

The McMinn County Board of Commissioners met in Regular Session on March 15, 2010, 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 Crews.

2. INVOCATION

The Invocation was given by Commissioner Bob Powers.

3. PLEDGE TO THE FLAG

The Pledge to the Flag was led by Commissioner Roger Masingale.

4. ROLL CALL

Roll Call was taken by Evonne Hoback, McMinn County Clerk, as recorded:

Scott Curtis – Present
Dale Holbrook – Present
Jeannie King – Present
Roger Masingale – Present
Gary Mason – Present
Jerry Millsaps – Present
Bob Powers – Present
Jack Powers – Present
Tad Simpson – Present
Chairman David Crews – Present

5. APPROVAL OF MINUTES

Copies of the Minutes of the Regular Session on February 15, 2010 were provided to the McMinn County Commissioners.

MOTION made by Commissioner Holbrook, and seconded by Commissioner Millsaps, to approve the Minutes of February 15, 2010.

Motion carried by voice vote.

6. APPROVAL OF BIDS AND PURCHASES

A. Resolutions Concerning Mowing Equipment for McMinn County Airport.

Mr. Luallen referred to a memorandum from the County Mayor concerning the next three resolutions regarding mowing equipment for McMinn County Airport. The State of Tennessee Division of Aeronautics, recognizing the burden that counties have to mow large airports, has made a grant available to McMinn County. McMinn County has been allotted a 75% - 25% grant to purchase equipment. The memorandum explained that Landfill Supervisor Stan Moses provided the bid recommendation for the tractor and the batwing mower because he wrote the specs for the equipment.

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

Mr. Luallen presented the following resolution to approve and award the bid for a Batwing Rotary Cutter for the McMinn County Airport along with the bid summary sheet and a letter of recommendation from the Landfill Supervisor.

RESOLUTION NO. 10-023

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

WHEREAS, the McMinn County Airport has requested the purchase of a Batwing Rotary Cutter, from Kodiak Manufacturing, Inc. in the amount of \$9,150.00 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 MARCH 2010, that this Commission does hereby approve the recommendation of the Landfill Supervisor.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

(2) A Resolution to Approve and Award the Bid for a Zero-Radius Commercial Type Mower.

Mr. Luallen presented the following resolution to approve and award the bid for a zero-radius commercial type mower, along with the bid summary sheet and a letter of recommendation from the McMinn Maintenance Support.

RESOLUTION NO. 10-024

A RESOLUTION TO APPROVE AND AWARD THE BID FOR A ZERO-RADIUS COMMERCIAL
TYPE MOWER

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 Airport requests the purchase of a Zero-Turn Radius Commercial Type Mower in the amount of \$11,806.46, 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, Michael George, McMinn Maintenance Support, has recommended the bid be awarded to the low bidder meeting specifications, Athens Lawn & Garden.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 15th DAY OF MARCH 2010, that this Commission does hereby approve the recommendation of Michael George.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

Mr. Gentry disclosed that the low bidder, Athens Law & Garden, is owned by his father-in-law and Mr. Gentry wanted it stated for the record even though he doesn't have a vote. He also stated he has no ownership interest in the business and to the best of his knowledge his wife does not as well.

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

Motion carried by voice vote.

(3) A Resolution to Approve and Award the Bid of a Diesel Mowing Tractor to Tyler Brothers Farm Equipment.

Mr. Luallen presented the following resolution to approve and award the bid of a diesel mower tractor to Tyler Brothers Farm Equipment, along with a letter of recommendation from the County Mayor and the bid summary sheet.

RESOLUTION NO. 10-025

A RESOLUTION TO APPROVE AND AWARD THE BID OF A
DIESEL MOWING TRACTOR TO
TYLER BROTHERS FARM EQUIPMENT

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 Airport has requested the purchase of a diesel mowing tractor with cab & loader in the amount of \$35,860.00 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 Tyler Brothers Farm Equipment.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 15th DAY OF MARCH 2010, that this Commission does hereby approve awarding the bid of a diesel mowing tractor in the amount \$35,860.00 to Tyler Brothers Farm Equipment.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

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

Mr. Luallen presented the following resolution to approve and award the semi-annual bid of motor oil, along with the bid summary sheet and letters of recommendation from the Highway Department and the Landfill.

