

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

3. PLEDGE TO THE FLAG

The Pledge to the Flag was led by Commissioner Masingale.

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. McPbail - Absent  
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 October 20,2003 were provided to the Commissioners.

MOTION made by Commissioner King, and seconded by Commissioner Bob Powers, to approve the Minutes of October 20,2003.

Motion carried by voice vote.

6. APPROVAL OF BIDS AND PURCHASES

A. A Resolution to Approve and Award the Bid for Diesel Dump Truck for McMinn County Highway Department.

Mr. Luallen presented the following resolution to approve and award the bid for diesel dump truck for the McMinn County Highway Department, along with the Bid Summary sheet and a letter of recommendation from the Highway Commissioner.

Resolution No. 03-174

A RESOLUTION TO APPROVE AND AWARD THE BID FOR DIESEL DUMP TRUCK FOR  
MCMINN COUNTY HIGHWAY DEPARTMENT

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

WHEREAS, the McMinn County Highway Commissioner has requested the purchase of a Diesel Dump Truck from Reeder Chevrolet Company of Knoxville, TN in the amount of \$43,987.00, 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, Randall Moss, McMinn County Commissioner of Highways 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 17TH DAY OF NOVEMBER 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 Mason, to approve this resolution.

Motion carried by voice vote.

B. A Resolution to Approve and Award the UHF Repeater System Bid for McMinn County Fire Department.

Mr. Luallen presented the following resolution to approve and award the UHF Repeater System Bid for McMinn County Fire Department, as well as the bid summary sheet and the letter of recommendation from the McMinn County Fire Chief/Coordinator.

Resolution No. 03-175

A RESOLUTION TO APPROVE AND AWARD THE UHF REPEATER SYSTEM  
BID FOR MCMINN COUNTY FIRE DEPARTMENT

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 Fire Chief/Coordinator has requested the purchase of a UHF Repeater System for McMinn County Fire Department from Cartwright Communication Technology, Inc. of Knoxville, TN in the amount of \$24,463.61, 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, Scott Thompson, McMinn County Fire Chief/Coordinator 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 17TH DAY OF NOVEMBER 2003, that this Commission does hereby approve the recommendation of the Fire Chief/Coordinator.

(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 Vincent, to approve this resolution.

Motion earned by voice vote.

C. A Resolution to Approve and Award the Bid for Concrete Pads at William G. Cooke Park.

Mr. Luallen presented the following resolution to approve and award the bid for concrete pads at William G. Cooke Park, as well as the bid summary sheet and letter of recommendation from the Parks and Recreation Supervisor, Mr. Stan Moses.

Resolution No.03-176

A RESOLUTION TO APPROVE AND AWARD THE BID FOR CONCRETE  
PADS AT WILLIAM G. COOKE PARK

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

WHEREAS, the McMinn County Parks and Recreation Supervisor, Stan Moses has requested the construction of concrete pads at William G. Cooke Memorial Park from Pour In-Place Manholes & Structures, Inc. from Lenoir City, TN in the amount of \$9200.00 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

(Cont'd)

WHEREAS, Stan Moses, McMinn County Parks and Recreation 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 17TH DAY OF NOVEMBER 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 Masingale, to approve this resolution.

Motion carried by voice vote.

D. A Resolution to Approve and Award the Semi-Annual Pharmacy Bid.

Mr. Luallen presented the following resolution to approve and award the semi-annual pharmacy bid, as well as the bid summary sheet and a letter of recommendation from Sheriff Frisbie.

Resolution No. 03-177

A RESOLUTION TO APPROVE AND AWARD THE SEMI-ANNUAL  
PHARMACY BID

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

WHEREAS, the Sheriffs Department has requested purchase of medical supplies, non-prescription items and prescription drugs from I.H.S. Pharmacy for the period of December 1,2003 through May 31, 2004; and

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

WHEREAS, Steve Frisbie, McMinn County Sheriff, has recommended the bid be awarded to I.H.S. Pharmacy, the lowest and best bid meeting specifications.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17TH DAY OF NOVEMBER 2003, that this Commission does hereby approve the recommendation of Sheriff Steve Frisbie.

