

The McMinn County Board of Commissioners met in Regular Session on Monday, October 20, 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 David Crews.

2. INVOCATION:

The Invocation was given by Reverend Mike Womack, Pastor of the First Baptist Church in Athens, TN.

3. PLEDGE TO THE FLAG

The Pledge to the Flag was led by Commissioner Jack Powers.

4. ROLL CALL

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

Scott Curtis Present
Dale 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 September 15, 2003 were provided to the Commissioners.

MOTION made by Commissioner King, and seconded by Commissioner Mason, to approve the Minutes of September 15, 2003.

Motion carried by voice vote.

6. APPROVAL OF BIDS AND PURCHASES

A. A Resolution to Approve and Award the Semi-Annual Liquid Asphalt Bid.

Mr. Luallen presented the following resolution to approve and award the semi-annual liquid asphalt bid, along with the bid summary sheet and a letter of recommendation from the Commissioner of Highways.

Resolution No. 03-162

A RESOLUTION TO APPROVE AND AWARD THE SEMI-ANNUAL
LIQUID ASPHALT BID

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

WHEREAS, the Highway Department has requested the purchase of liquid asphalt from the low bidder Vulcan Construction Materials 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 Commissioners has recommended the bid be awarded to the low bidder.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20TH DAY OF OCTOBER 2003, 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.

Motion carried by voice vote.

B. A Resolution to Reject All Bids for Concrete Pads at Cooke Memorial Park.

Mr. Luallen presented the following resolution to reject all bids for concrete pads at Cooke Memorial Park, as well as the bid summary sheet and the letter of recommendation from Mr. Stan Moses, McMinn County Parks and Recreation Supervisor. Mr. Luallen said that the bids received were above estimated cost and budget allowed for this grant project and Mr. Moses recommends that we reject all bids, adjust the bid specifications and re-bid the project.

Resolution No. 03-163

A RESOLUTION TO REJECT ALL BIDS FOR CONCRETE PADS AT COOKE MEMORIAL PARK

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

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

WHEREAS, McMinn County received a grant relating to Cooke Memorial Park renovations; and

WHEREAS, the bids received were above estimated cost and budget allowed for this portion of the grant project; and

WHEREAS, Stan Moses, McMinn County Parks and Recreation Supervisor has recommended to reject all bids, adjust the bid specifications in order to reduce the bid offers, and re-bid the project.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20TH DAY OF OCTOBER 2003, 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 Holbrook, to approve this resolution.

Motion carried by voice vote.

C. Resolution to Approve Payment of 1994 International 9400 Truck to Mavfield's Dairy Farms.

Mr. Luallen presented the following resolution to approve payment for 1994 International 9400 Truck to Mayfield's Dairy Farms.

Resolution No. 03-164

RESOLUTION TO APPROVE PAYMENT OF 1994 INTERNATIONAL 9400 TRUCK TO
MAYFIELD'S DAIRY FARMS

WHEREAS, McMinn County Highway Department followed Financial Management Committee Policies and Procedures and purchased from Mayfield's Dairy Farm through Public Auction a 1994 International 9400 truck in the amount of \$8,975.00; and

WHEREAS, in accordance with Financial Management Committee Policies and Procedures, expenses over \$5,000.00 require County Commission approval.

NOW, BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE MEETING IN REGULAR SESSION ON THIS THE 20TH DAY OF OCTOBER 2003, that the payment for purchase of 1994 International 9400 truck in the amount of \$8,975.00 be hereby approved.

(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 Jack Powers, the Highway Commissioner said this is a road tractor and Commissioner Mason added that he had seen it and that this was a bargain.

Motion carried by voice vote.

D. A Resolution to Award Janitorial Supplies to Second Lowest Bidder.

Mr. Luallen presented the following resolution to award Janitorial Supplies to the second lowest bidder, because the low bidder rescinded their bid. Mr. Luallen also presented the Commissioners with a copy of the previous bid summary sheet as well as the letters from the other two vendors stating they would honor their bid prices.

Resolution No. 03-165

A RESOLUTION TO AWARD JANITORIAL SUPPLIES TO SECOND LOWEST BIDDER

WHEREAS, McMinn County has followed the proper procedures in securing bids for Janitorial Products for the period of July 1, 2003 to June 30, 2004; and

WHEREAS, the low bidder Reliability Industrial has rescinded their bid; and

WHEREAS, the second lowest bidder for each item Peak Industrial, Inc. and Kelsan have agreed to honor their bid price for those items for the remainder of the bid period.

