

The McMinn County Board of Commissioners met in Regular Session on Monday, September 15, 2003, 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 J. W. McPhail.

2. INVOCATION

The Invocation was given by Commissioner Vincent.

3. PLEDGE TO THE FLAG

The Pledge to the Flag was led by Commissioner Gary Mason.

4. ROLL CALL

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

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

5. APPROVAL OF MINUTES

Copies of the Minutes of the Regular Session on August 18, 2003 were provided to the Commissioners.

MOTION made by Commissioner King, and seconded by Commissioner Bob Powers, to approve the Minutes of August 18, 2003.

Motion carried by voice vote.

6. ELECTION OF CHAIRMAN AND CHAIRMAN PRO TEMPORE

Chairman McPhail thanked the Commission for the privilege and honor of serving for the past year and he thanked the Committees, the Finance Director and the County Executive for their support and input, especially during the difficult budget process. Chairman McPhail then opened the floor for nominations.

Commissioner Holbrook nominated Commissioner Jack King, but Commissioner King stated that he did not wish to serve as Chairman.

Commissioner Vincent then nominated Commissioner David Crews and that was followed by a nomination of J. W. McPhail by Commissioner Jack Powers, who stated his preference that J. W. McPhail serve a traditional second year as chairman.

MOTION made by Commissioner King, and seconded by Commissioner Holbrook, that nominations cease.

Chairman McPhail expressed his appreciation to Commissioner Jack Powers, but he withdrew his name from consideration and he suggested that Commissioner Crews be elected by acclamation. At Commissioner King's suggestion, a roll call vote was held on Commissioner Crews' nomination.

David Crews Pass
Scott Curtis - Yes
Dale Holbrook - Yes
Jack King - Yes
Roger Masingale - Yes
Gary Mason - No
Bob Powers - Yes
Jack Powers - No
Owen Vincent - Yes
Chairman J. W. McPhail - Yes

Both Commissioner Jack Powers and Commissioner Mason expressed that they were not voting against Commissioner Crews personally, but were voting against the changing of tradition.

Chairman Crews assumed his role as Chairman and expressed his appreciation for the confidence displayed and added his appreciation for the J. W. McPhail's service. He then opened the floor for nominations for Vice Chairman.

Commissioner Holbrook nominated Commissioner King.

MOTION made by Commissioner Curtis, and seconded by Commissioner Vincent, to cease nominations.

Motion carried by voice vote and Commissioner King was elected as Vice Chairman by acclamation.

7. APPROVAL OF BIDS AND PURCHASES

A. A Resolution to Approve and Award the Bid for a Batwing Rotary Cutter.

Mr. Luallen presented the following resolution to approve and award a bid for a batwing rotary cutter for the McMinn County Landfill in the amount of \$8,395.00. Mr. Luallen also provided the Commissioners with a copy of the bid summary sheet and the letter of recommendation from the Landfill Supervisor, Stan Moses.

Resolution No. 03445

A RESOLUTION TO APPROVE AND AWARD THE BID FOR A BATWING ROTARY CUTTER

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

WHEREAS, the McMinn County Landfill has requested the purchase of a Batwing Rotary Cutter, from C&W Farm Equipment in the amount of \$8,395.00 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, McMinn County Landfill Supervisor has recommended the bid be awarded to the low bidder meeting specifications.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 15TH DAY OF SEPTEMBER 2003, that this Commission does hereby approve the recommendation of the Landfill Supervisor.

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

Attest:

(Orig signed by Evonne Jones)
County Clerk

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

Mr. Gentry announced that Mr. Stan Moses was in the audience tonight to answer any questions as there are several items on the agenda concerning the Landfill.

In response to a question from Commissioner Mason, Mr. Moses said that this piece of equipment is much more efficient for certain mowing needs and replaces two mowers.

Motion carried by voice vote.

B. A Resolution to Approve and Award the Annual Bid for Crushed Stone.

Mr. Luallen presented the following resolution to approve and award the annual bid for crushed stone, as well as the bid summary sheet and letter of recommendation from the Highway Commissioner.