RESOLUTION NO. 10-026

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

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

WHEREAS, the McMinn County Purchasing Department requests the purchase of Motor Oil, fluids and grease for April 1, 2010 through September 30, 2010, 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, the Department Heads from the departments involved, recommends the bid be awarded to the low bidder per item meeting specifications as indicated on letters of recommendation.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 15th DAY OF MARCH 2010, that this Commission does hereby approve the recommendation of the McMinn County Supervisors and Department Heads.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

C. Rejection of Annual In-Place Asphalt Bid.

Mr. Luallen presented a resolution to approve and award the annual in-place asphalt bid, along with the bid summary sheet and a letter of recommendation from the Highway Commissioner. Mr. Roy Glass of the Highway Department explained that the hot mix is so high we can't afford it and he said that the Highway Commissioner recommends that this bid be rejected.

MOTION made by Commissioner Holbrook, and seconded by Commissioner Bob Powers, to reject this bid as recommended by the Highway Commissioner.

Motion carried by voice vote.

7. REVIEW AND APPROVAL OF CONTRACTS

A. A Resolution to Approve Audit Fee Proposal with Reznick Group, PC.

Mr. Luallen recommended approval of the following resolution to approve audit fee proposal with Reznick Group, PC, the low bidder, along with the bid summary sheet, and Mr. Luallen added that this can be renewed for an additional two years upon consent of both parties.

RESOLUTION NO. 10-027

A RESOLUTION TO APPROVE AUDIT FEE PROPOSAL
WITH REZNICK GROUP, PC

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

WHEREAS, McMinn County requested proposals to be presented; and

WHEREAS, Reznick Group submitted the lowest cost proposal of \$35,000 for the fiscal year ending June 30, 2011 for McMinn County Fiscal and Fee Offices; and

WHEREAS, Reznick Group appears to have the necessary qualifications to provide the annual financial and compliance audit; and

WHEREAS, McMinn County Finance Director, Jason Luallen recommends McMinn County enter into contract with Reznick Group, PC to perform its annual financial and compliance audit.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 15th DAY OF MARCH, 2010, that this Commission does hereby approve the above audit fee proposal with Reznick Group, PC.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Chairman Crews asked how this compared with what we paid this year. Mr. Luallen said we paid \$41,300 this year.

B. 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.

RESOLUTION NO. 10-028

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-10-220181-00 with the State of Tennessee, Department of Transportation; and

WHEREAS, the term of this grant is July 1, 2009 through June 30, 2010, with the state portion not exceeding \$13,000.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 15TH DAY OF MARCH, 2010, 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 Hoback)
County Clerk

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

Motion carried by voice vote.

8. APPROVAL OF BUDGET AMENDMENTS

Mr. Luallen requested approval of eight budget amendments in two different funds, a copy of which was provided to each Commissioner.

Fund: General Fund # 101

Date: March 11, 2010

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Federal Thru State	Other Federal Through State	47590	19,685.00	
Other Emergency Management	Other Equipment	54490-790		19,685.00

EXPLANATION: To budget carryover grant funds from TEMA/TVA Grant.

Fund: General Fund # 101

Date: March 11, 2010

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Reserve	Undesignated Fund Balance	39000	36,000.00	
Tourism	Contributions	58110-316		30,000.00
Industrial Development	Other Contracted Services	58120-399		6,000.00

JOURNAL ENTRY REQUIRED

Reserve	Hotel/Motel Tax Reserve	35140	36,000.00	
Reserve	Undesignated Fund Balance	39000		36,000.00

EXPLANATION: To budget funds from hotel/motel tax reserve for Gen Players contribution and web-based map viewing system.

Fund: General # 101

Date: March 11, 2010

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Reserve	Undesignated Fund Balance	39000	193,000.00	
Ambulance Service	Building Improvements	55130-707		193,000.00

JOURNAL ENTRY REQUIRED

Reserve	Ambulance Reserve	34990	193,000.00	
Reserve	Undesignated Fund Balance	39000		193,000.00

EXPLANATION: To budget funds from ambulance service reserve for purchase of land & building for north ambulance station, survey, station repair and ambulance repair.

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

Motion carried by roll call vote, as recorded:

- Scott Curtis – Aye
- Dale Holbrook – Aye
- Jeannie King – Aye
- Roger Masingale – Aye
- Gary Mason – Aye
- Jerry Millsaps – Aye
- Bob Powers – Aye
- Jack Powers – Aye
- Tad Simpson – Aye
- Chairman David Crews – Aye

Mr. Luallen presented the following five federal projects budget amendments and said that they had school board approval on March 11, 2010.

Fund: Federal Projects # 142 – Title II, Part D (10.01) # 230 Date: January 22, 2010

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Other Student Support	Staff Development	72130-524	3,150.00	
Regular Instruction Program	Staff Development	72210-524		3,150.00

EXPLANATION: To correct account code per Carol Newton, State Fiscal Consultant.