NOW, BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE MEETING IN REGULAR SESSION ON THIS THE 20th DAY OF OCTOBER 2003, that this Commission does hereby approve the next low bidder for each item for the remainder of the Janitorial Supply bid period ending June 30,2004.

(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 Curtis, to approve this resolution.

In response to a question from Commissioner Curtis, Mr. Luallen said that they have not had any problems with that vendor before but the policy is that a vendor who rescinds their bid is disqualified from future bidding.

E. Resolution to Approve Invoice Without Requisition (McMinn County Ambulance Service).

Mr. Luallen presented the following resolution to approve a requisition to Select-Tech, Inc. for the repair of wrecked ambulance in the amount of \$1,075.00. Although this repair was covered by insurance, a requisition was not submitted per the policies of the Financial Management Committee.

Resolution No. 03-166

A RESOLUTION TO APPROVE INVOICE WITHOUT REQUISITION

WHEREAS, the McMinn County Ambulance Service requests payment of invoice made without a requisition to Select-Tech, Inc., on July 17,2002 for the repair of wrecked ambulance in the amount of \$1,075.00; 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; and

NOW, BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS 20TH DAY OF OCTOBER 2003, that this Commission does hereby approve the payment of above invoice.

Attest:

(Orig signed by Evonne Jones)
County Clerk

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

Chairman Crews stated for the record that this dates back to 2002.

Motion carried by voice vote.

F. A Resolution to Approve Invoice Without Requisition (Health Department).

Mr. Luallen presented the following resolution to approve an invoice made without a requisition to Bayne's Business Machines on October 10,2003 for the repair of Brother Fax Machine in the amount of \$293.00.

Resolution No. 03-167

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 October 10,2003 for the repair of Brother Fax Machine in the amount of \$293.00; 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 20TH DAY OF OCTOBER, 2003, 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 Jack Powers, to approve this resolution.

Motion carried by voice vote.

7. REVIEW AND APPROVAL OF CONTRACTS

A. Resolution to Renew Airport Maintenance Contract with State of Tennessee Department of Transportation.

Mr. Luallen presented the following resolution to renew the airport maintenance contract with State of Tennessee Department of Transportation. A copy of the contract was also provided to the Commissioners and Mr. Luallen explained that we spend \$18,000.00 on airport maintenance and we receive \$9,000.00 of that from the State.

Resolution No. 03-168

A RESOLUTION TO RENEW AIRPORT MAINTENANCE CONTRACT WITH STATE
OF TENNESSEE DEPARTMENT OF TRANSPORTATION

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 renew their Airport Maintenance Contract # Z-04-018067-00 with the State of Tennessee, Department of Transportation; and

WHEREAS, the term of this grant is July 1,2003 through June 30, 2004, with the State portion not exceeding \$9,000.00.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20TH DAY OF OCTOBER, 2003 that this Commission does hereby agree to renew this Airport Maintenance Contract with the State of Tennessee,

AND FURTHERMORE RESOLVES to give authority to the County Mayor or his designee to execute and administer 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 Masingale, to approve this resolution.

Motion carried by voice vote.

B. A Resolution to Approve the Tennessee Emergency Management Agency Contract.

Mr. Luallen presented the following resolution to approve the Tennessee Emergency Management Agency Contract related to public assistance for eligible costs concerning our flood disaster.

Resolution No. 03-169

A RESOLUTION TO APPROVE THE TENNESSEE EMERGENCY MANAGEMENT
AGENCY CONTRACTS

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 the State of Tennessee Emergency Management Agency which is providing public assistance for the eligible costs incurred as a result of the severe storms and flooding during the month of May 2003; and

WHEREAS, the term of this grant is May 4,2003 through May 30, 2008, totaling \$154,104.65.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20TH DAY OF OCTOBER 2003 that this Commission does hereby agree to enter into contract with State of Tennessee, Tennessee Emergency Management Presidential Declaration # 1463 in the amount of \$154,104.65.

AND FURTHERMORE RESOLVES to give authority to the County Mayor or his designee to executive and administer 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 Holbrook, and seconded by Commissioner King, to approve this resolution.

In response to a question from Commissioner Vincent, Mr. Luallen said that reimbursement had been requested and they hoped to have reimbursement this fiscal year.

Motion carried by voice vote.

8. APPROVAL OF BUDGET AMENDMENTS

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

October 20,2003

Date: October 16,2003

Fund: General Fund# 101

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Revenue	Other Federal Through State	47590	16,347.00	
Other Emergency Management	Other Contracted Services	54490-399		16,347.00

EXPLANATION: To budget Revenue and Expenditures related to TEMA Grant for the support of local Emergency Operation Plans. Commission approval 4/21/03.

