

The McMinn County Board of Commissioners met in Regular Session on Monday, May 17, 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 Owen Vincent.

3. **PLEDGE TO THE FLAG**

The Pledge to the Flag was led by Commissioner Scott Curtis.

4. **ROLL CALL**

Scott Curtis - Present
David Holbrook - 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 April 19, 2004 were provided to the Commissioners.

MOTION made by Commissioner King, and seconded by Commissioner Mason, to approve the Minutes of April 19, 2004.

Motion carried by voice vote.

6. **APPROVAL OF BIDS AND PURCHASES**

A. A Resolution to Approve the Extension of the Bid Agreement Between McMinn County and Thompson Environmental Services for Transport and Treatment of Landfill Leachate.

Mr. Luallen presented the following resolution to approve the extension of the bid agreement between McMinn County and Thompson Environmental Services for transport and treatment of landfill leachate. Mr. Luallen also presented the original proposal along with memorandums from Thompson Environmental Services, Inc. and the McMinn County Landfill Supervisor agreeing to the extension.

RESOLUTION NO. 04-059

A RESOLUTION TO APPROVE THE EXTENSION OF THE BID AGREEMENT BETWEEN
MCMINN COUNTY AND THOMPSON ENVIRONMENTAL SERVICES FOR TRANSPORT AND
TREATMENT OF LANDFILL LEACHATE.

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

(Cont,d)

WHEREAS, McMinn County desires to extend its current bid agreement with Thompson Environmental Services to perform transportation and treatment of landfill leachate for an additional one year period; and

WHEREAS, McMinn County's obligation under such agreement is in the amount of \$4,500.00 per month up to 1,200,000 gallons per year, where an excess of that amount will be charged at an additional 2 cents per gallon; and

WHEREAS, the landfill supervisor and Thompson Environmental has recommended that the current bid agreement be extended for a one year period under the terms of the present agreement.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF THE COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th AY OF MAY, 2004 that this Commission does hereby agree to extend its contract with Thompson Environmental Services for one year.

AND FURTHERMORE RESOLVED 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.

In response to a question from Commissioner Vincent, Mr. Luallen said that the existing terms and price would remain at the current rate. In response to a question from Commissioner Jack Powers, Mr. Luallen explained that this can continue to be renewed because this is considered a professional service and is not required to be bid.

Motion carried by voice vote.

B. A Resolution to Approve and Award a Four-Dour Sedan for Use of the County Mayor.

Mr. Luallen presented the following resolution to approve and award a four-door sedan for use by the County Mayor, along with the bid summary sheet and letter of recommendation from the County Mayor.

RESOLUTION NO. 04-060

A RESOLUTION TO APPROVE AND AWARD A FOUR-DOOR SEDAN FOR USE OF THE COUNTY MAYOR

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

WHEREAS, John Gentry, McMinn County Mayor, has requested the purchase of a four door sedan in the amount of \$ 19,740, in order to properly out the functions of the department; and

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

WHEREAS, John Gentry, McMinn County Mayor, has recommended the bid for a four-door sedan be awarded to Superior Ford Mercury the low bidder.

(Cont'd)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR THIS THE 17TH DAY OF MAY, 2004, that this Commission does hereby approve the recommendation of John Gentry, McMinn County Mayor.

(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 Masingale, to approve this resolution.

Motion carried by voice vote.

C. A Resolution to Approve and Award the Bid of a Diesel Tractor for McMinn County Airport.

Mr. Luallen presented a resolution to approve and award the bid of a diesel tractor for McMinn County Airport, along with the bid summary sheet and a letter of recommendation from the County Mayor.

RESOLUTION NO. 04-06 1

A RESOLUTION TO APPROVE AND AWARD THE BID OF A DIESEL TRACTOR FOR MCM]NN COUNTY AIRPORT

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 Mayor's Office has requested the purchase of a Diesel Mowing Tractor in the amount of \$ 14,092.00 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, John Gentry, McMinn County Mayor has recommended the bid be awarded to R & S Truck & Tractor Company the only bidder.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17TH DAY OF MAY, 2004, that this Commission does hereby approve awarding the bid of a Diesel Mowing Tractor in the amount \$ 14,092.00 to R & S Truck & Tractor Company.

