and explained the following resolution to encourage the Tennessee General Assembly to approve Senate Bill 3242 and House Bill 3289 regarding classification of real and personal property:

Resolution No. 04-032

A RESOLUTION TO ENCOURAGE THE TENNESSEE GENERAL ASSEMBLY TO APPROVE SB3242 ANT) HB32S9 REGARDING CLASSIFICATIONS OF REAL AND PERSONAL PROPERTY

WHEREAS, for over 25 years, structures buried underground or affixed to land in Tennessee was considered as real property for ad valorem tax purposes; and

WHEREAS, in December of 2002, the Tennessee Court of Appeals ruled that buried underground pipeline should be treated as personal property, reducing the tax on such properties and costing Tennessee cities and counties millions of dollars in property tax refunds retroactive back to 1997; and

WHEREAS, McMinn County wishes to encourage the Tennessee General Assembly in considering passage of SB3242 and HB3289 to clarify the intent of the law and return it to the status it was prior to the decision of the Court of Appeals in 1997.

(Cont'd)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 15th DAY OF MARCH 2004, THAT THIS COMMISSION DOES SUPPORT AND ENCOURAGE THE TENNESSEE GENERAL ASSEMBLY TO CONSIDER PASSAGE OF SB3242 AND HB3289 REGARDING THE CLASSIFICATION OF REAL AND PERSONAL PROPERTY IN TENNESSEE, the public welfare requiring it..

(Orig signed by John M. Gentry)
McMinn County Mayor

Attest:

(Orig signed by Evonne Jones)
County Clerk

MOTION made by Commissioner Holbrook, and seconded by Commissioner King, to approve this resolution.

Motion carried with one "Pass" vote by Commissioner Vincent.

B. A Resolution to Accept High Bid for Delinquent Tax Property.

Mr. Gentry presented and explained the following resolution to accept high bid for delinquent tax property:

Resolution No. 04-033

A RESOLUTION TO ACCEPT HIGH BID FOR DELINQUENT TAX PROPERTY

WHEREAS, TCA Code 67-5-207 authorizes Tennessee Counties to take possession of delinquent tax properties; and

WHEREAS, bids for said delinquent tax properties are to be approved by the county legislative body if the said bid is below the total amount of taxes and fees due to McMinn County, and

WHEREAS, the delinquent tax property of James Benson property received a high bid of \$800 with a total obligation due to McMinn County of \$2546.52.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 15th DAY OF MARCH 2004, THAT THIS COMMISSION DOES APPROVE THE HIGH BID OF \$800 ON THE DELINQUENT TAX PROPERTY OF JAMES BENSON.

(Orig signed by John M. Gentry)
McMinn County Mayor

Attest:

(Orig signed by Evonne Jones)
Jones, County Clerk

MOTION made by Commissioner Masingale, and seconded by Commissioner Bob Powers, to approve this resolution.

Motion carried by voice vote.

C. A Resolution Honoring and Commending the 2003-04 Central High School of McMinn County Chargerettes Basketball Team as the TSSAA Class AA State Runner-up.

Mr. Gentry presented the following resolution to honor and commend the 2003-04 Central High School of McMinn County Chargerettes Basketball Team as the TSSAA Class AA State Runner-up:

Resolution No.04-034

A RESOLUTION HONORING AND COMMENDING THE 2003-04 CENTRAL HIGH SCHOOL OF MCMINN COUNTY CHARGERETTES BASKETBALL TEAM AS THE TSSAA CLASS AA STATE RUNNER-UP

WHEREAS, the Chargerettes of Central High School of McMinn County have appeared in the TSSAA Class AA State Basketball Tournament; and

WHEREAS, the Chargerettes are the 2003-04 District 5 AA and Region 3 AA Champions, and the State Runner-up in Class AA, and ended the season with an exceptional record of 30 wins and 8 losses; and

WHEREAS, the Chargerettes' season was built upon sound coaching, a tenacious defense, and outstanding individual and team play; and

WHEREAS, teammates Honna Housley, Tamara Moss, and Halley Armstrong were selected to the State Mi-Tournament Team; and

WHEREAS, the Central High School of McMinn County Chargerettes coaches, cheerleaders, band members, students and fans represented their school and county with dignity and pride in both victory and defeat.