Resolution No. 03-146

A RESOLUTION TO APPROVE AND AWARD THE ANNUAL BID FOR CRUSHED STONE

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

(Cont'd)

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WHEREAS, the McMinn County Highway Department requested the purchase of crushed stone for the period of October 1, 2003 through September 30, 2004, 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, Randall Moss, McMinn County Highway Commissioner has recommended the bid be awarded to the low bidders meeting specifications of each grade plus a haul charge to the center of each job site based on location of plant to Rogers Group, Inc., Vulcan Materials Company, and Starr Mountain Stone, LLC.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 15TH DAY OF SEPTEMBER 2003, that this Commission does hereby approve the recommendation of the Highway Commissioner.

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

Attest:

(Orig signed by Evonne Jones)
County Clerk

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

Motion carried by voice vote.

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

Mr. Luallen presented a resolution to approve and award the semi-annual bid of motor oil, as well as the bid summary sheet and letters of recommendation from the various departments.

Resolution No. 03-147

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 October 1, 2003 through March 31, 2004 from Hunter Oil Company, Kelly Shepherd & Sons and Sweetwater Valley 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, have 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 SEPTEMBER 2003, that this Commission does hereby approve the recommendation of the McMinn County Supervisors and Department Heads.

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

Attest:

(Orig signed by Evonne Jones)

County Clerk

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

Motion carried by voice vote.

D. A Resolution to Approve and Award the Bid for Two Concrete Trailer Pads with Retaining Walls.

Mr. Luallen presented the following resolution to approve and award the bid for two concrete trailer pads with retaining walls, as well as the bid summary and a letter of recommendation from the Landfill Supervisor.

Resolution No. 03448

A RESOLUTION TO APPROVE AND AWARD THE BID FOR TWO CONCRETE TRAILER PADS WITH
RETAINING WALLS

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 has requested the purchase of two concrete trailer pads with retaining walls, from J. S. Haren Company in the amount of \$14,450 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, McMinn County Landfill Supervisor has recommended the bid be awarded to the low bidder meeting specifications.

(Cont'd)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 15TH DAY OF SEPTEMBER 2003, that this Commission does hereby approve the recommendation of the Landfill Supervisor.

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

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 Chairman Crews, Mr. Moses said that this company was low bidder and he has no reason to be uncomfortable with their bid, but added that he was disappointed that they only had two bidders.

Motion carried by voice vote.

E. A Resolution to Approve and Award the Bid for JD Dozer 850C Undercarriage Parts.

Mr. Luallen presented the following resolution to approve and award the bid for ii) Dozer 850C Undercarriage Parts.

Resolution No. 03-149

A RESOLUTION TO APPROVE AND AWARD THE BID FOR JD DOZER 850C
UNDERCARRIAGE PARTS

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 has requested the purchase of JD Dozer 850C Undercarriage Parts from Chattanooga Dozer Parts in the amount of \$11,024.14 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, McMinn County Landfill Supervisor has recommended the bid be awarded to the low bidder meeting specifications.

(Cont'd)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 15TH DAY OF SEPTEMBER 2003, that this Commission does hereby approve the recommendation of the Landfill Supervisor.

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

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 King, Mr. Moses said that they are replacing original equipment.

F. A Resolution to Approve Payment of Invoice for Communications for July 2003.

Mr. Luallen presented the following resolution to approve payment of invoice for communications for July 2003 with the City of Athens in the amount of \$17,235.48.

Resolution No. 03-150

A RESOLUTION TO APPROVE PAYMENT OF INVOICE FOR COMMUNICATIONS
FOR JULY 2003

WHEREAS, McMinn County has previously contracted with the City of Athens for emergency communications services; and

WHEREAS, the McMinn County Emergency Communications District assumed responsibility for providing these services effective August 1, 2003; and

WHEREAS, City of Athens has invoiced McMinn County for providing emergency communication services for the period of July 1 - July 31, 2003, in the amount of \$17,235.48; and

WHEREAS, according to McMinn County Policy and Procedures, invoices over \$5,000.00 require Commission approval.