(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.

In response to a question from Commissioner Vincent, Mr. Gentry said that there was just one bid because one bidder lost the paperwork and another was late. However, Commissioner Mason added that this was a very reasonably priced tractor.

Motion carried by voice vote.

D. A Resolution to Approve and Award the Bid of a Used Backhoe for McMinn County Landfill.

Mr. Luallen presented the following resolution to approve and award the bid of a used backhoe for the McMinn County Landfill, as well as the bid summary sheet and the letter of recommendation from the Landfill Supervisor, Mr. Stan Moses.

Resolution No. 04-062

A RESOLUTION TO APPROVE AND AWARD THE BID OF A USED BACKHOE FOR MCMINN COUNTY LANDFILL

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 Landfill Supervisor, Stan Moses has requested the purchase of a used backhoe in the amount of \$ 26,000.00, 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, Stan Moses the Landfill Supervisor, has recommended the bid be awarded to Power Equipment, the best bidder meeting specifications.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 17~ DAY OF MAY, 2004, that this Commission does hereby approve recommendation of the Stan Moses the Landfill Supervisor.

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

Attest:

(Orig signed by Evonne Jones)
County Clerk

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

In response to a question from Commissioner Jack Powers, Mr. Luallen explained that the low bid was handwritten on the bid summary sheet because they came in just prior to the deadline and the bid summary sheet had already been printed. Mr. Luallen assured Commissioner Powers that this is standard procedure to accept bids up to the designated time listed in the bid notice as long as it is sealed and has the name of the bid on it.

Motion carried by voice vote.

E. A Resolution to Approve Payment of Invoice to Tennessee Guardrail.

Mr. Luallen presented and explained the following resolution to approve payment of invoice to Tennessee Guardrail:

RESOLUTION NO. 04-063

A RESOLUTION TO APPROVE PAYMENT OF INVOICE TO TENNESSEE GUARDRAIL

WHEREAS, the McMinn Highway Department requests payment of an invoice to Tennessee Guardrail, Inc. that the original requisition for guardrail bolts was approved for \$190.00; and

WHEREAS, the order was placed by Roy Glass of this department on May 3,2004; and

WHEREAS, on May 4,2004 the Crew Chief of the Highway Department called and changed the order to a larger quantity making the invoice \$550.00; and

WHEREAS, in accordance with Financial Management Committee Policies and Procedures, expenses over \$200.00 require comparative prices; and

WHEREAS comparative prices were not obtained, after the fact approval is required by County Commission.

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17TH DAY OF MAY 2004, that this Commission does hereby approve the 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 Holbrook, to approve this resolution.

In response to a question from Commissioner Crews, Mr. Roy Glass explained that they needed more bolts and he was not present to assure proper procedures were followed for comparative pricing.

Motion carried by voice vote.

7. REVIEW AND APPROVAL OF CONTRACTS

A. A Resolution to Approve the Contract Between McMinn County and Global Tel*Link Corporation for Inmate Telephone Service at the McMinn County Justice Center and Pay Phone Service at the McMinn County Courthouse.

Mr. Luallen presented the following resolution to approve the contract between McMinn County and Global Tel*Link Corporation for inmate telephone service at the Justice Center and pay phone service at the Courthouse.

Resolution No. 04-064

A RESOLUTION TO APPROVE THE CONTRACT BETWEEN MCMINN COUNTY AND
GLOBAL TEL*LINK CORPORATION
FOR INMATE TELEPHONE SERVICE AT THE MCMINN COUNTY JUSTICE
CENTER AND PAY PHONE SERVICE AT THE MCMINN COURTHOUSE

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 Global Tel*Link Corporation to supply inmate telephone service to the McMinn Justice Center and pay phone service to the McMinn County Courthouse; and

WHEREAS, this contract approval is subject to the release from the existing contract with Evercome, and subject to Global Tel*Link striking section 19 part b; and

WHEREAS, the term of this contract is for a three-year term, the period commencing upon the completion of installation of all equipment specified in the attached agreement.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17TH DAY OF MAY 2004 that this Commission does hereby agree to enter into the attached contract with Global Tel*Link Corporation.