Fund: Federal Projects # 142 – Consolidated Admin. (10.01) # 010 Date: January 22, 2010

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Support Services	Equipment	72210-722	4,990.00	
Other Sources	Transfers In	49800		4,990.00

EXPLANATION: To correct account codes per Carol Newton, State Fiscal Consultant.

Fund: Federal Projects, # 142, Title I, Part A – 09.21 Date: January 26, 2010

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Regular Instruction Program	Teachers	71100-116	5,850.62	
Support Services	Staff Development	72210-524		5,850.62

EXPLANATION: To transfer budget between functional categories.

Fund: Federal Projects # 142 – IDEA-B ARRA, 10.01 # 90S Date: March 8, 2010

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Revenue	Special Ed – Grants to States	47143	9.17	
Special Education Program	Instructional Supplies & Materials	71200-429		9.17

EXPLANATION: To enter Amendment No. 1 to the IDEA-Part B ARRA Grant (10.01) that was approved by the State February 26, 2010.

Fund: Federal Projects # 142 – IDEA-B, 10.01 #900

Date: March 8, 2010

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Revenue	Special Ed. – Grants to States	47143	5.64	
Special Education Program	Instructional Supplies & Materials	71200-429		5.64

EXPLANATION: To enter Amendment No. 1 to the IDEA-Part B Grant (10.01) that was approved by the State February 26, 2010.

MOTION made by Commissioner Mason, and seconded by Commissioner King, to approve these budget amendments.

Motion carried by roll call vote, as recorded:

Scott Curtis – Aye
Dale Holbrook – Aye
Jeannie King – Aye
Roger Masingale – Aye
Gary Mason – Aye
Jerry Millsaps – Aye
Bob Powers – Aye
Jack Powers – Aye
Tad Simpson – Aye
Chairman David Crews – Aye

9. APPROVAL OF OFFICIAL STATUTORY BOND FOR DIRECTOR OF FINANCE

Mr. Gentry presented the following resolution to approve the official statutory bond for Director of Finance in accordance with legal requirements of the Financial Management Act.

RESOLUTION NO. 10-029

A RESOLUTION TO APPROVE THE STATUTORY BOND FOR MCMINN COUNTY DIRECTOR OF FINANCE

WHEREAS, TCA 8-19-111 requires that public officials execute a surety bond upon taking public office; and

WHEREAS, McMinn County Director of Finance Jason Luallen has executed a surety bond in the amount of \$50,000 as prescribed by TCA 5-21-109; and

WHEREAS, public official's bonds must be approved by the county legislative body and entered into the minutes thereof.

THEREFORE, BE IT RESOLVED BY THE MCMINN COUNTY BOARD OF COMMISSIONERS MEETING THIS THE 15TH DAY OF MARCH 2010, THAT THIS COMMISSION DOES APPROVE THIS SURETY BOND FOR THE MCMINN COUNTY DIRECTOR OF FINANCE, AND FURTHER APPROVES THE COUNTY CLERK TO EXECUTE ALL RELATED DOCUMENTS, the public welfare requiring it.

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

Attest:

(Orig signed Evonne Hoback)
County Clerk

MOTION made by Commissioner Simpson, and seconded by Commissioner Millsaps, to approve this resolution.

Motion carried by voice vote.

10. COMMENTS FROM THE AUDIENCE

None.

11. RESOLUTIONS

A. A Resolution Allocating Revenues from the County Revenue Partnership Fund to General Fund.

Mr. Gentry presented and explained the following resolution allocating revenues from the County Revenue Partnership Fund to General Fund. Mr. Gentry said that it probably won't be more than \$5,000 this year but added that every bit helps.

RESOLUTION NO. 10-030

A RESOLUTION ALLOCATING REVENUES FROM THE
COUNTY REVENUE PARTNERSHIP FUND TO GENERAL FUND

WHEREAS, TCA 67-6-103 has been amended effective August 1, 2008, to create the "County Revenue Partnership Fund" for contributions from the general assembly to be distributed to counties and metropolitan governments; and

WHEREAS, said amendment provides that the county legislative body shall direct the allocation of this revenue on an annual basis; and

WHEREAS, the McMinn County Commission allocates this amount to the county general fund.