(Cont'd)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 15TH DAY OF SEPTEMBER, 2003, that this Commission does hereby approve payment of \$17,235.48 to City of Athens for providing emergency communication service for the month of July 2003.

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

Attest:

(Orig signed by Evonne Jones)
County Clerk

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

Mr. Gentry said that 911 took over in August but they had to go with the City of Athens for the month of July and actually this amount is a little less than last year's rate.

Motion carried by voice vote.

G. Resolution to Approve Payment of Additional Cost for Scale Pier and Ramp Replacement.

Mr. Luallen presented the following resolution to approve payment of additional cost for scale pier and ramp replacement, in addition to a letter of explanation from Landfill Supervisor Stan Moses.

Resolution No. 03-15 1

RESOLUTION TO APPROVE PAYMENT OF ADDITIONAL COST FOR SCALE PIER AND RAMP REPLACEMENT

WHEREAS, bids were obtained for replacement of scale pier and ramp at the McMinn County Landfill; and
WHEREAS, the bid was awarded to East Tennessee Scale Works at \$13,905 on April 21, 2003; and

WHEREAS, after removal of scale deck, it was found that the adjacent pier needed replacement; and

WHEREAS, McMinn County Landfill Supervisor, Stan Moses, requests approval of additional cost for this project of \$5,795.00.

(Cont'd)

NOW, BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE MEETING IN REGULAR SESSION ON THIS THE 15TH DAY OF SEPTEMBER 2003, that the additional cost of \$5,795 for a total project cost of \$19,700 be hereby approved.

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

Attest:

(Orig signed by Evonne Jones)
County Clerk

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

Motion carried by voice vote.

H. A Resolution to Approve Payment Invoice for Emergency Repair to East Tennessee Scale Works.

Mr. Luallen presented the following resolution to approve payment of invoice for emergency repair to scale at the Landfill due to damage incurred by a lightning strike.

Resolution No. 03-152

A RESOLUTION TO APPROVE PAYMENT INVOICE FOR EMERGENCY REPAIR
TO EAST TENNESSEE SCALE WORKS

WHEREAS, McMinn County Landfill incurred damage to the scale due to lightning strike requiring an emergency repair; and

WHEREAS, McMinn County Landfill Supervisor, Stan Moses, requests approval of payment for this emergency repair not to exceed \$7,500.00; and

WHEREAS, in accordance with McMinn County Financial Management Committee Policies and Procedures, expenses over \$5,000 require McMinn County Commission approval.

(Cont'd)

NOW, BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE MEETING IN REGULAR SESSION ON THIS THE 15TH DAY OF SEPTEMBER 2003, that the payment for emergency repair of landfill scale to East Tennessee Scale not to exceed \$7,500.00 be hereby approved.

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

ATTEST:

(Orig signed by Evonne Jones)
County Clerk

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

Mr. Luallen added that this will be covered by insurance. In response to a question from Commissioner Mason, Mr. Moses explained that this has happened three times in ten years even though it is grounded properly.

Motion carried by voice vote.

I. A Resolution to Approve the Purchase of a Vehicle from State of Tennessee Surplus.

Mr. Luallen presented the following resolution to approve the purchase of vehicle from State of Tennessee Surplus in the amount of not to exceed \$12,000.00:

Resolution No. 03-153

A RESOLUTION TO APPROVE THE PURCHASE OF VEHICLE FROM
STATE OF TENNESSEE SURPLUS

WHEREAS, the McMinn County Highway Department requests approval for the purchase of a vehicle from State of Tennessee surplus; and

WHEREAS, the amount of the purchase is not to exceed \$12,000; and

WHEREAS, according to Financial Management Committee Policies and Procedures, purchases over \$5,000.00 require Commission approval.

(Cont'd)

NOW, BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 15TH DAY OF SEPTEMBER 2003, that this Commission does hereby approve the request to purchase a vehicle from State of Tennessee Surplus, not to exceed \$12,000.

(Orig signed by John M. Gentry)
County Executive

ATTEST:

(Orig signed by Evonne Jones)
County Clerk

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

In response to a question from Commissioner Jack Powers, Mr. Roy Glass of the Highway Department said that they are hoping to find a 4-door, four-wheel drive pickup for one of the crew chiefs.