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

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 question from Commissioner Curtis, Mr. Luallen said that this bid is actually lower than last year because of the delivery charge per prescription.

Motion carried by voice vote.

E. A Resolution to Approve Invoice Without Requisition - Sheriffs Department.

Mr. Luallen presented the following resolution to approve the payment of an invoice without requisition. Mr. Luallen explained that the requisition was received after the requisition and Financial Management Committee Policies and Procedures require the after-the-fact approval of the County Commission for expenses incurred without a requisition.

Resolution No. 03-178

A RESOLUTION TO APPROVE INVOICE WITHOUT REQUISITION

WHEREAS, the McMinn County Sheriffs Department requests payment of an invoice that the requisition was dated after the invoice date from Cleveland State Community College for police academy tuition in the fall of 2003 for the amount of \$2,537.00; 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 THE 17TH DAY OF NOVEMBER 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 Bob Powers, to approve this resolution.

In response to a question from Commissioner Jack Powers, Mr. Luallen said that this is on-going inservice training. In response to a question from Chairman Crews, Mr. Luallen explained that this tuition is paid upon enrollment rather than upon completion. There was also a discussion between the Commissioners and the Sheriff concerning the consequences of the employee not completing the course and Mr. Luallen said they are trying to resolve a situation where the employee had to drop out because of injury.

F. A Resolution to Approve Advance Payment of 2003 Inservice/Supplemental Pay to Eligible Officers of the McMinn County Sheriffs Department.

Mr. Luallen presented the following resolution to approve advance payment of 2003 inservice/supplernental pay to eligible officers of the Sheriffs Department as well as the Sheriffs request and the list of eligible officers.

Resolution No. 03-179

A RESOLUTION TO APPROVE ADVANCE PAYMENT OF 2003 INSERVICE/SUPPLEMENTAL  
PAY TO ELIGIBLE OFFICERS OF THE MCMINN COUNTY SHERIFF'S DEPARTMENT

WHEREAS, McMinn County receives payment of inservice/supplemental pay from the State of Tennessee Peace Officer Standards and Training Commission for eligible officers as defined in Tennessee Code Annotated Title 38 Chapter 8; and

WHEREAS, the amount of the supplemental pay is \$546.00 per officer, and is received in the month of June; and

WHEREAS, McMinn County Sheriff Steve Frisbie requests this money be paid in the month of December.

NOW, BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE MEETING IN REGULAR SESSION ON THIS THE 17TH DAY OF NOVEMBER 2003, that this Commission does hereby approve the request of Sheriff Frisbie.

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

Attest:

(Orig signed by Evonne Jones)  
County Clerk

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

Motion carried by voice vote.

7. REVIEW AND APPROVAL OF CONTRACTS

A. A Resolution to Approve JABG (Juvenile Accountability Block Grant) for FY 2003-04.

Mr. Luallen presented the following resolution to approve a Juvenile Accountability Block Grant for FY 2003-04, as well as a copy of the grant agreement between the State of Tennessee, Commission on Children and Youth and McMinn County.

A RESOLUTION TO APPROVE JABG (JUVENILE ACCOUNTABILITY BLOCK GRANT)  
FOR FY 2003-04

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

WHEREAS, McMinn County has previously entered into a contract with the State of Tennessee Commission on Children and Youth for the Juvenile Accountability Block Grant; and

WHEREAS, the contract with McMinn County is for the period of October 1,2003 through September 30,2004 in the amount of \$12,464.00.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD) OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17TH DAY OF NOVEMBER, 2003 that this Commission does hereby agree to enter into this grant contract with State of Tennessee Commission on Children and Youth for the period of October 1,2003 through September 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 Bob Powers, to approve this resolution.

Motion carried by voice vote.

B. A Resolution to Approve Contract Lease Agreement with Purkey's Office Supply - McMinn Emergency Management Office.

Mr. Luallen presented the following resolution to approve a contract lease agreement with Purkey's Office Supply for a copier for the Emergency Operations Center (EOC). Mr. Luallen also provided the Commissioners with a copy of the requisition with the comparative quotes.