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION, THIS THE 15th DAY OF MARCH, 2004, that this Commission does hereby congratulate and commend the TSSAA Class AA Basketball State Runner-up Chargerettes of Central High School of McMinn County on a terrific season and wishes them continued success both on and off the court.

(Orig signed by John M. Gentry)
County Mayor

Attest:

(Orig signed by Evonne Jones)
Court Clerk

MOTION made by Commissioner Holbrook, and seconded by Commissioner Jack Powers, to approve this resolution.

Motion carried by voice vote.

D. A Resolution to Approve a Payment in Lieu of Tax Program (PILOT) for McMinn County.

At Mr. Gentry's request, Mr. Jack Hammontree, Executive Vice President, McMinn County Economic Development Authority, addressed the Commission concerning the following resolution allowing tax abatement for an undisclosed industry and to entice future prospective businesses. Mr. Hammontree said that what his organization does is highly competitive, i.e. about 15,000 communities across this country competing for about 900 to 1,000 projects each year. Mr. Hammontree added that each year the competition has gotten more and more keen and more and more difficult because starting in the 90's, communities and states started offering incentives. The State of Tennessee, because of their financial situation, is not able to offer these incentives and have forced these incentives to be offered by the local communities in order to compete with surrounding states who do offer such incentives. Mr. Hammontree said that almost every community around us have instituted, or in the process of considering, some form of tax abatement program on a case by case basis.

Mr. Hammontree said that the reason he is here tonight is because we have recently had an increase in our activity with a number of projects that have come to us. In the past we have discounted property, but if companies are not looking for an industrial site owned by the County, we don't have the opportunity to discount property. Mr. Hammontree said that we are in a position right now to work with a couple of companies, one in particular, that we feel is important. Mr. Hammontree added that if we are going to have an incentive program, we need to have one that is favorable and fair to not only new companies but existing companies who wish to expand in order to create new jobs and also increase capital investment in McMinn County.

Mr. Hammontree presented the following resolution and offered to answer any questions:

Resolution No. 04-035

A RESOLUTION TO APPROVE A PAYMENT IN LIEU OF TAX PROGRAM (PILOT)
FOR McMINN COUNTY

WHEREAS, McMinn County recognizes the intrinsic value of employment to its citizens as ennobling and empowering; and

WHEREAS, it is the desire of McMinn County that its citizens have access to quality employment to help provide a better quality of life; and

WHEREAS, McMinn County and its municipalities have at times been at a distinct disadvantage to other communities with established PILOT programs; and

WHEREAS, McMinn County is establishing a Payment in Lieu of Tax program to help make our communities more competitive in today's economy to grow and attract industry, and

WHEREAS, McMinn County and its municipalities have at times been at a distinct disadvantage to other communities with established PILOT programs; and

WHEREAS, the objective of this program is to increase employment opportunities and capital investment within the county, as well give special consideration to any resident or future company that will expand or locate within McMinn County; and

WHEREAS, McMinn County, signifying its strong commitment to better the quality of life of its citizens, hereby establishes the following conditions of its Payment in Lieu of Tax Program

Payment in Lieu of Taxes Program

(A.) Purpose:

The objective of this program is to increase employment opportunities and increase capital investment within McMinn County, and to give special consideration to any resident or future company that will expand or locate within McMinn County by offering a Payment in Lieu of Taxes Program.

(Cont'd)

- (B.) Eliaible Proiects: (1) Industrial Projects
 (2) Warehouse & Distribution Projects
 (3) Office & Service Projects
 (4) Research & Development Projects
 (5) Pollution Control Projects

- (C.) Tax Incentive Program Based unon Three Criteria: (1)
Capital Investment (2) Jobs
 (3) Wages

(Ii) Capital investment:

Required Capital Investment:

(1.a.) To qualify for Level One Incentives, a company or firm must make a capital investment of at least \$10 million for a new or expanded facility. If this amount is invested:

50% of Personal Property (Equipment) Tax, or 50% of Real Property (Land & Building) Tax will be exempt for the number of years outlined in Section (7E.)