Motion carried by voice vote.

8. REVIEW AND APPROVAL OF CONTRACTS

A. A Resolution to Approve the Acceptance of a Waste Tire Grant from Tennessee Department of Conservation.

Mr. Luallen presented the following resolution to approve the acceptance of a Waste Tire Grant from Tennessee Department of Conservation in the amount of \$37,468.00 for FY 2003-2004.

Resolution No. 03-154

A RESOLUTION TO APPROVE THE ACCEPTANCE OF A WASTE TIRE GRANT FROM TENNESSEE DEPARTMENT OF CONSERVATION

WHEREAS, the Tennessee Department of Conservation provides a waste tire grant to encourage the recycling and proper disposal of waste tires; and

WHEREAS, Tennessee Department of Conservation has provided McMinn County with a grant offer to subsidize the acceptance, collection, and proper disposal of waste tires; and

WHEREAS, the total amount of the Waste Tire Grant for McMinn County is \$37,468.00 with no obligation on the part of McMinn County.

(Cont'd)

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 15TH DAY OF SEPTEMBER 2003, THAT THE COMMISSION DOES APPROVE THE ACCEPTANCE OF THE TDEC WASTE TIRE GRANT IN THE AMOUNT OF \$37,468.00, 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 King, and seconded by Commissioner Vincent, to approve this resolution.

In response to questions from Commissioners, there was a discussion concerning the disposal of waste tires and the costs involved as well as the possible future solution of the State charging a surcharge at the time of vehicle registration renewal.

Motion carried by voice vote.

B. A Resolution Authorizing McMinn County to Participate in the Tennessee Housing Development Agency Disaster Recovery for Housing Program.

Mr. Luallen presented the following resolution authorizing McMinn County to participate in the Tennessee Housing Development Agency Disaster Recovery for Housing Program:

Resolution No. 03-155

A RESOLUTION AUTHORIZING MCMINN COUNTY TO PARTICIPATE IN
THE TENNESSEE HOUSING DEVELOPMENT AGENCY
DISASTER RECOVERY FOR HOUSING PROGRAM

WHEREAS, Tennessee Housing Development Agency provides a Disaster Recovery for Housing Program Grant for qualifying Tennessee residents who have experienced losses or damages to their housing due to disaster situations; and

WHEREAS, as part of the Disaster Recovery for Housing Program, McMinn County has been approved for a \$50,000.00 grant with no financial obligation on the part of McMinn County; and

WHEREAS, the grant funds are intended for the reimbursement of contracted work to repair damaged homes of qualifying McMinn County residents; and

(Cont'd)

WHEREAS, the SE TN Development District, as administrator of the Disaster Recovery for Housing Program, has reviewed the project and has recommended McMinn County participate in the program.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 15TH DAY OF SEPTEMBER 2003, that this board does authorize McMinn County to participate in the Tennessee Housing Development Agency Disaster Recovery for Housing Program and authorizes the County Executive to execute all documents and duties necessary for the proper completion of said project, the public welfare requiring it.

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

Attest:

(Orig signed by Evonne Jones)
County Clerk

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

In response to a question from Commissioner Curtis, Mr. Gentry explained that the applications go through the Southeast Tennessee Development District for administration.

C. A Resolution to Transfer Contract Title Between McMinn County and the City of Athens for Meteorlogix Weather Service.

Mr. Luallen presented the following resolution to transfer contract title between McMinn County and the City of Athens for Meteorlogix Weather Service.

Resolution No. 03-156

A RESOLUTION TO TRANSFER CONTRACT TITLE BETWEEN MCMINN COUNTY AND THE CITY OF ATHENS FOR METEORLOGIX WEATHER SERVICE

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 transfer contract title from the City of Athens to McMinn County on a contract with Meteorlogix which provides weather information to McMinn County EMA; and

WHEREAS, McMinn County's obligation under such a contract is in the amount of \$2,328.00 per year, paid quarterly installments of \$582.00, which has been accounted for in the 2003-04 McMinn County budget; and

WHEREAS, a name change agreement is required to change contract ownership.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 15TH DAY OF SEPTEMBER 2003 that this Commission does hereby agree to assume title and ownership of the Meteorlogix Contract in order to provide weather information service to the McMinn County EMA.