Resolution No. 03-181

A RESOLUTION TO APPROVE CONTRACT LEASE AGREEMENT WITH PURKEY'S OFFICE SUPPLY

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, Betty Hamby of the EOC requests the two (2) year lease of a copier from Purkey's Office Supply at \$90.00 per month for a total amount of \$2,160.00.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17TH DAY OF NOVEMBER 2003, that this Commission does hereby approve this contract lease agreement.

(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 Holbrook, to adopt this resolution.

Motion carried by voice vote.

C. A Resolution to Approve the Contract Between McMinn County, Tennessee and the Tennessee Department of Transportation for the Funding of Interstate Exchange Lighting.

Mr. Luallen presented the following resolution to approve the contract between McMinn County and the Tennessee Department of Transportation for the funding of interstate exchange lighting.

Resolution No. 03-182

A RESOLUTION TO APPROVE THE CONTRACT BETWEEN MCMINN COUNTY,  
TENNESSEE AND THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR  
THE FUNDING OF INTERSTATE EXCHANGE LIGHTING

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

WHEREAS, during the county planning process, high mast interstate exchange lighting has been listed as a capital expenditure need for McMinn County; and

WHEREAS, McMinn County has been awarded a grant for the construction of interstate exchange lighting for exists 49 and 52 for the purposes of increasing visibility, providing safer avenues for traffic, to increase tourism and commerce in McMinn County and to provide aesthetic benefits to the area and

WHEREAS, the total cost of the project is not to exceed \$551,944.00 with a 100/0 local match obligation up to \$55,194.00 to be funded by hotel/motel tax reserve funds; and

WHEREAS, the City of Athens has agreed to provide electricity and maintenance for the lights on both exits, providing McMinn County provides fifty percent (50%) reimbursement on the electricity and maintenance costs for exit 52 due to the exit being located outside the city limits, but within the city's urban growth boundary; and

WHEREAS, if the exit 52 area is annexed by the City of Athens, it will assume 100% of the electrical and maintenance costs for the lights; and

WHEREAS, fifty percent of the annual electrical and maintenance costs for exit 52 is estimated to be between five and six thousand dollars and is to be funded with hotel/motel tax revenue.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17TH DAY OF NOVEMBER 2003, that this Commission does hereby agree to enter into contract with TDOT for the purpose of providing management, funding and related matters to the interstate exchange lighting project to exists 49 and 52 in McMinn County, the public welfare requiring it,

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

(Orig signed by John M. Gentry)  
County Mayor

Attest:

(Orig signed by Evonne Jones)  
County Clerk

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

Motion carried by voice vote.

#### 8. APPROVAL OF BUDGET AMENDMENTS

Mr. Luallen requested approval of the following budget amendment and provided a copy to the Commissioners:

Fund: General Purpose School # 141

Date: November 4,2003

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Other State Revenue	Other State Grants	46980	16,076.00	

(Con't)

Fund: General Purpose

School # 141 (Cont'd)

Date: November 4,2003

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Other Federal Revenue	Other Federal through State	47590	24,114.00	
Community Services	Teacher	73300- 116		32,152.00
"	Social Security	73300-201		2,037.00
"	State Retirement	73300-204		1,118.00
"	Life Insurance	73300-206		103.00
"	Medical Insurance	73300-207		4,137.00
	Unemployment Compensation	73300-210	21.00	
"	Employer Medicare	73300-212		477.00
"	Other Fringe Benefits	73300-299		20.00
"	Other Charges	73300-599		125.00

EXPLANATION: To budget revenue and expenditures related to the early Childhood Education Grant approved by the State October 27,2003. School Board approval Nov 13,2003.

MOTION made by Commissioner King, and seconded by Commissioner Holbrook, 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 - Absent
- Bob Powers - Aye
- Jack Powers - Aye
- Owen Vincent - Aye
- Cbainian David Crews - Aye

9. SPECIAL PRESENTATION TO CHARLES NELSON

Mr. Gentry requested that this item be tabled if he arrives late, but if he is unable to attend, this resolution will be considered later in the agenda.