MOTION made by Commissioner King, and seconded by Commissioner Bob Powers, 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: Federal Projects E 142, IDEA-B, 02021 #393

Date: September 19,2003

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Special Education Teachers		71200-116		3,600.00
	Social Security	71200-201		224.00
	State Retirement	71200-204		123.00
	Employer Medicare	71200-212		52.00
	Other Contracted Services	71200-399		12,000.00
	Instructional Supplies	71200429		45,627.11
	Other Supplies & Materials	71200-499		950.76
	Special Education Equipment	71200-725		1,430.42

(Cont'd)

Fund: Federal Projects # 142, IDEA-B, 02.21 #393 (Cont'd)

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Reserve	Res. For Sp. Ed. Grants to States	34430	44,531.29	
Revenue	Special Ed. Grants to States	47143	19,476.00	

EXPLANATION: To enter the IDEA-B 02-21 Project carry-over balances into the FY 03.04 budget.

Fund: Federal Projects # 142 Vocational Ed. 03.01 # 352 Date: September 22, 2003

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Vocational Educa- tion Program	Instructional Supplies	71300429		13,655.96
	Voc. Instruction Equip- ment	71300-730		6,205.96
Reserve	Other Federal Reserves	34440	19,861.92	

EXPLANATION: To enter the Voc. Ed. 03.01 carryover balances into the FY 03.04 budget.

Fund: Federal Projects # 142-Tide III, Part A, 03.01 # 381 Date: September 22, 2003

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Regular Instruction Program	Instructional Supplies	71100-429		903.58
Reserve	Other Federal Reserves	34440	903.58	

EXPLANATION: To enter the Title III, Part A, 03.01 carryover balances into the FY 03.04 budget.

Fund: Federal Projects #142, IDEA-B-03.01 # 391

Date: September 22,2003

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Special Education Teachers		71200-116		9,057.63
	Educational Assistants	71200-163		28,384.23
	Other Salaries and Wages	71200-189		1,881.00
	Social Security	71200-201		2,530.09

(Cont'd)

Fund: Federal Projects # 142, IDEA-B, 03.01, # 391 (Cont'd)

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Special Education	State Retirement	7 1200-204		1,971.00
	Life Insurance	71200-206		427.96
	Medical Insurance	71200-207		27,327.18
	Unemployment Compensation	71200-210		106.03
	Employer Medicare	71200-2 12		591.46
	Other Fringe Benefits	71200-299		95.29
	Contracts with Private Agen.	71200-312		37,732.86
	Instruct. Supplies & Materials	71200429		85,653.61
	Other Supplies & Materials	71200499		64,212.42
	Equipment	71200-725		1,276.06
Special Ed. Program Support	Psychological Personnel	72220-124		7,239.15
	Other Salaries and Wages	72220-189		2,513.09
	Social Security	72220-201		772.58
	State Retirement	72220-204		331.36
	Life Insurance	72220-206		52.78
	Medical Insurance	72220-207		4,176.34
	Unemployment Compensation	72220-210		31.10
	Employer Medicare	72220-212		180.75
	Other Fringe Benefits	72220-299		10.03
	Maint. & Repair Serv. Equip.	72220-336		4,750.00

(Cont'd)

Fund: Federal Projects # 142, IDEA-B, 03.01, # 391 (Cont'd)

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Special Ed. Program Spt	Travel	72220-355		5,862.46
	Other Contracted Services	72220-399		2,570.43
	In Service/Staff Development	72220-524		6,747.91
	Other Charges	72220-599		18.97
Transportation	Bus Drivers	72710-146		1,115.95
	Social Security	72710-201		547.79
	State Retirement	727 10-204		339.16
	Life Insurance	72710-206		138.72
	Medical Insurance	727 10-207		3,367.22
	Unemployment Compensation	72710-210		16.67
	Employer Medicare	72710-212		127.82
	Other Fringe Benefits	72710-299		35.10
	Contracts with Parents	72710-3 13		2,000.00
	Equipment	72710-729		1,199.00
Reserve	Res. for Sp. Ed. Grants to State	34430	21,663.00	
Revenue	Sp. Ed. Grants to States	47143	283,728.00	

EXPLANATION: To enter the IDEA-B, 03.01 carryover balances into the FY 03.04 budget.