AND FURTHERMORE, RESOLVES to grant authority to the County Mayor or his designee to execute the required name change agreement.

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

Attest:

(Orig signed by Evonne Jones)
County Clerk

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

In response to a question from Commissioner Jack Powers, Mr. Gentry said that this is a weather satellite system for the Emergency Management Agency that is direct cable and added that right now this is a name change only until the contract expires in a year and a half. This service will be reevaluated at that time.

Motion carried by voice vote.

D. A Resolution to Approve the Contract Between McMinn County Government and McMinn County Emergency Communications District for Emergency Dispatch Services

Mr. Luallen presented the following resolution to approve the contract between McMinn County Government and McMinn County Emergency Communications District for emergency dispatch services:

Resolution No. 03-157

A RESOLUTION TO APPROVE THE CONTRACT BETWEEN MCMINN COUNTY GOVERNMENT
AND MCMINN COUNTY EMERGENCY COMMUNICATIONS DISTRICT FOR EMERGENCY
DISPATCH SERVICES

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 contract with other entities; and

WHEREAS, in February 2003, the McMinn County Board of Commissioners approved the consolidation of McMinn County Emergency dispatch to be placed under the management of the McMinn County E-911 Center; and

WHEREAS, McMinn County desires to enter into contract with the McMinn E-91 1 Center, now known as McMinn County Emergency Communications District to perform Emergency Dispatch Services; and

WHEREAS, McMinn County's obligation under such contract is in the amount of \$300,000.00 per year for five years, paid quarterly at a rate of \$75,000.00; and

WHEREAS, should any other entities choose to contract with McMinn County Emergency Communications District for said services, the yearly installments paid by McMinn County shall be reduced by \$50,000.00 for each year that said entity participates during the term of this agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 15TH DAY OF SEPTEMBER 2003 that this Commission does hereby agree to enter into contract with McMinn County Emergency Communications District to provide emergency dispatching services.

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 Vincent, to approve this resolution.

In response to a comment from Commissioner Jack Powers, Mr. Gentry explained in more depth this contract including provisions concerning pay rate increases, differing contract amounts based on the number of governmental entities joining this consolidation, and any surplus funds being placed in a special capital funds account for future capital expenditures.

Motion carried by voice vote.

E. A Resolution to Approve the Contract Between McMinn County and Rhea County for the Detention of Juvenile Offenders.

Mr. Luallen presented the following resolution to approve the contract between McMinn County and Rhea County for the detention of juvenile offenders and explained that this is the same type of contract we have with Blount and Bradley Counties.

Resolution No. 03-158

A RESOLUTION TO APPROVE THE CONTRACT BETWEEN MCMINN COUNTY AND RHEA COUNTY FOR THE DETENTION OF JUVENILE OFFENDERS

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 Rhea County to provide detention services to hold juvenile defendants subject to the conditions of the attached proposal; and

WHEREAS, the term of this contract is one year at the per diem rate of \$132.38.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 15TH DAY OF SEPTEMBER 2003 that this Commission does hereby agree to enter into contract with Rhea County to hold McMinn County juvenile offenders subject to the stated provisions.

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

In response to a question from Commissioner Vincent concerning the advantage of this contract, Mr. Gentry explained that occasionally Bradley County is full and Blount County will not take anyone without a court order.

Motion carried by voice vote.

F. A Resolution to Approve List of Items for Surplus Sale.

Mr. Luallen said that although this is not a contract, he requested approval of the following resolution to approve the list of items for surplus sale which was provided to the Commissioners. In addition, he requests approval to be allowed to accept other items for auction up to the date of sale.