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.

In response to a question from Commissioner Vincent, Mr. Luallen explained that the existing contract for this service at the Justice Center is with Evercom and this proposed contract with Global Tel*Link Corporation is subject to release from the existing contract with Evercom. In response to several questions from Commissioners, Sheriff Frisbie led a discussion concerning the increased technology offered by Global Tel*Link as well as the \$65,000 signing bonus designated to the drug fund and an increase from 20% to 25% is generated for the County.

Motion carried by voice vote.

8. APPROVAL OF BUDGET AMENDMENTS

Mr. Luallen requested approval of four budget amendments involving three different funds. Copies were provided to the Commissioners.

Fund: Drug Control # 122

Date: May 13,2004

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Revenue	Contributions & Gifts	44570	6,000.00	
Drug Enforcement Law Enforcement Equip- ment		54150-716		6,000.00

EXPLANATION: To budget funds from donation received from East Athens Baptist Church for equipment to combat methamphetamine problem in McMinn County.

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

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

Fund: General Purchase School #141

Date: May 3,2004

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Regular Instruction Other Salaries & Wages Program		71100-189		15,000.00
	Travel Conferences & Meetings	71100-355		2,000.00
	Other Supplies & Materials	71100-499		8,000.00
Revenue	Other Federal Thru State	47590	25,000.00	

EXPLANATION: To enter the budget for the AYP Grant that was approved by the State March 22, 2004. School Board approval: 5/13/04

Fund: General Purpose School #141

Date: May 3,2004

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Other Local Revenues	Miscellaneous Refunds	44170		34,340.00
Reg. Instruct. Program Spt	Other Supplies & Materials	72210-499	34,340.00	

EXPLANATION: To budget revenue and expenditures related to the E-Rate refunds given by Bell South, TDS Telecom, etc. School Board approval: 5/13/04

MOTION made by Commissioner King, and seconded by Commissioner Bob Powers, to approve these resolutions.

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

Fund: Federal Projects # 142, Title III Part A 04.01, # 481

Date: May 12,2004

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Revenue	Other Federal Through State	475900	16,663.00	
Regular Instruct. Teachers Program		71100-116		9,458.00
	Cont. w/other school systems	71100-311		7,205.00

EXPLANATION: To enter the approved budget for Title III, Part A, 04.01. School Board approval: 5/13/04.

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

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. WOODS MEMORIAL HOSPITAL FINANCIAL REPORT - MR.. DAVID SOUTHERLAND

Mr. Gentry, the County Mayor, asked that the resolution to endorse Woods Memorial Hospital District to Refinance the December 2001 Accounts Payable and Lease Obligations Loan be considered immediately following Mr. Southerland's report in order that he is available to answer any questions. Ms. Sheree Hutson, a local citizen and member of the audience, requested that she be allowed to speak to this resolution and Chairman Crews indicated that this would be allowed.

Mr. David Southerland, Administrator and Chief Executive Officer for Woods Memorial Hospital, updated the Commissioners on the monthly financial report as of March 31,2004 and provided to each Commissioner a written summary. He touched on the highlights of the statistical report and said that the surgical volume is ahead of last year, but our rehab services are little behind "year to date" to their "budget". Mr. Southerland said that the Laboratory is performing very well and are running above budget but added that total Diagnostic Imaging is a little behind their budget. Mr. Southerland discussed the statistics for each category.

Mr. Southerland also reviewed the highlights of the Revenue and Expense Statements of the Hospital District and the Hospital and explained in detail the loss amount of \$192,692 which reflected the Board of Trustees commitment to pay back over time its non-profit foundation for money (\$195,000) that was used as operating capital before he came to work at Woods Hospital. In response to a question from Commissioner Mason, Mr. Southerland also explained the history of the hospital's non-profit foundation, which was set up as a department of the hospital with no separate governing body over that foundation account. Mr. Southerland added that a new foundation is being established and will be structured so that this will not happen again. In response to a question from Chairman Crews, Mr. Southerland said that there is evidence that this money was actually spent on the hospital.