Fund: Federal Projects # 142-Title II, Part D. 03.01, # 380 Date: September 22,2003

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Reg. Instruc. Program Spt	Other Supplies	72210499		309.94
	Secretary	72210-161		.25
	In-Service/Staff Development	72210-524		5,705.00

Fund: Federal Projects # 142, Pre-School, 04.01, # 490

Date: September 23,2003

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Special Education	Instruc. Supplies & Materials	71200429	555.00	
Special Ed. Program Support	Other Salaries & Wages	72220-189		717.00
	Social Security	72220-201	55.00	
	State Retirement	72220-204	23.00	
	Employer Medicare	72220-2 12	13.00	
	Other Supplies & Materials	72220499		446.00
Revenue	Special Ed. PreSchool Grants	47145	563.00	

EXPLANATION: To enter the PreSchool 04.01 budget that was approved by the state September 11, 2003. The original budget was based on estimates.

Fund: Federal Projects # 142, IDEA-B, 04.01, #491

Date: September 23, 2003

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Alternative Instruc- tion Program	Teachers	71150-116		21,824.00
	Social Security	71150-201		1,353.00
	State Retirement	71150-204		740.00
	Life Insurance	71150-206		52.00
	Medical Insurance	71 150~207		2,100.00
	Employer Medicare	71150-212		317.00
	Other Fringe Benefits	71150-299		14.00
	Special Education Teachers	71200-116		39,655.00
	Educational Assistants	71200-163		17,872.00
	Other Salaries & Wages	71200-189		564.00
	Social Security	7 1200-201		3,602.00

(Cont'd)

Fund: Federal Projects # 142, IDEA-B, 04.01, # 491 (Cont'd)

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Special Education	State Retirement	7 1200-204		2,261.00
	Life Insurance	71200-206	1,310.00	
	Medical Insurance	7 1200-207		13,000.00
	Unemployment Compensation	71200-210		22.00
	Employer Medicare	71200-212		842.00
	Other Fringe Benefits	71200-299		20.00
	Contracts w/Private Agencies	71200-3 12		10,000.00
	Instruc. Supplies & Materials	71200429		21,070.00
	Other Supplies & Materials	71200499		10,742.00
	Equipment	7 1200-725		6,000.00
Special Ed. Program Spt	Psychological Personnel	72220-124		1,554.00
	Other Salaries & Wages	72220-189		717.00
	Social Security	72220-201		141.00
	State Retirement	72220-204		70.00
	Life Insurance	72220-206		5.00
	Medical Insurance	72220-207		1,650.00
	Employer Medicare	72220-212		33.00
	Maint. & Repair Sves- Equipment	72220-336		1,000.00
Transportation	Bus Drivers	72710-146		12,500.00
	Social Security	72710-201		465.00
	State Retirement	727 10-204		376.00

Fund: Federal Projects # 142, IDEA-B, 04.01, #491 (Cont'd)

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Transportation	Medical Insurance	72710-207		3,720.00
	Employer Medicare	72710-212		109.00
	Contracts with Parents	72710-313		1,000.00
Revenue	Spec. Ed-Grants to State	47143		174,080.00

EXPLANATION: To enter the IDEA-B, 04.01 budget that was approved by the State September 11,2003.

The original budget was based on estimates.

Fund: Federal Projects # 142, Voc. Ed., 04.01, #452

Date: September 24,2003

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Vocational Educa- don Program	Travel	71300-355		16,000.00
	Instruc. Supplies & Materials	71300429		3,135.00
	Vocational Instruc. Equipment	71200-730	1,246.00	
Other Student Support	Travel	72130-355	14,000.00	
Revenue	Voc. Ed. Basic Grants to States	47131	3,889.00	

EXPLANATION: To enter the Voc. Ed. 04.01 budget that was approved by the state September 09, 2003. The original budget was based on estimates.

Fund: Federal Projects # 142, Title I, Part A, 04.01, # 471

Date: October 7,2003

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Regular Instruction Teachers Program		71 100-1 16		13,754.00
	Educational Assistants	71100-163		1,524.00
	Social Security	71100-201	1,966.00	
	State Retirement	71100-204		91.00
	Life Insurance	7 1100-206	1.00	

(Cont'd)

Fund: Federal Projects # 142, Title I, Part A, 04.01, # 471 (Cont'd)

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Regular Instruction Program	Medical Insurance	71100-207		5,000.00
	Employer Medicare	71100-212	410.00	
	Instruc. Supplies & Materials	71100429	2,365.00	
	Equipment	7 1100-722	16,684.00	
Other Student Support	Other Charges	72130-599		601.00
Reg. Instruc. Program Spt	Supervisor	722 10-105		2,847.00
	Secretary	72210-161		17,000.00
	Social Security	72210-201		177.00
	Retirement	72210-204		90.00
	Medical Insurance	722 10-207		461.00
	Employer Medicare	72210-212		41.00
	Travel	72210-355		4,307.00
	Other Supplies &	72210-499		1,100.00
	Staff Development	72210-524		893.00
Revenue	Title I Grants	47141		17,846.00

EXPLANATION: To enter the approved Title I 04.01 Budget. The original budget entered was based on estimates.