(1 .b.) Or, to qualify for Level One Incentives, a company or firm must make a capital investment of at least \$10 million, and additionally, must purchase an existing vacant manufacturing facility, which ceased operation within eighteen (18) months, and which, by its closing, forced the loss of 250 or more jobs. If both occur, and the company additionally commits to the creation of 250 or more new jobs:

50% of Personal Property (Equipment) Tax, and 50% of Real Property (Land & Building) Tax will be exempt for ten (10) years.

(2.) To qualify for Level Two Incentives, a company or firm must make a capital investment of at least \$20 million for a new or expanded facility. If this amount is invested:

Up to 65% of Personal Property (Equipment) Tax, or up to 65% of Real Property (Land & Building) Tax will be exempt for the number of years outlined in Section (E.)

(3.) To qualify for Level Three Incentives, a company or firm must make a capital investment of \$50 million for a new or expanded facility. If this amount is invested:

Up to 75% of Personal Property (Equipment) Tax, or up to 75% Real Property (Land & Building) Tax will be exempt for the number of years outlined in Section (E.)

(4.) To qualify for Level Four Incentives, a company or firm must make a capital investment of \$100 million for a new or expanded facility. If this amount is invested:

Up to 100% of Personal Property (Equipment) Tax, or up to 100% of Real Property (Land & Building) Tax will be exempt for the number of years outlined in Section (E)

(E.) Jobs

Jobs will determine the length of the abatement:	50 to 150 jobs	2 years
	151 to 250 jobs	4 years
	251 to 500 jobs	6years
	501 to 800 jobs	8years
	801 to 1200 jobs	10 years

(F.) Wages

Average hourly wage paid by the company must equal the prevailing average hourly wage paid in the County based upon the most recent wage survey information

(G) Application

Application must be made to the McMinn County Industrial Development Bond Board with copies to the Office of County Mayor, City Mayor, and the McMinn County Economic Development Authority.

(HI) Reporting

Interim performance reports during the term of the moratorium shall be required on an annual basis for evaluation of the progress of the project, and submitted in a form acceptable to the County, City, Bond Board, and Development Authority.

(I.) “Clawback” or “Reward”

Annual Performance Reports will be reviewed to make any necessary adjustments to modify, shorten, terminate, or lengthen abatement period. A company that receives an abatement must meet its commitments in one-half (1/2) of its term--except for terms longer than four (4) years. If abatement period is four (4) years or longer, compliance levels must be met in three (3) years, and if commitments have not been reached, remedies may be enforced to adjust the abatement based upon the performance of the company. Conversely, if a company that receives an abatement exceeds its commitments, it can qualify for an extension of the abatement up to one-half (1/2) of the period of time outlined in Section (E.)

(J.) Trigger

incentive(s) will be considered when the McMinn County unemployment rate rises above the State average for a period of at least 2 years

(K.) Evaluation

Incentive Program to be evaluated by Bond Board/County Commission/City Council/Development Authority in 24 months.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE MEETING IN REGULAR SESSION THIS 15~ DAY OF MARCH 2004 hereby resolve to establish a payment in lieu of tax program for McMinn County effective upon passage and subject to review in twenty-four months, the public welfare requiring it.

(Orig signed by John M. Gentry)
McMinn County Mayor

ATTEST:

(Orig signed by Evonne Jones)
County Clerk

In response to a question from Commissioner Vincent concerning whether this is consistent with our local municipalities, Mr. Hammontree said that this is consistent with Athens and Etowah. He said that their most active prospect is looking at a building in Athens and added that Athens will be considering this program in the near future.

In response to a question from Commissioner Jack Powers concerning whether our surrounding counties offer such incentives, Mr. Hammontree said that they have offered incentives but on a case by case basis in different forms. Mr. Hainmontree said that Knox County is the only one that has a formal program.