Mr. Southerland also passed out a summary to answer a frequently asked question concerning how the hospital is doing financially, consistently, over time. This summary includes figures year to date, budgeted dollars and last year's audited financial income statement as far as hospital operations are concerned. Mr. Southerland said that this is the first time in five years that the hospital has generated a positive income from the hospital operations and if they had not had to pay back the \$195,000, there would have been a \$172,000 positive bottom line. Mr. Southerland also said that they just learned this week that they will receive \$328,000 in TennCare funds before the end of the fiscal year.

Mr. Southerland closed by saying that they still have a battle but they are trying to improve a little bit each day. Chairman Crews thanked Mr. Southerland for his report.

In response to a question from Mr. Southerland, Mr. Gentry said that the resolution referred to at the beginning of his report will be discussed later in the meeting if Mr. Southerland could stay to answer questions.

10. VOCATIONAL INDUSTRIAL CLUBS OF AMERICA (VICA) - MR CARL CREASMAN

Mr. Carl Creasman, representing the local chapter of the Skills USA Vocational Industrial Clubs of America (VICA), addressed the Commission to request a donation to help pay for the expenses incurred at the national conference. Mr. Creasman said that this is the last year that this club will be known as the VICA Club. About five years ago, the organization's name was changed to Skills USA VICA, and effective September 2004, the VICA portion of the name will be dropped.

Mr. Creasman said that the Quiz Bowl competition was begun in 1991 and added that the McMinn County Vocational Center has a winning record that no other school in the country can come close to. Mr. Creasman thanked the Commission for their financial support and encouragement over the years, but said that this year their fundraising is behind schedule because of some very unfortunate circumstances which the Commission is aware of. He said his budget this year is \$9,000.00 and particularly mentioned several expenses that have increased and he requested to Commission to increase their donation this year.

Mr. Creasman introduced several young VICA members and commented on their accomplishments.

Commissioner Mason expressed appreciation to Mr. Creasman for his efforts and to these young people for their accomplishments, but said that the McMinn County Commission has to stay within their budget.

MOTION made by Commissioner Mason, and seconded by Commissioner Bob Powers, to contribute \$1,000.00, with funds to come from the Commissioners' Contingency Fund.

In response to a question from Commissioner King, Mr. Creasman said he appreciates anything the Commission gives them, but due to the circumstances this year, he would really like to have \$2,000.00 from the Commission.

There were several personal contributions from the group assembled.

Motion carried by voice vote.

11. COMMENTS FROM THE AUDIENCE

A. Comments by Ms. Sheree Hutson Concerning Woods Memorial Hospital.

Ms. Sheree Hutson, a local citizen, expressed her appreciation for holding the issue until she could speak to the Resolution, to be considered during this meeting, to endorse Woods Memorial Hospital District to Refinance the December 2001 Accounts Payable and Lease Obligations Loan. Ms. Hutson compared the financial viability of the Athens Community Hospital (a private hospital) and Woods Memorial Hospital (a government-owned hospital) and asked if the Commission had considered selling the hospital to a private company because she feels privately run hospitals are generally more efficient. There was a lengthy discussion with several views expressed. In response to a question from Ms. Hutson, Mr. Gentry said he has received inquiries from companies interested in purchasing Woods Hospital.

Ms. Hutson also questioned, if the refinancing was approved, whether the monthly savings could be applied to paying on the principal so the debt is erased sooner. There was some discussion concerning whose authority this would fall under, but it was suggested that the savings would give the hospital a little more needed operating capital per month.

B. Comments by Mr. Gene Kincaid. Resident in Niota. TN.

Mr. Gene Kincaid, a recently retired businessman currently residing in Niota, TN, said he has a personal situation to address. Mr. Kincaid said the problem he has with his small farm is pilfering and he requested the County Commission to consider closing off a small section of County Road 268 which ties on to County Road 267, which is the main road. Mr. Kincaid said that County Road 268 (about 300 feet long) lies entirely on property that he owns. If the Commission approves his request, he would install a gate which would prevent unwanted visitors. He also added that the cost to maintain that section of road would then be taken over by him.