10. WOODS MEMORIAL HOSPITAL FINANCIAL REPORT - MR. SOUTHERLAND

Mr. David Southerland, CEO of Woods Memorial Hospital, referred to the Monthly Financial Report as of September 30,2003 which was provided to the Commissioners in their packet. Mr. Southerland said that he would not go through the entire report in detail as he usually does because the Commission is now familiar with the report. However, he pointed out the profit for September 2003 is \$61,457 as compared to last year's September total of a loss of \$61,071, and profit year to date (Jun through Sep) of \$46,432 vs a year ago of minus \$127,378—about \$173,000 improvement over the previous year. Referring to figures from two years ago, Mr. Southerland said the hospital had lost \$3.3 million in June 2001 whereas this past June, unaudited financials indicate that we made a profit of \$530,000. The trend is still very positive and Mr. Southerland said that they are continuing to make payments to the County on past-due EMS requirements and keeping up with our current requirements and he presented the Finance Director with two checks. Mr. Southerland also reviewed added services, i.e., MRI, CT scanning, sleep diagnostic center, and a wound care center, and he discussed the challenges of physician and nursing recruitment. Chairman Crews congratulated Mr. Southerland on the turnaround and thanked him for updating the Commission.

11. COMMENTS FROM THE AUDIENCE

A. Comments by Ms. Sheree Hutson.

Ms. Sheree Hutson, a frequent member of the audience, presented the Commission with a letter requesting the County Commission to provide interested audience members with detailed information concerning agenda items before the meeting because it is very difficult to follow action being taken during the meeting without prior knowledge. Ms. Hutson also asked that the Commission read aloud proposals and resolutions prior to voting on them, prepare a more detailed agenda, and organize the agenda so that public comments are permitted prior to the vote. Ms. Hutson said that if the County is concerned about the costs, she suggested that the information be emailed so that it could be posted on a web page. Mr. Gentry suggested that this information could be available in the Office of the County Clerk.

B. Comments by Mr. George Melcher of the Spring Creek Ridge Area.

Mr. Melcher, a resident in the Spring Creek Ridge area, requested the Commission to consider some form of land use management for this county. Mr. Melcher said that a Knoxville developer has purchased 34 acres adjacent to his property and he is planning to develop a trailer park rental imit subdivision. Mr. Melcher expressed his concern that property values will drop and that according to present regulations, the developer could put in 50 units on the property and they would all have to share a one-lane private drive because the developer would not be required to bring the road up to standard. Mr. Melcher said that such development is taking place because we allow it to happen and he expressed his hope that something will be done before it is too late. There was some discussion concerning regulations currently in place as well as the legal issues involved. Mr. Gentry said that in order to develop a trailer park, it would have to comply with trailer park regulations.

C. Comments by Mr. Samuel Bowman. Resident on County Road 370.

Mr. Samuel Bowman, a resident on County Road 370, presented the Commission with a petition from Citizens on County Road 370, requesting help to acquire clean potable (city water). In response to a question from Commissioner King, Mr. Gentry explained what the usual procedure is to make a formal request. Mr. Bowman said that he has checked in to this but the tap-on fees are too high. Commissioner Mason suggested that Mr. Bowman discuss this with the City of Niota and Mr. Gentry will discuss this with the Southeast Tennessee Development District.

12. RESOLUTIONS

A. A Resolution to Recognize Charles E. Nelson for His Induction onto the Tennessee Aviation Hall of Fame.

Mr. Gentry presented the following resolution to recognize Charles E. Nelson for his induction into the Tennessee Aviation Hall of Fame. Mr. Gentry attended a special ceremony for Mr. Nelson and added that his selection for this honor reflected favorably on McMinn County. Mr. Gentry was hoping that Mr. Nelson would be present tonight but he was unable to be here and Mr. Gentry will insure that he receives this resolution.