THEREFORE, BE IT RESOLVED BY THE MCMINN COUNTY BOARD OF COMMISSIONERS, MEETING THIS THE 15TH DAY OF MARCH 2010, THAT THIS COMMISSION DOES HEREBY ALLOCATE REVENUE FROM THE COUNTY REVENUE PARTNERSHIP FUND TO THE COUNTY'S GENERAL FUND.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

In response to a question from Commissioner Holbrook, Mr. Gentry said he didn't know of any restrictions on this money. Mr. Gentry added that usually when it comes to state shared sales tax revenue, it has always gone to cities and not to counties.

Motion carried by voice vote.

B. A Resolution to Approve PDC Consultants to Update the McMinn County Airport Layout Plan.

Mr. Gentry presented the following resolution to approve PDC Consultants to update the McMinn County Airport Layout Plan and added that this was approved by the Airport Committee and is being funded by a 95/5 federal grant. The total cost to McMinn County will be less than \$5,000.00.

Resolution No. 10-031

A RESOLUTION TO APPROVE PDC CONSULTANTS TO UPDATE THE MCMINN COUNTY AIRPORT LAYOUT PLAN

WHEREAS, McMinn County has been awarded a 95/5 Grant by the Tennessee Department of Transportation Division of Aeronautics for airport improvements; and

WHEREAS, McMinn County's Airport Layout Plan is nearly ten years old, and such plans are recommended to be updated every five to ten years; and

WHEREAS, due to recent projects, such as t-hangar construction, it has been recommended by the TDOT Division of Aeronautics that McMinn County's Airport Layout Plan be updated; and

WHEREAS, as PDC Consultants are currently McMinn County's contracted Airport Engineering firm, it has been recommended by the County Mayor to allow PDC Consultants to perform the work of updating the McMinn County Airport Layout Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE MCMINN COUNTY BOARD OF COMMISSIONERS MEETING THIS THE 15TH DAY OF MARCH 2010, THAT PDC CONSULTANTS IS APPROVED TO PERFORM ENGINEERING FOR THE UPDATING OF THE MCMINN COUNTY AIRPORT LAYOUT PLAN, the public welfare requiring it.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

C. A Resolution to Honor Volunteer Energy Cooperative on its 75th Year of Service.

Mr. Gentry presented the following resolution to honor Volunteer Energy Cooperative on its 75TH year of service:

RESOLUTION NO. 10-032

A RESOLUTION TO HONOR VOLUNTEER ENERGY COOPERATIVE ON ITS 75TH YEAR OF SERVICE

WHEREAS, McMinn County takes pride in recognizing those organizations in Tennessee that have excelled in their respective field over long periods of time by establishing a tradition of quality service and genuine concern and commitment to their community; and

WHEREAS, one such institution is Volunteer Electric Cooperative, which will mark its 75th Anniversary in May 2010; and

WHEREAS, in keeping with the principles set forth by Franklin Delano Roosevelt's Rural Electrification Act, Willis A. Shadow and J.W. Lillard formed the Meigs County Electric Membership Corporation on May 29, 1935 to serve seventeen counties in Tennessee, the first power lines being energized on August 6, 1936; and

WHEREAS, this Corporation grew to be called Volunteer Electric Cooperative in 1939, and later to Volunteer Energy Cooperative in 2001; and

WHEREAS, VEC has established a long tradition of service, growing into one of the largest electric cooperatives in the country; and

WHEREAS, VEC has served thousands of McMinn County citizens with affordable and dependable electric power.

NOW, THEREFORE, LET IT BE RESOLVED BY THE MCMINN COUNTY BOARD OF COMMISSIONERS MEETING THIS THE 15TH DAY OF MARCH 2010, THAT THIS COMMISSION DOES HONOR AND COMMEND VOLUNTEER ENERGY COOPERATIVE UPON ITS 75TH ANNIVERSARY OF SERVICE AND WISHES IT MANY MORE YEARS OF PROVIDING QUALITY ELECTRIC SERVICE TO THE CITIZENS OF RURAL TENNESSEE.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

D. A Resolution to Honor Henry Webb for His Service to the Citizens of McMinn County as a Member of the McMinn County Regional Planning Commission.

Mr. Gentry presented the following resolution to honor Henry Webb for his service to the citizens of McMinn County as a member of the McMinn County Regional Planning Commission. Mr. Gentry added that Mr. Webb has been elected to the McMinn County School Board and due to his duties, he has elected not to seek reappointment to the Planning Commission.