MOTION made by Commissioner King, and seconded by Commissioner Jack Powers, to approve this resolution.

Ms. Sheree Hutson, a local citizen, expressed opposition to the incentive program. She said there are studies that question the effectiveness of incentives, and added that this gives unfair advantage to new companies that existing companies do not have. She also complained that she did not have this resolution in advance in order to make proper input at official meetings. She said that this “smacks a lot of bribery” and suggested to the Commission that they should look at the issue of whether it is right and fair, not whether others are doing it.

Discussion continued between the audience and the Commission and although several voiced their distaste for incentives, Mr. Gentry stated that given the situation, this is the fairest thing they could come up with and this will be reevaluated in 24 months. Mr. Hammontree stated that he hopes in two years time we will be successful and that we will not need this program.

Motion carried by voice vote.

14. ELECTIONS. APPOINTMENTS AND CONFIRMATIONS

None.

15. REPORTS FROM COMMITTEES~ COUNTY OFFICIALS. COMMENTS FROM COMMISSIONERS

A. Budget Committee Commissioner Jack Powers.

The Budget Committee met prior to this meeting and they recommend a 3% salary increase if funds are available to support it.

MOTION made by Commissioner Jack Powers, and seconded by Commissioner Holbrook, to approve this if funds are available.

Motion carried by voice vote.

B. Jail and Juvenile Services Committee Commissioner Jack Powers.

Commissioner Jack Powers said that the Jail and Juvenile Services Committee met today at noon and several items were discussed including the following:

(1) A Resolution to Authorize the Request of a Private Act to Move Probate Court from the Authority of General Sessions Court and Clerk to Chancery Court and Clerk and Master.

Commissioner Jack Powers said the first item was to move the jurisdiction of the Probate Court from General Sessions Court to the Chancery Court and he recommended approval of the following resolution as approved by the Budget Committee:

Resolution No. 04-03 6

A RESOLUTION TO AUTHORIZE THE REQUEST OF A PRIVATE ACT TO MOVE PROBATE COURT FROM THE AUTHORITY OF GENERAL SESSIONS COURT AND CLERK TO CHANCERY COURT AND CLERK AND MASTER

WHEREAS, as the population of McMinn County has grown noticeably over the past two decades, so has the demand for services within the local criminal justice system; and

WHEREAS, the local criminal justice system of McMinn County is experiencing problems due to concerns regarding increased case loads in General Sessions Court; and

(Cont'd)

WHEREAS, the Board of Commissioners wishes to make certain adjustments to its local criminal justice system in order to better serve the citizens of McMinn County; and

WHEREAS, the Board of Commissioners wish to seek a Private Act from the Tennessee General Assembly of Tennessee to place the business of Probate Court under the authority of Chancery Court and the associated clerking duties under the authority of the Clerk and Master, and further, to abide by Tennessee General Law, so that General Sessions Court and its clerks will experience less of a case load; and

WHEREAS, the request for and ratification of such a Private Act requires a 2/3 vote of the Board of Commissioners; and

WHEREAS, it is the desire of the McMinn County Board of Commissioners that these changes and additions to the local criminal justice system of McMinn County be implemented so that the local criminal justice system may serve the citizens of McMinn County in a safer and more efficient manner.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD) OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 15th DAY OF MARCH 2004, THAT THE COMMISSION DOES APPROVE THE ABOVE MENTIONED CHANGES AND ADDITIONS TO THE LOCAL CRIMINAL JUSTICE SYSTEM OF MCMINN COUNTY, the public welfare demanding it.
Recorded this date, a vote of 9 to 1 for passage of this request.

(Orig signed by John M. Gentry)
McMinn County Mayor

Attest:

(Orig signed by Evonne Jones)
County Clerk

MOTION made by Commissioner Jack Powers, and seconded by Commissioner Owen Vincent, to approve this resolution to authorize the request for a Private Act to move Probate Court from the authority of General Sessions Court and Clerk to Chancery Court and Clerk and Master.