The Highway Commissioner explained that the proper procedure is to make a written request to the Highway Commissioner who would then research the request and bring it back to the Commission for consideration next month.

Mr. Kincaid expressed his appreciation for any consideration by the Highway Commissioner and the County Commission.

12. RESOLUTIONS

A. A Resolution to Endorse Woods Memorial Hospital District to Refinance the December 2001 Accounts Payable and Lease Obligations Loan.

Mr. Gentry presented the following resolution to endorse Woods Memorial Hospital District to refinance the December 2001 accounts payable and lease obligations loan and asked Mr. David Southerland, Administrator of Woods Memorial Hospital District, to address this resolution.

Resolution No. 04-065

A RESOLUTION TO ENDORSE WOODS MEMORIAL HOSPITAL DISTRICT TO REFINANCE THE
DECEMBER 2001 ACCOUNTS PAYABLE AND LEASE OBLIGATIONS LOAN

WHEREAS, in the fall in 2001 Woods Memorial Hospital District (WMHD) obtained approval from its Board of Trustees and secured an agreement with McMinn County to obtain a loan for \$1.6 million to pay for outstanding accounts payable and lease obligations; and

WHEREAS, WMHD has made for the payments for the past two and one half years consisting of 30 consecutive payments of \$30,731.77 each, all on time; and

WHEREAS, WMHD desires to refinance the existing loan balance, with a payoff of approximately \$883,000; and

WHEREAS, WMHD desires to refinance the existing loan to save money on interest payments; and

WHEREAS, WMHD projects it can save between \$22,000 and \$37,000 in interest payments by refinancing the loan.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17~ DAY OF MAY, 2004 that this Commission does hereby agree to support the Woods Memorial Hospital District Board of Trustees; action to refinance the existing loan with a lower interest rate after reviewing and selecting the best proposal from solicited bids from local banking institutions. This approval by the McMinn County Commission is in Compliance with the previous agreement signed by the hospital and the county of the 19~ day of November 2001.

(Cont'd)

AND FURTHERMORE RESOLVES to grant authority to the County Mayor or his designee to execute all documents necessary to execute the transfer of this loan.

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

Attest:

(Orig signed by Evonne Jones)
County Clerk

Mr. Southerland reviewed the history of this loan and because interest rates have fallen, they desire to refinance the existing loan balance. In response to a question from Chairman Crews regarding Ms. Hutson's earlier suggestion, Mr. Southerland said that this savings would give them a little more operating capital per month but he said any decision to apply a portion to the principal would need to be made by the Financial Committee of the Hospital Board.

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

In response to a question from Commissioner Powers, Mr. Southerland said that they close the loan around June 1, 2004 but they hope to hold to the original payoff date, but added there are several options in the various proposals from the six financial institutions with various interest rates associated with their time frames. Commissioner Masingale said he is against any lengthening of the terms. There was some discussion concerning amending the motion, but Mr. Gentry said that he would not sign any documents that extend the term of the loan past 30 months.

Motion carried by voice vote.

B. A Resolution to Approve Advertisement of the Transfer of Title for a 1995 Ford E-30 Ambulance From McMinn County to Athens-McMinn County Rescue Squad. A Non-Profit Private Agency.

Mr. Gentry presented the following resolution to approve advertisement of the transfer of title for a 1995 Ford E-30 ambulance from McMinn County to Athens-McMinn County Rescue Squad, a non-profit private agency.

Resolution No.04-066

A RESOLUTION TO APPROVE ADVERTISEMENT OF THE TRANSFER OF TITLE FOR A 1995 FORD
E-30 AMBULANCE FROM MCMINN COUNTY TO ATHENS-MCMINN COUNTY RESCUE SQUAD, A
NON-PROFIT PRIVATE AGENCY

WHEREAS, a 1995 Ford E-30 Ambulance utilized by McMinn County Emergency Medical Service had been approved for refurbishing, although problems have been noted by the EMS Chief regarding maintenance costs with the engine and transmission; and

WHEREAS, McMinn County Emergency Medical Service desires to transfer title and ownership to the 1995 Ford E-30 ambulance to Athens-McMinn County Rescue Squad in order for that department to exercise full ownership and maintenance of the ambulance; and

(Cont'd)

WHEREAS, the McMinn County Board of Commissioners agrees to advertise their intention to approve transferring county property to a non-profit agency.