Resolution No. 03-159

A RESOLUTION TO APPROVE LIST OF ITEMS FOR SURPLUS SALE

WHEREAS, items declared surplus by the county departments must be disposed of through an auction open to the general public; and

WHEREAS, McMinn County has contracted with Dean Howard & Daughters Auction Company to hold said auction on September 20, 2003; and

WHEREAS, each Department has submitted their items to be declared as surplus and request approval; and

WHEREAS, it is also requested that the Director of Finance be allowed to accept other items for auction up to the date of sale.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 15TH DAY OF SEPTEMBER 2003 that this Commission and other additional items of the county that could be added.

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

Attest:

(Orig signed by Evonne Jones)
County Clerk

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

Motion carried by voice vote.

G. A Resolution to Approve Transfer of Three Vehicles from General Fund to General Purpose School Fund.

Mr. Luallen presented the following resolution to approve the transfer of three vehicles, which were turned in as surplus by the Sheriffs Department, to the School Board as requested by the School Superintendent.

Resolution No. 03-160

A RESOLUTION TO APPROVE TRANSFER OF THREE VEHICLES FROM GENERAL
FUND TO GENERAL PURPOSE SCHOOL FUND

WHEREAS, six vehicles have been turned in as surplus by the Sheriffs Department;

WHEREAS, the Department of Schools, John Forgety has requested, with School Board authority, to receive three of those vehicles; and

WHEREAS, County Commission approval is requested for the transfer of these vehicles from the General Fund to General Purpose School Fund.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 15TH DAY OF SEPTEMBER 2003 that this Commission does hereby approve the request of Director of Schools, Dr. Forgety to transfer these vehicles from General Fund to General Purpose School Fund.

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

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 Chairman Crews, Commissioner Vincent said that he believed these cars are for the School Resource Officers.

Motion carried by voice vote.

9. APPROVAL OF BUDGET AMENDMENTS

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

Fund: General Fund# 101

Date: September 11, 2003

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Reserve	Undesignated Fund	39000	100,000.00	
	Balance			
Local Health Center	Building Improvements	55110-707		100,000.00
JOURNAL ENTRY REQUIRED				
Reserve	Designated Health Dept Reserve	35160	100,000.00	
• Reserve	Undesignated Fund Balance	39000		100,000.00

EXPLANATION: To budget funds relating to Health Department Renovations from Health Department Designated Reserve

MOTION made by Commissioner Jack Powers, 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

Fund: Education Capital Project Fund # 177

September 10,2003

DEPARTMENT	ACCOUNT		DEBIT	CREDIT
Other Services	Operating Transfers	49800	2,153,676.00	
Education Capital Site Development		91300-724		2,153,676.00

EXPLANATION: To budget available funds from the County Commission Other Capital Fund to complete funding of the Englewood School Project approved by the Board of Education. School Board approval 9-11-03.

Fund: Education Capital Project Fund # 177

September 10,2003

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Other Services	Operating Transfers	49800	91,807.00	
Educational Capital Bldg Construction Projects	(Niota)	91300-706		1,343.00
	Site Development	91300-724	77,930.00	
	(Englewood)			
	Other Capital Outlay	91300-799	7,898.00	
	(Calhoun)			
Reserve	Undesignated Fund Balance	39000	4,636.00	

EXPLANATION: To budget Education Capital Projects Fund carry-over balances from FY 2002-2003. School Board approval 9-11-03.

MOTION made by Commissioner Jack Powers, and seconded by Commissioner Curtis, to approve these budget amendments.

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

10. WOODS MEMORIAL HOSPITAL FINANCIAL REPORT

Mr. David Hill, representing Mr. Southerland, Administrator of Woods Memorial Hospital District, updated the Commissioners on their Monthly Financial Report a.~ July 31,2003 and provided to each Commissioner a written summary. Mr. Hill reviewed the highlights of statistics for July and year to date as compared to last year and specifically commented on several figures. Mr. Hill said that surgery and respiratory therapy figures are up and also said that physical therapy was well above last year's number, adding that the total for rehab was up almost 300 procedures from last year. Mr. Hill said that this is especially good for July as summer months typically are slower. Mr. Hill also reviewed the figures for Laboratory, CT Scans, and MRI which are well above budgeted numbers, and added that emergency medical services continue to do well.