Mr. Luallen said that the School Board approved these budget amendments on 10/9/03.

MOTION made by Commissioner King, and seconded by Commissioner Curtis, to approve these 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. WATER PROGRAM UPDATE MR. HALE BOOTH. SE TN DEVELOPMENT DISTRICT

Mr. Hale Booth of the Southeast Tennessee Development Staff updated the Commission on the McMinn County's Waterline Extension projects. Over the next eighteen months, there will be about \$7M expended here in the County and they provided a map showing those projects pending grant approval, funded extensions under construction, projects in the process of easement acquisition and those in design. Mr. Booth also provided a listing of Waterline Extension Projects and reviewed the status of each. The Athens/AUB Tranquility Waterline project is largely complete and added that it came in under budget. Mr. Booth said that they were able to add some additional lines to the service area, and he also said that they will be eligible to apply for another community development block grant this winter.

Mr. Booth said that the Calhoun/Calhoun-Charleston Utility District project is a line extension running north from the Bowater Road. This was funded last year and the Engineer has just finished the design on this project and Mr. Booth said this project is being reviewed by the State. The Englewood project is a fairly major line project which was bid in July. The bids came in well over budget but the second time around it came in within budget.

The Etowah project is basically in the area of Mecca Pike and was just bid. Mr. Booth said they have had the preconstruction meeting and the contractor has filed bankruptcy. They have a performance bond, but the project will be delayed. Mr. Booth said that the Niota Regional project is quite a large project because several projects consolidated into one to create efficiency in cost. The design work has been finished with a bid date expected in the next 30 days.

The McMinn County Riceville Utility District is a recent project and a Community Development Block Grant was applied for in February. It will probably be a year before construction begins.

The Meigs County/Decatur project would bring water into a portion of McMinn County. This project was recently funded and while it will only service about 3540 houses in McMinn County, Mr. Booth said it is in an area that would be a long time before we could get service to from an existing utility in McMinn County.

The Riceville Utility District/Rural Development Project is a large project. This project has been delayed because of easements but will probably be bid before the end of the year. In response to a question from Commissioner Bob Powers, Mr. Booth said that this had been delayed because of easements but they have been completed but they are waiting for the Rural Development Administration to tell the Utility District that they can bid the project.

Mr. Booth presented the Commission with a County Funds Expenditure Forecast for the Water Fund, with about \$800,000 being requested by the end of this fiscal year.

Mr. Booth also presented a draft resolution for a project with Watts Bar for their line extension on Highway 68 for consideration at next month's meeting. Mr. Booth said that the estimated project cost is \$463,325 ~00 funded with Rural Development Funds. This will serve about 60-70 houses, as well as commercial businesses and churches. Mr. Booth said they are also exploring putting a separate project together with Watts Bar and Loudon County for lines north from Highway 68.

Mr. Booth answered several questions from Commissioners concerning these projects as well as the proposal that McMinn County raise their level of funding. There was some discussion but Mr. Booth said he doesn't feel that McMinn County would get any additional waterlines if they increased their match percentage because McMinn County has actually been able to leverage a better return than 20"/o based on the grant rates.

Mr. Booth expressed his appreciation for the opportunity to work with McMinn County in this really remarkable partnership. Chairman Crews thanked Mr. Booth for this update and his work. Commissioner King suggested that he give them an update every three months.

10. WOODS MEMORIAL HOSPITAL FINANCIAL REPORT MR. DAVID HILL

Mr. David Hill, representing Mr. Southerland, Administrator of Woods Memorial Hospital District, presented two checks from the EMS service totaling \$22,139.94 for a catch-up payment and for payment on last month's services.

Mr. Hill provided a Monthly Financial Report as of August 31,2003 and reviewed the highlights with the Commission. Mr. Hill said that they had a loss for the month, but he reiterated many of the positive things that are going on at the Hospital, including the recruitment of physicians, the opening of the Sleep Center, MRI Services, Wound Care Center, CT Scans, as well as an increase in surgeries.