NOW, THEREFORE BE-IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17~ DAY OF MAY 2004 that this Commission does hereby agree to ADVERTISE THE DONATION OF THE 1995 FORD E-30 AMBULANCE TO MCMINN COUNTY RESCUE SQUAD, the public welfare requiring it.

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

Attest:

(Orig signed by Evonne Jones)
County Clerk

Mr. Gentry explained that because this is a non-profit agency, it must be advertised before final approval by the Commission next month to transfer the ambulance.

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

Mr. Harold Eaton, Chief, McMinn County Rescue Squad, explained the background of this request and said it would give them three rescue vehicles on this side of the county.

Motion carried by voice vote.

C. A RESOLUTION SUPPORTING A TVA PUBLIC SCHOOLS CREDIT PROGRAM

Mr. Gentry presented and explained the following resolution supporting a TVA Public Schools Credit Program:

Resolution No. 04-067

A RESOLUTION SUPPORTING A TVA PUBLIC SCHOOLS CREDIT PROGRAM

WHEREAS, high quality school systems are an integral component of economic development, positively impacting workforce preparation, business recruitment, job creation and retention in McMinn County; and

WHEREAS, public schools are the largest local government consumers of electricity in McMinn County; and

WHEREAS, the recent TVA rate increase of 7.4% has increased the costs of local governments in the Tennessee Valley for the operation of the public school system; and

WHEREAS, the public school systems are often in dire need of financial relief to maintain and hopefully improve the educational systems in McMinn County; and

(Cont'd)

WHEREAS, just over a decade ago, after previous recession, TVA instituted a successful public schools (and job credit) program by which all public schools in the TVA region, including primary and secondary schools, technology centers and colleges and universities receive 1 0% credit on their power bills for two years; and

WHEREAS, a public schools credit program similar to the one instituted just over a decade ago would be of great benefit to the people and future of McMinn County and the Tennessee Valley.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 17TH DAY OF MAY 2004, THAT THIS COMMISSION DOES SUPPORT A TVA PUBLIC SCHOOLS CREDIT PROGRAM TO ASSIST WITH ECONOMIC DEVELOPMENT IN MCMINN COUNTY AND THE TVA REGION; AND

BE IT FURTHER RESOLVED THAT MCM17NN COUNTY EXPRESSES APPRECIATION OF BOTH TVA AND THE POWER DISTRIBUTORS AND THEIR EMPLOYEES FOR THEIR EXCELLENT SERVICE.

(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 Bob Powers, to approve this resolution.

Motion carried with one abstention by Commissioner Vincent.

D. A Resolution to Relieve the Trustee of all Further Liability for Reporting and Collecting Delinquent 2002 Real Property Taxes and 2002 Personal Property Taxes.

Mr. Gentry presented the following annual resolution to relieve the McMinn County Trustee of any further liability for reporting and collecting delinquent taxes for 2002.

Resolution No. 04-068

WHEREAS, it appears that Phil Tuggle, Trustee of McMinn County, Tennessee, has complied with the statutes of the State of Tennessee, relative to requirements as to the filing of reports of delinquent and insolvent taxpayers for the 2002 real property taxes and 2002 personal property taxes and further, it appears that proper suit has been instituted in the Chancery Court for McMinn County, Tennessee, for collection of said taxes; and

WHEREAS, it further appears that Phil Tuggle, Trustee of McMinn County, Tennessee, has filed a list of delinquent taxpayers and double assessments as provided by law, and should be properly relieved from any further liability for the reporting and collection of delinquent 2002 real property and 2002 personal property taxes as properly certified and turned over to the Clerk & Master for McMinn County, Tennessee.