County Attorney Vance Baker reviewed the history of this authority and explained why he felt this would not help that much. He suggested that the Commission may want to consider other options before they approve this move because once this is done, it can not be undone. Commissioner Jack Powers said that most Chancelors in other counties are responsible for Probate and that both Judge Watson and Chancellor Bryant were in favor of this, although the Bar Association is divided 50/50 on this issue.

In response to a question from Commissioner King, Mr. Gentry explained the purpose and background of this change and there was some discussion by Chairman Crews and the County Attorney concerning the various options that were considered.

Motion carried with one dissenting vote by Commissioner Masingale.

(2) A Resolution to Authorize the Creation of a Juvenile Referee Position to Enhance the McMinn County Local Criminal Justice System.

Commissioner Jack Powers presented the following resolution and recommends approval although Judge Watson he would keep petition juvenile cases:

Resolution No. 04-03 7

A RESOLUTION TO AUTHORIZE THE CREATION OF A JUVENILE REFEREE POSITION TO
ENHANCE THE MCMINN COUNTY LOCAL CRIMINAL JUSTICE SYSTEM

WHEREAS, as the population of McMinn County has grown noticeably over the past two decades, so has the demand for services within the local criminal justice system, specifically in Juvenile Court; and

WHEREAS, the Juvenile Court of McMinn County is experiencing problems due to concerns regarding increased number of Juvenile Court cases as part of the duties of the General Sessions Court Judge; and

WHEREAS, the Board of Commissioners wishes to create a part-time position of Juvenile Referee, hired by the General Sessions Court Judge with a beginning salary of \$25,000 with no health benefits, to ease the burden and caseload of juvenile cases in General Sessions/Juvenile Court, so that the General Session/Juvenile Judge may hear only cases involving criminal acts, and those cases not involving criminal acts may be disposed of more efficiently by the Referee.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 15th DAY OF MARCH 2004, THAT THE COMMISSION DOES APPROVE THE ABOVE MENTIONED CHANGES AND ADDITIONS TO THE LOCAL CRIMINAL JUSTICE SYSTEM OF MCMINN COUNTY, the public welfare demanding it.

(Orig signed by John M. Gentry)
McMinn County Mayor

Attest:

(Orig signed by Evonne Jones)
County Clerk

MOTION made by Commissioner Jack Powers, and seconded by Commissioner Bob Powers, to approve this resolution.

[Note: The above resolution was amended to indicate "with no health benefits" would be included.]

Motion carried with one with one dissenting vote by Commissioner Holbrook.

(3) Discussion of Moving General Sessions Criminal Court to the Courtroom at the Justice Center.

Commissioner Jack Powers said that they discussed moving the General Sessions Criminal Court to the Justice Center. This is being studied and will be brought back later.

C. Solid Waste Disposal Committee Commissioner Mason

Commissioner Mason said that the Solid Waste Disposal Committee met last *week* and he said that Mr. Stan Moses was in attendance to answer any questions concerning the next four resolutions:

(1) A Resolution to Approve the Purchase of a City of Athens' Surplus 1994 Mack Frontloader for the McMinn County Landfill.

Commissioner Mason requested approval of the following resolution to approve the purchase of a City of Athens' surplus frontloader for the landfill:

Resolution No.04-038

_____A RESOLUTION TO APPROVE THE PURCHASE OF A CITY OF ATHENS' SURPLUS 1994 MACK
FRONTLOADER
FOR THE MCMINN COUNTY LANDFILL

WHEREAS, the City of Athens currently has a surplus 1994 Mack Frontloader with an asking price of \$12,500.00; and

WHEREAS, the Director of Solid Waste has recommended the purchase of the 1994 Mack Frontloader to replace the 1987 Mack Frontloader that has already been surplus by the McMinn County Landfill.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 15m DAY OF MARCH 2004, THAT THE COMMISSION DOES APPROVE THE PURCHASE OF A 1994 MACK FRONTLOADER FOR THE MCMINN COUNTY LANDFILL, BASED UPON THE RECOMMENDATION OF THE SOLID WASTE COMMITTEE, the public welfare demanding it.