11. COMMENTS FROM THE AUDIENCE

A. McMinn County Department of Juvenile Services Update Mr. Larry Rhodes.

Mr. Larry Rhodes, Director of Juvenile Services, reviewed the highlight of their Annual Report for 2002-2003 which was sent to the Commissioners in their packet. He also distributed a pamphlet concerning their services which was produced in-house. Mr. Rhodes said that last year there were 722 referrals, ages 11-18 years old. Although McMinn County's youth problems are generally not as serious as some problems in larger metropolitan areas, these cases require a lot of preventive work. Mr. Rhodes said they are a proactive department and get involved with the kids in school. Mr. Rhodes said that they provide the principal probation services for the community and provide services which used to be provided by the State. There are currently five full-time Youth Service Officers and carrying a case load of 2540 cases per worker. Mr. Rhodes also discussed our contracting with other communities for overnight stays and said that this has helped, although this does not work for certain juvenile offenders. Mr. Rhodes also said that they are also participating with the University of Tennessee on an Appalachian Research Grant through the National Institute of Mental Health and we will be providing more services to juveniles. This will help our most difficult cases -the ones whose own parents have kicked them out of their homes.

In response to a question from Mr. Gentry, Mr. Rhodes explained their staff and services at all the schools in McMinn County.

Mr. Rhodes expressed his appreciation for the opportunity to talk to the Commission and Chairman Crews thanked him for the update.

B. Comments by Mr. Larry Payne. Resident of Diamond Head Estates.

Mr. Larry Payne, a Resident of Diamond Head Estates, which is off Highway 163, said he has lived there a year and to this date it is not a county road. He has attended several Planning Commission meetings and he said that he had been assured by a State planner that everything was finalized and that the road would be voted on tonight. He said he has learned this evening that a proper bond has not been received and there are some issues with the road. He asked the Commission if there was anyway they could put pressure to get this resolved and he outlined many hardships this is causing for himself and the other residents.

In response to a question from Mr. Gentry, the Highway Commissioner said he has inspected the road and has informed the developer, by letter, of the requirements.

Commissioner Masingale told Mr. Payne that there would be a meeting of the Planning Commission tomorrow morning and Chairman Crews suggested that Mr. Payne attend. Mr. Payne recommended to the Commission that all future developments within the County have county roads approved before the developer is allowed to sell a single lot, although the Highway Commissioner said that the maintenance bonds are there to protect residents. Commissioner McPhail also stated that requiring roads to be paved before lots could be sold would result in the road being destroyed by heavy trucks during the construction of the homes.

12. RESOLUTIONS

A. Proclamation (Resolution) Concerning Our Pledge of Allegiance.

Mr. Gentry presented the following resolution which was sent to our Commission for consideration by Greene County. This proclamation is being sent to all Counties in Tennessee urging all Americans to publicly recognize God as the foundation of national heritage.

Resolution No. 03-170

PROCLAMATION

WHEREAS, our Government was founded upon a trust in God, that began when our Founding Fathers proclaimed in America's first official document, our Declaration of Independence, that our rights to "life, liberty and the pursuit of happiness, were g~ given to us by government, but by God "our Creator," the "Sovereign Judge of the Universe," and

WHEREAS, it is fact that between 90 and 95 % of those who drafted and signed the US Constitution had a strong belief and trust in God and never ever intended that there be a separation between HIM and the affairs of Government, only that each citizen be free to choose on a personal basis how to worship, or if to worship, and

WHEREAS, the recognition of God by our Government was further established when Congress, in 1954, added the phrase "ONE NATION UNDER GOD" to our Pledge of Allegiance, followed in 1956, by the official establishment of "IN GOD WE TRUST" as our National Motto, and

WHEREAS, there is now a growing demand by some within the Judicial System to remove all vesible recognitions of God from public institutions, which has recently resulted in a Federal Order to physically remove the Ten Commandments Monuments from the Alabama State Supreme Court to remind all that God is central to our National Heritage, and His Ten Commandments, without question, the foundation of American law, moral values, and code of conduct.

(Cont'd)

NOW, THEREFORE, we the McMinn Board of Commissioners urge all American citizens to proclaim to every level of Government (local, State and Federal) its responsibility to publicly recognize God as the Foundation of our National Heritage, LEST OUR NATION FORGET AND OUR CHILDREN NEVER

Given under by hand in
Athens, Tennessee, this the
20th day of October in the
Year of our Lord two thousand
and three.

(Orig signed by John Gentry)
County Mayor

MOTION made by Commissioner Vincent, and seconded by Commissioner Holbrook, to approve this proclamation.

Motion carried by voice vote.

Chairman Crews said that all of the Commissioners would be given the opportunity to sign the original copy.

B. A Resolution to Enter into a Tentative Agreement with the McMinn County Regional Humane Society to Provide Land for the Construction of an Animal Shelter.