IT IS, THEREFORE RESOLVED BY the McMinn County commission, in regular session assembled, that Phil Tuggle, Trustee of McMinn County, Tennessee, be and he is hereby relieved of all further liability for reporting and collecting delinquent 2002 real property taxes and 2002 personal property taxes as properly certified and turned over to the Clerk and Master of McMinn County, Tennessee.

(Cont'd)

DULY PASSED and approved this the 17th day of May 2004

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

Attest:

(Orig signed by Evonne Jones)
McMinn County Clerk

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

Motion carried by voice vote.

E. A Resolution to Approve Private Act 107 Amending the Private Acts of McMinn County Regarding the Clerking Duties for Probate Court in McMinn County.

Mr. Gentry presented the following resolution to approve the Private Act regarding the clerking duties for Probate Court as requested a few months ago. Mr. Gentry said that this has cleared the Tennessee Legislature and has been signed by the Governor.

Resolution No. 04-069

A RESOLUTION TO APPROVE PRIVATE ACT 107 AMENDING THE PRIVATE ACTS OF MCMINN COUNTY REGARDING THE CLERKING DUTIES FOR PROBATE COURT IN MCMINN COUNTY

WHEREAS, McMinn County had a Private Act of 1957, Chapter 46, which placed the clerking duties associated with Probate Court with the McMinn County Circuit Court Clerk; and

WHEREAS, the McMinn County Board of Commissioners, in February 2004, requested a Private Act from the Tennessee General Assembly to amend all previous Private Acts in order to place the clerking duties for Probate Court under the authority of Chancery Court; and

WHEREAS, the General Assembly of the State of Tennessee has passed a private act amending Chapter 210 of the Private Acts of 1947, as amended by Chapter 204 of the Private Acts of 1949, Chapter 46 of the Private Acts of 1957, Chapter 270 of the Private Acts of 1974 and any other acts amendatory thereto, transferring the clerking duties for the McMinn County Probate Court from the Circuit Court Clerk to the Clerk and Master of Chancery Court, effective July 1,2004; ~nd

WHEREAS, the McMinn County Board of Commissioners approves this Private Act.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 17th DAY OF MAY 2004, THAT THIS COMMISSION DOES APPROVE A PRIVATE ACT AMENDING CHAPTER 210 OF THE PRIVATE ACTS OF 1947, AS AMENDED BY CHAPTER 204 OF THE PRIVATE ACTS OF 1949, CHAPTER 46 OF THE PRIVATE ACTS OF 1957, CHAPTER 270 OF THE PRIVATE ACTS OF 1974 AND ANY OTHER ACTS AMENDATORY THERETO, TRANSFERRING THE CLERKING DUTIES FOR MCMINN COUNTY PROBATE COURT FROM THE CIRCUIT COURT CLERK TO THE CLERK AND MASTER OF CHANCERY COURT, EFFECTIVE JULY 1,2004, 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 Mason, to approve this resolution.

Motion carried by voice vote.

13. ELECTIONS, APPOINTMENTS AND CONFIRMATIONS

A. A Resolution to Confirm the Appointment of Jerry Rowden to the McMinn County Regional Planning Commission.

Mr. Gentry presented the following resolution to confirm the appointment of Mr. Jerry Rowden to the McMinn County Regional Planning Commission to replace Mr. Charles Waddell:

Resolution No. 04-070

A RESOLUTION TO CONFIRM THE APPOINTMENT OF JERRY ROWDEN TO THE McMINN COUNTY REGIONAL PLANNING COMMISSION

WHEREAS, McMinn County has a regional planning commission to provide for the review of the proposed development of property in McMinn County subject to the rules and regulations of said regional planning commission; and

WHEREAS, state law grants authority to the County Mayor to appoint members to the regional planning commission upon confirmation by the county legislative body; and

WHEREAS, John M. Gentry as McMinn County Mayor, nominates JERRY ROWDEN to serve the remainder of the four-year term left vacant by Charles Waddell, serving through February 1, 2005 as a member of the McMinn County Regional Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 17th DAY OF MAY 2004, that this commission does hereby confirm this appointment.