Resolution No. 03-183

A RESOLUTION TO RECOGNIZE CHARLES E. NELSON FOR HIS  
INDUCTION INTO THE TENNESSEE AVIATION HALL OF FAME

WHEREAS, Charles Nelson has long been a recognized leader and supporter of the local aviation community; and

WHEREAS, Charles Nelson is a veteran of the United States Air Force, as well as an accomplished pilot; and

WHEREAS, Charles Nelson was the driving force behind the organization of The International Swift Foundation and was responsible for bringing the Swift Museum Foundation to the McMinn County Airport; and

WHEREAS, due to his extraordinary achievements and service to his country, to aviation, and to Tennessee, Charles Nelson has been honored by and inducted into the Tennessee Aviation Hall of Fame; and

WHEREAS, Charles Nelson is commended for his faithful service to the citizens of McMinn County and the State of Tennessee, and that his wisdom, dedication, and service as a leading member of the aviation community is recognized by this legislative body.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 17TH DAY OF NOVEMBER 2003, THAT THIS COMMISSION DOES HONOR AND COMMEND CHARLES E. NELSON UPON HIS INDUCTION INTO THE TENNESSEE AVIATION HALL OF FAME AND FOR BRINGING RECOGNITION AND HONOR TO THE MCMINN COUNTY AVIATION COMMUNITY.

(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 King, to approve this resolution.

B. Resolution Concerning McMinn County Water Project Matching Funds Watts Bar Utility District.

Mr. Gentry presented the following resolution regarding a major waterline extension along portions of State Route 68, County Road 231, County Road 294 and County Road 316.

Resolution No. 03-184

MCMINN COUNTY WATER PROJECT MATCHING FUNDS  
WAITS BAR UTILITY DISTRICT

WHEREAS, there are many residents of McMinn County which are experiencing problems with unsafe and inadequate wells and have requested assistance with public water service; and

WHEREAS, the Watts Bar Utility District has planned a major water line extension of approximately 35,000 feet along portions of State Route 68, County Road 231, County Road 294 and County Road 316; and

WHEREAS, the water line extension is estimated to cost \$463,325; and

WHEREAS, Watts Bar Utility District has requested loan funds from the Rural Development Administration to fund the project and

WHEREAS, Watts Bar Utility District is requesting assistance from McMinn County in providing twenty percent (20%) matching funds on this line extension; and

WHEREAS, McMinn County has agreed to provide up to twenty percent (20%) matching funds for water line projects meeting certain criteria as to line size and location along existing roads.

NOW, THEREFORE BE IT RESOLVED that the McMinn County Commission agrees to provide matching funds of up to \$92,665 (20% X 463,325 = \$92,665) from the McMinn County Water Fund program to assist with the cost of extending these lines, subject to approval of other finding.

BE IT FURTHER RESOLVED that the McMinn County Commission meeting in regular session this the 17th day of November 2003, hereby authorizes the County Mayor to enter into agreements and executive documents necessary to carry out this agreement.

(Orig signed by John M. Gentry)  
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 Vincent, Commissioner King said that this brings the lines to Rarity Meadows.

Motion Carried by voice vote.

C. A Resolution to Support the Continued Construction and Improvement of State Highway 310.

Mr. Gentry presented the following resolution to support the continued construction and improvement of State Highway 310.

Resolution No. 03-185

A RESOLUTION TO SUPPORT THE CONTINUED CONSTRUCTION AND IMPROVEMENT  
OF STATE HIGHWAY 310

WHEREAS, Tennessee Department of Transportation (TDOT) was previously instrumental in the widening and improvement of Mecca Pike, State Highway 310 in McMinn County (Project # F-3 10); and  
WHEREAS, no additional work has been performed on the State Highway 310 project since 1990; and

WHEREAS, due to the dangerous nature of the current unimproved portion of State Highway 310, the public welfare demands that State Highway 310 be improved throughout its entire length through McMinn and Monroe Counties; and

WHEREAS, it is resolved that the McMinn County Board of Commissioners supports and encourages the Tennessee Department of Transportation to continue the widening and improvement of the remaining unimproved section of State Highway 310, and to see the project through to its completion.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 17TH DAY OF NOVEMBER 2003, THAT THIS COMMISSION DOES SUPPORT AND ENCOURAGE TDOT TO COMPLETE THE STATE HIGHWAY 310 IMPROVEMENT PROJECT.