(Orig signed by John M. Gentry)
McMinn County Mayor

Attest:

(Orig signed by Evonne Jones)
County Clerk

MOTION made by Commissioner Mason, and seconded by Commissioner Masingale, to approve this resolution.

Motion carried by voice vote.

(2) A Resolution to Approve the Purchase of a Rebuilt Engine for a 1990 JD) 862B Scraper for the McMinn County Landfill.

Commissioner Mason requested approval of the following resolution to approve the purchase of a rebuilt engine for a scraper for the landfill. Commissioner Mason said that this will provide three more years of service versus the purchase of a new one at about \$250,000.00. Commissioner Jack Powers added that it was discussed that the parts off the old engine would fit on the rebuilt engine.

Resolution No.04-039

A RESOLUTION TO APPROVE THE PURCHASE OF A REBUILT ENGINE FOR A 1990 JD 862B
SCRAPER
FOR THE MCMINN COUNTY LANDFILL

WHEREAS, a 1990 JD 862B Scraper at the McMinn County Landfill is in need of a new engine; and

WHEREAS, the Director of Solid Waste has obtained three estimates of \$8,500, \$13,119, \$12,985 for the cost of a rebuilt engine; and

WHEREAS, the Director of Solid Waste has recommended the purchase of a rebuilt 6 cylinder long block engine for the Scraper from Chattanooga Dozer at a price of \$8500.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 15th DAY OF MARCH 2004, THAT THE COMMISSION DOES APPROVE THE PURCHASE OF A REBUILT ENGINE FOR A 1990 JD 862 SCRAPER FROM CHATTANOOGA DOZER FOR \$8500 FOR THE MCMINN COUNTY LANDFILL, BASED UPON THE RECOMMENDATION OF THE SOLID WASTE COMMITTEE, the public welfare demanding it.

(Orig signed by John M. Gentry)
McMinn County Mayor

Attest:

(Orig signed by Evonne Jones)
County Clerk

MOTION made by Commissioner Mason, and seconded by Commissioner Masingale, to approve this resolution.

Motion carried by voice vote.

(3) A Resolution to Approve New Tonnage Rates at the McMinn County Landfill.

Commissioner Mason presented the following resolution to approve new tonnage rates at the landfill:

Resolution No. 04-040

A RESOLUTION TO APPROVE NEW TONNAGE RATES AT THE
MCMINN COUNTY LANDFILL

WHEREAS, the McMinn County Board of Commissioners has the authority to set tonnage rates at the McMinn County Landfill; and

WHEREAS, the McMinn County Landfill is currently 223 tons per day below its projected tonnage amounts as determined by 10% growth on 140 TPD at time of permitting in 1991; and

WHEREAS, the Director of Solid Waste has recommended and the McMinn County the tonnage rates for in-county Class III and IV waste be lowered from \$22 to \$16 per ton, creating a flat \$16 rate for all in-county waste; and

WHEREAS, the Director of Solid Waste advised that such a rate change should attract more in-county industrial waste, thus increasing the tonnage per day being received at the McMinn County Landfill; and

WHEREAS, all out-of-county waste may be handled on a contract basis while the posted rate for out-of-county waste shall remain at \$34 per ton.

(Cont'd)

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE IS~ DAY OF MARCH 2004, THAT THE COMMISSION DOES APPROVE THIS RATE CHANGE FOR A FLAT RATE OF \$16 FOR ALL IN-COUNTY WASTE AND FOR THE POSTED RATE OF \$34 REMAIN IN EFFECT FOR ALL OUT OF COUNTY WASTE SUBJECT TO CONTRACTUAL AGREEMENTS, BASED UPON THE RECOMMENDATION OF THE SOLID WASTE COMMITTEE, the public welfare demanding it.

(Orig signed by John M. Gentry)
McMinn County Mayor

Attest:

(Orig signed by Evonne Jones)
County Clerk

MOTION made by Commissioner Mason, and seconded by Commissioner Bob Powers, to approve this resolution.