Mr. Hill also presented the Commissioners with a consolidated financial statement and reviewed the figures with the Commissioners. Mr. Hill said that gross patient revenues were about \$3.2 million versus \$2.7 million last year which is very good, and added most of the expenses are pretty close in line for the month. Mr. Hill said that purchased professional services are well above what was spent last year, partially because of dietary contract with Morrisons and all the employees in the dietary department have become employees of Morrisons. Mr. Hill also discussed other issues regarding the increased professional services. Mr. Hill said there was a profit for the month of July of \$83,443 .00 versus a loss of \$27,307.00 last year.

Mr. Hill presented the Hospital Revenue and Expense Statement and said that although there was a loss for the hospital of \$10,092.00, this is a great improvement over last year's loss of \$116,837.00. Mr. Hill said that the Nursing Home did very well for the month with a profit of \$87,675.00 and finally he reviewed the net days in accounts receivable.

Mr. Hill presented Mr. Luallen with two checks from EMS service, and passed out a summary of operations for the ambulance service.

In response to a question from Commissioner Vincent regarding remaining current on their bills, Mr. Hill said that they are continuing to work with their vendors on payment plans.

11. MCMINN REGIONAL HUMANE SOCIETY - MR. DAVID FERRIS

Mr. David Ferris, President, McMinn Regional Humane Society, began by giving the Commission some background on their organization which was incorporated in 1990 and currently has more than 250 members dedicated to the humane treatment of animals. He told the Commission the many ways the McMinn Regional Humane Society (MRHS) serves the community and expressed a very real need for a County Animal Shelter.

• (Cont'd)

Mr. Ferris said that currently McMinn County residents have no humane options available for stray or unwanted animals. He said that they plan to construct a building much like the animal shelter in Athens and said it would be privately run by volunteers. Their goals include providing a humane option for strays and unwanted animals, reducing strays by a 100% spay and neuter program, rabies and disease prevention, and abuse and neglect prevention. He also recommended the County adopt a policy against dumping animals. Mr. Ferris requested the Commission for their support by providing a small parcel of land for five years and the MRHS will do the rest and not request funds from the County. If there is no improvement in five years, the land would go back to the County.

In response to a question from Commissioner McPhail, Mr. Ferris said that they would like an acre or even less. In response to a question from Mr. Gentry, Mr. Ferris said they will not abandon their efforts to the Athens Animal Shelter. In response to a question from Commissioner Mason, Mr. Ferris said that the euthanized animals are taken to the Landfill.

Chairman Crews referred this issue to the Animal Control Committee for further consideration.

12. COMMENTS FROM THE AUDIENCE None.

13. RESOLUTIONS

A. Resolution to Delete Delinquent Personal Property Taxes.

Mr. Gentry presented the following resolution to delete delinquent personal property taxes on a number of businesses that have gone out of business. A list of these businesses was provided to the Commissioners and is on file as an attachment to the resolution in the Office of the County Clerk. Mr. Gentry recommended approval.

Resolution No. 03-161

RESOLUTION TO DELETE DELINQUENT PERSONAL PROPERTY TAXES

WHEREAS, Patty S. Gaines, McMinn County Clerk and Master, and Phil Tuggle, McMinn County Trustee, have complied to the best of their ability to the states of the State of Tennessee to collect the delinquent taxes listed on the attached list; and

WHEREAS, it has been determined that the said taxes are uncollectible due to the taxpayers being out of business or parcels no longer on the tax rolls; and

WHEREAS, retaining said taxes on the rolls is an unwarranted expense to McMinn County.

THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 15TH DAY OF SEPTEMBER 2003 that the attached list of delinquent taxes be purged from the tax rolls now in the office of the McMinn County Clerk and Master.

(Orig signed by John M. Gentry)
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.