(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.

Commissioner King explained the background on this resolution and Commissioner Holbrook added that this construction began in 1980.

Motion carried with one abstention by Commissioner Holbrook who lives in that area.

D. A Resolution to Authorize Initial Values for the Sale of Delinquent Tax Property.

On behalf of the Chairman of the Delinquent Tax Committee, Mr. Gentry said that the Delinquent Tax Committee met and by State law the county can take possession of delinquent tax property after a certain number of years by court order. Mr. Gentry presented the following resolution to authorize initial values for the sale of delinquent tax property and explained most times the values end up higher than the taxes owed.

Resolution No. 03-186

A RESOLUTION TO AUTHORIZE INITIAL VALUES FOR THE SALE OF  
DELINQUENT TAX PROPERTY

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

WHEREAS, the McMinn County Delinquent Tax Committee must set an initial value for delinquent tax property to be sold, with such value to be approved by the entire County Commission if such value is less than the value of the taxes owed against said properties; and

WHEREAS, the following initial values have been recommended by the Delinquent Tax Committee:

1. Hacker, Dennis	056-F-046.00	\$ 250
2. Daily, Ray	0571-C-027.00	\$1,000
3. Benson, James	1180-A-017.00	\$ 250
4. Cora Cobb Heirs	1180-A-016.00	\$ 250

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 17TH DAY OF NOVEMBER 2003, that this Commission does hereby approve the initial values for the above referenced delinquent tax properties and orders them sold to the highest and best bidders, 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 Vincent, and seconded by Commissioner Masingale, to approve this resolution.

Motion carried by voice vote.

E. A Resolution to Approve Engineering Services for Design of Future Cell Construction.

Mr. Gentry presented the following resolution to approve engineering services for design of future cell construction and explained that we probably have about 18-24 months available space in our current cell. Mt. Gentry said that the engineering needs to begin for the next phase, about 4 1/2 acres already permitted space.

Resolution No. 03-187

A RESOLUTION TO APPROVE ENGINEERING SERVICES FOR DESIGN OF FUTURE CELL  
CONSTRUCTION

WHEREAS, McMinn County has the Sanitary Landfill to handle the solid waste disposal needs for the Citizens of McMinn county; and

(Con't)

WHEREAS, the sanitary landfill will be nearing capacity of its current Class I cell in approximately 18-24 months and planning and design for the next cell is needed; and

WHEREAS, Consolidated Technologies, the current landfill engineering firm, has submitted a proposal for design services at a cost of \$10,000.00; and

WHEREAS, Stan Moses, Landfill Supervisor, recommends approval of CTI's proposal.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17TH DAY OF NOVEMBER 2003, that this Commission does hereby approve the recommendation of the Landfill Supervisor to engage engineering and design services for a new Class I cell based on CGI's proposal and authorizes the County Mayor or his designee to carry out the duties of the engineering agreement.

(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.

Motion carried by voice vote.

F. A Resolution to Approve the Addition of Roads to the McMinn County Highway Department Road Maintenance System.

Mr. Gentry presented the following resolution to approve the addition of roads to the McMinn County Highway Department Road Maintenance System, as well as two memorandums from the Highway Commissioner explaining (1) the addition of Diamond Head Phase 3 Subdivision County Road 907 - Diamond Head Road (a Class I Road .20 miles long) and (2) the addition of River View Subdivision County Road 8- River View Drive (also a Class I Road .30 miles long).

Resolution No.03-188

A RESOLUTION TO APPROVE THE ADDITION OF ROADS TO THE MCMINN COUNTY HIGHWAY DEPARTMENT ROAD MAINTENANCE SYSTEM

WHEREAS, a Road Maintenance System has been adopted by the McMinn County Highway Department to continue the efficient maintenance of McMinn County roads; and

WHEREAS, private roads which have been brought up to the required specifications may be included into the McMinn County Highway Department's Road Maintenance System; and

WHEREAS, it is the recommendation of the Commissioner of Highways that the following roads be added to the Road Maintenance System: County Road 8 and County Road 907.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN SESSION ON THIS 17TH DAY OF NOVEMBER 2003, THAT THE MCMINN COUNTY COMMISSION APPROVES THE ADDITION OF ROADS TO THE ROADWAY MAINTENANCE SYSTEM, 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 King, and seconded by Commissioner Holbrook, to approve this resolution.