Motion carried by voice vote.

(4) A Resolution to Institute Special Rates for the Disposal of Residential Cleanup Materials at the McMinn County Sanitary Landfill. Effective April 19-24, 2004 and to Designate that Week as "Cleanup. Fixup. Sparkle Week" in McMinn County.

Commissioner Mason presented this annual resolution to institute special rates for the disposal of residential cleanup materials at the landfill effective April 19-24, 2004, and to designate that week as "Cleanup, Fix-up, Sparkle Week" in McMinn County:

RESOLUTION NO. 04-041

A RESOLUTION TO INSTITUTE SPECIAL RATES FOR THE DISPOSAL OF RESIDENTIAL CLEANUP MATERIALS AT THE McMINN COUNTY SANITARY LANDFILL, EFFECTIVE APRIL 19-24, 2004, ANT) TO DESIGNATE THAT WEEK AS "CLEANUP, FIX-UP, SPARKLE WEEK" IN McMINN COUNTY.

WHEREAS, the McMinn County Commission is authorized to set disposal rates for various materials at the McMinn County Sanitary Landfill; and

WHEREAS, this Commission wishes to charge no tipping fees for the disposal of residential cleanup materials at the McMinn County Sanitary Landfill during "Cleanup, Fix-up, Sparkle Week," as a promotion for this annual activity; and

WHEREAS, the Keep McMinn Beautiful, and other municipal and commercial entities in McMinn County wish to schedule their annual beautification promotions during the week of April 19-24, and this Commission wishes to designate that week as "Cleanup, Fix-up, Sparkle Week" in 2004; and

WHEREAS, the County Mayor and Landfill Supervisor will provide suitable public notice, supervision, and monitoring for this activity.

NOW, THEREFORE, BE IT RESOLVED, BY THE COMMISSION OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 15th DAY OF MARCH 2004, that this Commission authorizes the disposal of residential cleanup materials at no charge at the McMinn County Sanitary Landfill during April 19-24, 2004, and formally designates that week as "Cleanup, Fix-up, Sparkle Week" in McMinn County, and calls upon all its citizens to join in this worthy observance.

BE IT FURTHER RESOLVED, that this Commission directs the County Mayor to promote, monitor, and supervise this activity in accordance with established operational and regulatory guidelines.

(Orig signed by John M. Gentry)
McMinn County Mayor

ATTEST:

(Orig signed by Evonne Jones)
County Clerk

MOTION made by Commissioner Mason, and seconded by Commissioner Holbrook, to approve this resolution.

Motion carried by voice vote.

D. Comments by Commissioner King Concerning Health Insurance Prescriptions.

Commissioner King said that there are concerns among county employees concerning 90-day mail order prescriptions being available only from Walmart, and he asked Mr. Luallen to look into this situation and follow up with a written memorandum.

E. Keep McMinn Beautiful Commissioner Vincent.

Commissioner Vincent said that there are several Keep McMinn Beautiful events coming up and he encouraged participation by all Commissioners.

16. COMMENTS FROM THE COUNTY MAYOR

None.

17. APPROVAL OF NOTARY APPLICATIONS AND BONDS

The following notary applications and bonds were submitted to the County Clerk's Office:

Notary Applications and Bonds for March 2004

Tainmy L. Averett
Sandra Brewer
Connie Coffey-Lowry
Pamela K. Davis
Deborah W. Cox
Sandra M. Farrar
Pat Kile
Annette M. Lee
Marie D. McDonald
Deanna L. McKinney
Hayley M. Smith
Wendy M. Underwood

MOTION made by Commissioner McPhail, and seconded by Commissioner Holbrook, to approve these notary applications and bonds as listed.

Motion carried by voice vote.

18. ANY OTHER BUSINESS THAT MAY LEGALLY COME BEFORE THE COMMISSION

None.

19. ADJOURNMENT

There being no other business, Chairman Crews declared the meeting adjourned at 9:00 pm.

EVONNE JONES
McMinn County Clerk

Attest:

Deputy Clerk (date)