14. ELECTIONS. APPOINTMENTS AND CONFIRMATIONS None.

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

A. Discussion of Funding for Waterline Extensions.

Commissioner King introduced Englewood Mayor Lance McConkey who expressed his concern on behalf of the Town of Englewood that they are going out on a limb in applying for the CDBG grants to extend waterlines because they don't know how many customers will actually sign up. As Mr. McConkey has discussed with several Commissioners, he is requesting the County to increase their support of waterline extension projects from 20% to 30%. There was a lengthy discussion between Mr. McConkey and the Commissioners concerning several aspects of this program including the County's support of installation only, some municipalities lacking engineering support, and the possibility of the increase jeopardizing the entire program. Commissioner Jack Powers suggested that this subject needs to be studied county-wide. Mr. Gentry added that there is a strong possibility that as many as six of these projects will be completed this budget year and our 20% match could amount to over \$1 million.

Commissioner Mason feels that 20% County support is adequate and he made a motion and it was seconded by Commissioner McPhail to leave the County's support at 20%. However, Commissioner Jack Powers and Commissioner King feel this should be studied further. After a lengthy discussion, Commissioner Mason and Commissioner McPhail withdrew their motions and Mr. Gentry is to look into this further, especially the CDBG match amounts and capital fund priorities.

B. Question by Commissioner King.

In response to a request from Commissioner King, Mr. Gentry said that the Parkstown Park is being mowed by the County per the requirements of the grant which funded construction of the park.

C. Question by Commissioner Jack Powers.

In response to a question from Commissioner Jack Powers, there was some discussion concerning the paving and the "islands" created in the parking lot at Madison Park Shopping Center. Mr. Gentry stated the design was made by the landlord and should leave the County with around 85 plus parking spaces. The "islands" were designed to visually improve the area.

D. Comments by the County Engineer Concerning the Airport Project.

Mr. Beene said that they have just today received the approved airport layout plan. The environmental assessment is complete and they just received a contract for the first round of federal entitlement funds. Mr. Beene said they are doing a pilot program using TDOT land acquisition staff to purchase the land we need. If successful, the Aeronautics Commission will use TDOT elsewhere. Mr. Beene said they are on the agenda at the Aeronautics Commission to request the balance of the funds needed to actually do the construction project. We are expecting to start construction in the Spring with a projected completion next Fall.

- In response to a question from Commissioner Jack Powers, Mr. Beene said the advantage of using TDOT acquisition staff is that they are more familiar with the federal regulations involved.

The County Attorney stated that home relocations on Federal Projects are extremely complicated and

16. COMMENTS FROM THE COUNTY MAYOR

A. Tennessee County Commissioners Association Meeting.

Mr. Gentry reminded the Commissioners of the Tennessee County Commissioners Association legislative meeting in Cleveland on September 25, 2003.

B. Tennessee County Services Association Meeting in Nashville.

Mr. Gentry reminded the Commissioners of the Tennessee County Services Association meeting in Nashville on October 8, 2003.

C. 1-75 Lighting Update.

Mr. Gentry said that we have received the contracts from TDOT, but upon review noticed needed changes. The County cannot obligate City of Athens resources without their consent such as grant permission to relocate utilities at City's cost.

D. Comments Regarding Serving with Commission Chairmen.

Mr. Gentry said he has enjoyed working with J. W. McPhail this year in his capacity as Chairman of the Commission and added that he had represented McMinn County as a true gentleman and professional. He also said he is looking forward to working With David Crews in that capacity.

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 September 2003

Rebecca C. Brownlow
Kimberly Clare
Rebecca M. Cook
Phyllis E. DeCuir
Connie Denise Fain-Woodcock
Sherry Franklin
Robert S. Jenkins
John E. Linn
Robert McCowan Jr.
Sue A. McDonald
Pamela W. Morrow
Linda S. Smith
Yuliya Webb
Kim P. Workman

MOTION made by Commissioner King, and seconded by Commissioner Masingale, 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

A. Comments by Commissioner Roger Masingale.

Commissioner Masingale said he has had a few complaints about a drain pipe at the playground of Englewood School and he invited any interested Commissioners to look at the situation.

19. ADJOURNMENT

There being no other business, Chairman McPhail declared the meeting adjourned at 9:10 pm.

EVONNE JONES
McMinn County Clerk

Attest:

Deputy Clerk date