(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 McPhail, to approve this resolution.

Motion carried by voice vote.

14. REPORTS FROM COMMITTEES. COUNTY OFFICIALS. COMMENTS FROM COMMISSIONERS

A. Budget Committee - Commissioner Jack Powers.

Commissioner Jack Powers said that the Budget Committee met just prior to this meeting and they are in the process of making final adjustments and he announced there will be another meeting on Thursday, May 20, 2004.

B. Agriculture and Community Exhibition Center Development and Oversight Committee -Commissioner Mason.

Commissioner Mason announced that our Expo Building should be finished by the middle of June.

C. Resolution Honoring the Members of the National Guard 278th Armored Cavalry Regiment.

Commissioner Mason complimented the “Meet the Troops Day” event for the 278th Armored Cavalry Regiment.

MOTION made by Commissioner Mason, and seconded by Commissioner Holbrook, to approve a resolution honoring the members of the National Guard 278th Armored Cavalry Regiment.

Motion carried by voice vote.

This resolution is to be prepared by the County Mayor and inserted in the minutes. Resolution No. 04-07 1

A RESOLUTION TO EXPRESS APPRECIATION AND SUPPORT TO THE 1/278 ARMORED CAVALRY REGIMENT OF THE TENNESSEE NATIONAL GUARD IN THEIR DEPLOYMENT TO IRAQ

WHEREAS, the current military conflict in Iraq has necessitated the activation of many national guard units nationwide, including those within the Tennessee National Guard; and

WHEREAS, the 1/278 Armored Cavalry Regiment stationed in McMinn County has been activated for duty in Iraq, and will begin combat training as part of their deployment in the summer of 2004; and

WHEREAS, the 1/278 ACR is made up of local and regional civilian-soldiers, who, because of their love and dedication to their state and their country, are volunteers willing to sacrifice their time and their safety to preserve the freedom and safety of their fellow citizens; and

WHEREAS, the members of the 1/278ACR and their families are honored and appreciated for their sacrifice by the McMinn County Board of Commissioners, and have the support of their local government during the time of their deployment.

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION, THIS THE 17TH DAY OF MAY 2004, that this Commission does hereby honor, appreciate, and support the 1/278 ACR during their deployment in Iraq.

(Orig signed by John M. Gentry)
County Mayor

Attest:

(Orig signed by Evonne Jones)
County Clerk

D. Fence Installation at the Justice Center.

Mr. Beene, the County Engineer, said that installation of the fence will be begun in about two weeks following the contractor finishing a project at the Lawrenceburg Airport.

15. COMMENTS FROM THE COUNTY MAYOR

A. Expression of Appreciation for Support of Send-off Event for the 278th Armored Cavalry Regiment.

Mr. Gentry expressed his appreciation to everyone who helped with the send-off event for the 278th Armored Cavalry Regiment, especially mentioning County Clerk Evonne Jones, Mr. Joe Guy and Mrs. Connie Boyd who worked tirelessly and quickly to get this organized. He also thanked the City of Athens Parks and Recreation Staff, and added that they heard many good comments from friends and family of the unit.

b. Post Legislative Conference. 8-9 June 2004. in Gatlinburg. TN.

Mr. Gentry urged all commissioners to attend this conference and to coordinate the plans with his secretary, Mrs. Connie Boyd.

16. 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 May 2004

Nevelda Glee Briggs
R. Jason Ford
Brian Kincaid II
Connie Landers
Donald B. Reid
A. Cheryl Russell
Cindy M. Bivens
Debbie Davis Carver
I3raska Givens
Patricia Ban Harbin
Sharon Mayhall
Joanna G. England
Timothy Joseph Poteet
Jamie Rudder-Schultz
Gayle Taylor

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

Motion carried by voice vote.

17. ANY OTHER BUSINESS THAT MAY LEGALLY COME BEFORE THE COMMISSION None.

18. ADJOURNMENT

There being no other business, Chairman Crews declared the meeting adjourned at 9:07 pm.

EVONNE JONES
McMinn County Clerk

Attest:

Deputy Clerk (date)