Mr. Gentry presented the following resolution to enter into a tentative agreement with the McMinn County Regional Humane Society to provide land for the construction of an animal shelter. Mr. Gentry asked the Commission to take note of the stipulations, but added that this will allow the Human Society to begin fundraising knowing they have a commitment from us.

Resolution No. 03-171

A RESOLUTION TO ENTER INTO A TENTATIVE AGREEMENT WITH THE
MCMINN COUNTY REGIONAL HUMANE SOCIETY
TO PROVIDE LAND FOR THE CONSTRUCTION OF AN ANIMAL SHELTER

WHEREAS, McMinn County has historically experienced a problem with stray animals; and

WHEREAS, the McMinn County Regional Humane Society (MCRHS) has approached the McMinn County Commission with an offer to build and operate an animal shelter if a suitable parcel of land could be leased from McMinn County for that purpose and

WHEREAS, it is the recommendation of the Animal Shelter Committee that a tentative initial 5-year lease agreement be entered into with the McMinn County Regional Humane Society pursuant to the following stipulations:

1. The parcel be a 1 acre ± located on the McMinn County Landfill property on County Road 602.
2. The McMinn County Regional Humane Society develop a construction and operational plan for the proposed animal shelter.

(Con't)

3. The property be developed for the construction of the proposed animal shelter only.
4. That in the case of lease default, McMinn County shall acquire the property and any and all development thereon.
5. That a comprehensive lease be agreed to by both parties regarding liability, insurance, etc.
6. That upon default of a lease agreement, McMinn County is not held responsible for the continued operation of the animal shelter.

WHEREAS, McMinn County intends to extend the initial five year lease for a period not to exceed ninety-nine years without future Commission consent, if all conditions of the lease are met.

NOW, THEREFORE, BE it RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING I REGULAR SESSION ON THIS 20TH DAY OF OCTOBER 2003, that this Commission does hereby confirm its intent to enter into a tentative agreement with the McMinn County Regional Humane Society for the purpose of the construction of a proposed animal shelter, subject to the stipulations stated above.

(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 Curtis, to approve this resolution.

In response to a question from Commissioner McPhail regarding the legal aspects of the agreement, the County Attorney said he would work with the Humane Society's attorney to come up with an appropriate lease agreement.

Commissioner Curtis said that it was agreed at the meeting that the Humane Society would submit a business plan before we entered into a lease.

Motion carded by voice vote.

Mr. Gentry said that he had received a call from a resident in the area and he was concerned about traffic on County Road 602.

C. A Resolution Recognizing and Honoring Former Calhoun Mayor Donnie Guthrie for His Dedicated Service to the People of Calhoun and McMinn County.

Mr. Gentry presented the following resolution, which was provided to the Commission this evening, recognizing and honoring former Calhoun Mayor Donnie Guthrie for his dedicated service to the people of Calhoun and McMinn County before he passed away unexpectedly earlier in the month.

Resolution No. 03-172

A RESOLUTION RECOGNIZING AND HONORING FORMER CALHOUN MAYOR
DONNIE GUTHRIE FOR HIS DEDICATED SERVICE TO THE PEOPLE OF
CALHOUN AND MCMINN COUNTY

WHEREAS, Donnie Guthrie passed away unexpectedly on the 3rd day of October 2003; and

WHEREAS, Donnie Guthrie was a well-known and recognized resident of the City of Calhoun, and was a friend to those who knew him; and

WHEREAS, Donnie Guthrie's commitment to his community was evident by his dedication to public service as a Calhoun City Commissioner and Mayor of Calhoun where he served with honesty, dedication and wisdom; and

WHEREAS, Donnie Guthrie embodied the best qualities of the citizens of McMinn County, and while he leaves his successors a legacy of sound judgment, leadership, courage and compassion, he will nonetheless be sorely missed.

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF THE MCMINN COUNTY COMMISSION, MEETING IN REGULAR SESSION, this the 20th Day of October 2003, that this Commission recognizes and honors the contributions made by Donnie Guthrie to the people of Calhoun and McMinn County by means of his dedicated and distinguished service.

(Orig signed by John M. Gentry)
County Mayor

Attest:

(Orig signed by Evonne Jones)
County Clerk

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

Mr. Gentry requested that Commissioner Curtis, Mr. Guthrie's brother-in-law, be allowed to add appropriate comments to the resolution. Commissioner Curtis thanked the Commission for the consideration.

Motion carried by voice vote.