Motion carried by voice vote.

### 13. ELECTIONS, APPOINTMENTS AND CONFIRMATIONS

#### A. Comments by Mr. Gentry Concerning a Proposed Resolution to Make Appointment to the Woods Memorial Hospital District Board of Directors.

The Commissioners were provided a proposed resolution to confirm the appointment of Mr. Roy Rogers to the Woods Memorial Hospital District Board of Directors. However, Mr. Gentry explained that Mr. Rogers has withdrawn his name from consideration due to health concerns and business time constraints. Mr. Gentry added that hopefully they would have a new appointment for consideration at the December or January Commission meeting. This appointment will be to replace Mike Stubblefeld who has moved out of the County.

#### B. A Resolution to Confirm the Re-Appointment of Debra Jones to the Board of Directors of Keep McMinn Beautiful

Mr. Gentry presented the following resolution to confirm the re-appointment of Debra Jones to the Board of Directors of Keep McMinn Beautiful for a three year term.

Resolution No. 03-189

#### A RESOLUTION TO CONFIRM THE RE-APPOINTMENT OF DEBRA JONES 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 Mayor, nominates Debra Jones for reappointment as a member of the Keep McMinn Beautiful Board of Directors for a three year term.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 17TH DAY OF NOVEMBER 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 Mason, and seconded by Commissioner Bob Powers, to approve this reappointment.

Motion carried by voice vote.

C. A Resolution to Confirm the Appointment of Phil Tuggle to the Board of Directors of Keep McMinn Beautiful.

Mr. Gentry also requested approval of the following resolution to confirm the appointment of Mr. Phil Tuggle to the Board of Directors of Keep McMinn Beautiful:

Resolution No.03-190

A RESOLUTION TO CONFIRM THE APPOINTMENT OF PHIL TUGGLE TO  
THE BOARD OF DIRECTORS OF KEEP MCMINN BEAUTIFUL

WHEREAS, McMinn County has a Keep McMinn Beautiful Board to provide 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 Mayor, nominates Phil Tuggle for appointment as a member of the Keep McMinn Beautiful Board of Directors for a three year term.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 17TH DAY OF NOVEMBER 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 Holbrook, and seconded by Commissioner Mason, to approve this resolution.

Motion carried by voice vote.

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 Commission meeting and discussed the hiring of a new judge to ease docket overcrowding. They also discussed the long range maintenance plan at the jail.

In response to a question from Commissioner King, Commissioner Jack Powers said that they are working on specification for the fence at the Justice Center.

B. Comments by Commissioner King Concerning the Widening of Highway 30 from Athens to Etowah.

There was some discussion regarding this project beginning in 2006.

C. Comments by the Highway Commissioner Retarding the Addition of Two Roads to the McMinn County Highway Department Road Maintenance System Voted on Earlier in This Meeting.

The Highway Commissioner stated that the information contained in his memorandums regarding County Road 8 and County 904 which was voted on earlier in this meeting be included in the minutes. This information was included paragraph 12.F. above.

15. COMMENTS FROM THE COUNTY MAYOR

A. Comments Regarding Mine Road Landfill.

Mr. Gentry said he had an opportunity to speak with Mr. Pete Reckard, the Manager of the Mine Road Landfill. The Company has a counter-offer which is in their organizational pipeline and plan to have that to us by the end of this week or next week.

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 November 2003

Carolyn K. Allison  
Chuck T. Burns  
Kenneth O. Coleman  
Jon D. Eaves  
Christal Eddington  
Melissa L. Edgmon  
Robert S. Gilliam  
Kristie McNutt  
Joan B. Moore

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

None.

18. ADJOURNMENT

There being no other business, Chairman Crews declared the meeting adjourned at 8:45 pm.

EVONNE JONES  
McMinn County Clerk

Attest:

Deputy Clerk            (date)