13. ELECTIONS, APPOINTMENTS AND CONFIRMATIONS

A. A Resolution to Confirm the Re-Appointment of Kim Kincaid to the Board of Directors of Keep

McMinn Beautiful.

Mr. Gentry presented the following resolution to confirm the re-appointment of Kim Kincaid to the Board of Directors of Keep McMinn Beautiful.

Resolution No. 03-173

A RESOLUTION TO CONFIRM THE REAPPOINTMENT OF KIM KINCAID TO
THE BOARD OF DIRECTORS OF KEEP MCMINN BEAUTIFUL

WHEREAS, McMinn County has a Keep McMinn Beautiful Board to provide for educational and civic programs that promote litter cleanup and recycling in McMinn County; and

WHEREAS, as part of its duties and services, Keep McMinn Beautiful plays an important role in the Litter Grant program as required by the Tennessee Department of Transportation; and

WHEREAS, John M. Gentry as McMinn County Executive, nominates Kim Kincaid for reappointment as a member of the Keep McMinn Beautiful Board of Directors for a three year term, to run through November 30, 2006.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 20TH DAY OF OCTOBER 2003, 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 Vincent, and seconded by Commissioner King, to approve this resolution.

Motion carried by voice vote.

B. McMinn County Commission Committees Appointed by Chairman David Crews.

Chairman Crews referred to the updated list of McMinn County Commission Committees which was provided to each Commissioner.

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

A. Jail and Juvenile Services Committee Commissioner Jack Powers.

Commissioner Jack Powers said that the Jail and Juvenile Services Committee met prior to this meeting to discuss the perimeter fence at the Jail, as well as other improvements needed at the jail.

MOTION made by Commissioner Jack Powers, and seconded by Commissioner King, to request the Engineer and the Sheriff to draw up specifications and go out for bids on the perimeter fence.

B. Recreation Committee Commissioner Bob Powers.

Commissioner Bob Powers said that the Recreation Committee met prior to this meeting and they approved one request for a new building to store athletic equipment in District 3.

MOTION made by Commissioner Masingale, and seconded by Commissioner Vincent, to approve this request.

Motion carded by voice vote.

C. Solid Waste Committee Commissioner Mason.

Commissioner Mason said that the Solid Waste Committee met on October 14,2003 with Mr. Pete Reckart of Waste Connections and went over the offers they have made to the County which the County rejected. Commissioner Mason said the Committee is to offer a counter-proposal.

D. Airport Committee Commissioner Vincent.

Commissioner Vincent said that he and Mr. Robert Beene attended the State Aeronautics Commission meeting in Nashville and added that Mr. Beene gave a good presentation concerning our airport expansion. This \$3 million project was approved and we should be ready for construction in the Spring.

E. Comments by Highway Commissioner Regarding Transfer of Truck.

Commissioner of Highways, Mr. Randall Moss, told the Finance Director that they may have neglected to send him a memorandum regarding transferring a 1980 road tractor to the school department.

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

Motion carried by voice vote.

15. COMMENTS FROM THE COUNTY MAYOR

Mr. Gentry said he forfeited his time for Mr. Hale Booth's update and he expressed his appreciation to Mr. Booth and the Development District as well as the Commission for their commitment to this endeavor.

Mr. Gentry commented that Commissioner Vincent took a vacation day to attend the Aeronautics Commission meeting and he expressed his appreciation for this.

Mr. Gentry said that the architects have delivered the drawings for the Expo Building and they are in Mr. Gentry's office for review. Mr. Gentry added that they should be going to bid within 30 days.

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 October 2003

Katherine Carroll
Nathan Derrick
Dana Harmon

Notary Applications and Bonds for October 2003 (Cont'd)

Cheryl P. Ingram
Warren Kerley
Nola S. Lawson
Mary Joe Livingston
Carolyn W. Mullins
Joselyn Rogers
Mary Ruth Rogers
Mary Sue Stewart

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

A. Planned Class on Parliamentary Procedures.

Chairman Crews said that Mr. Carl Creasman has been asked to give the Commission a talk on parliamentary procedures at 7:00 pm, prior to the Regular Session of the County Commission on Monday, November 17, 2003. This would be after the Jail Committee tours the Justice Center at 5:00 pm.

B. Highway Commissioner Question to County Attorney.

In response to a question from the Highway Commissioner, the County Attorney stated that it would not be proper for the Commission to vote on Mr. Payne's road, pending an 1 8-month maintenance bond.

18. ADJOURNMENT

There being no other business, Chairman Crews declared the meeting adjourned at 9:02 pm.

McMinn County Clerk

Attest:

Deputy Clerk

date