Resolution No. 10-033

A RESOLUTION TO HONOR
HENRY WEBB
FOR HIS SERVICE TO THE CITIZENS OF MCMINN COUNTY
AS A MEMBER OF THE
MCMINN COUNTY REGIONAL PLANNING COMMISSION

WHEREAS, Henry Webb has served on the McMinn County Planning Commission for 13 years, from 1997 to 2010; and

WHEREAS, Henry Webb has worked diligently to provide leadership and guidance in the proper planning and responsible development; and

WHEREAS, the service provided by Henry Webb to McMinn County's citizens has been characterized as professional, compassionate, calming and wise; and

WHEREAS, due to the time demands, Henry Webb has ended his tenure on the McMinn County Regional Planning Commission after 13 years of distinguished public service, including 5 years as Planning Commission Secretary; and

WHEREAS, it is resolved that Henry Webb is commended for his many years of faithful service to the citizens of McMinn County, and the wisdom, dedication, and compassion displayed by him throughout his tenure will be sorely missed.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 15th DAY OF MARCH 2010, THAT THIS COMMISSION DOES HONOR AND COMMEND HENRY WEBB FOR HIS DISTINGUISHED SERVICE TO THE CITIZENS OF MCMINN COUNTY.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

E. A Resolution to Approve the Request of Funds by McMinn Central Dance Team to Assist in Attending the National Dance Team Competition.

Mr. Gentry presented the following resolution to approve the request of \$1,000.00 by the McMinn Central Dance Team to assist in attending the National Dance Team Competition in Orlando, FL. Mr. Gentry said that this was addressed by the Budget Committee and they recommend approval.

Resolution No. 10-034

A RESOLUTION TO APPROVE THE REQUEST OF FUNDS BY MCMINN CENTRAL DANCE TEAM TO ASSIST IN ATTENDING THE NATIONAL DANCE TEAM COMPETITION

WHEREAS, the McMinn Central Dance Team has recently won the Music City Dance Championships in January, which qualified the team to participate in the Ameridance National Dance Competition; and

WHEREAS, the total costs of the trip is \$12,000, and \$ 8,000 have so far been raised through private donations and fundraising; and

WHEREAS, the McMinn Central Dance Team has requested \$1,000.00 to assist in attending the National Competition in Orlando, FL; and

WHEREAS, this request shall be funded from Commission Contingency funds in the amount of \$1,000.00.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 15th DAY OF MARCH 2010 that this Commission does hereby approve this funding for the McMinn Central Dance Team, the public welfare requiring it.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

F. A Resolution to Approve a Non-Profit Donation to the American Legion Flag Memorial.

Mr. Gentry presented the following resolution to approve a non-profit donation of \$10,000.00 to the American Legion Flag Memorial. Mr. Gentry added that this was approved by the Budget Committee earlier this evening and that funds would come from hotel-motel funds.

Resolution No. 10-035

A RESOLUTION TO APPROVE A NON-PROFIT DONATION TO THE AMERICAN LEGION FLAG MEMORIAL

WHEREAS, the McMinn County Chapter of the American Legion is a non-profit organization; and

WHEREAS, the McMinn County American Legion has made a request for McMinn County to assist in funding for maintenance issues at the American Legion Flag Memorial near I-75; and

(Cont'd)

Resolution No. 10-035 (Cont'd)

WHEREAS, McMinn County has formerly made contributions to this project; and

WHEREAS, McMinn County shall approve such funding to be taken from Tourism Funds in the amount of \$10,000.00, and subject to proper advertisement in the local media regarding McMinn County's donation to a non-profit.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 15th DAY OF MARCH 2010 that this Commission does hereby approve this donation to a non-profit agency, the public welfare requiring it.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

G. A Resolution to Remember the 190th Anniversary of the Organization of the First Court in McMinn County on March 7, 1820.

Mr. Gentry presented the following resolution to remember the 190th anniversary of the organization of the first county court in McMinn County on March 7, 1820 as prepared by the County Historian Joe Guy to spread across the minutes to recognize those who were the first to serve in the capacity now held by the County Commissioners.

Resolution No. 10-036

A RESOLUTION TO REMEMBER THE 190TH ANNIVERSARY OF THE ORGANIZATION OF THE FIRST COUNTY COURT IN MCMINN COUNTY ON MARCH 7, 1820

WHEREAS, McMinn County was founded by and act of the Tennessee legislature on November 13, 1819; and

WHEREAS, the first county court met and organized on Monday, March 7, 1820, at the home of Cherokee Major John Walker in the village of Calhoun on the Hiwassee River; and

WHEREAS, the first county court was appointed by statute, and was composed of the following Justices of the Peace: George Colville, John Walker, Benjamin Griffin, Samuel Dickey, Hambright Black, Archibald Turk, and Jacob Sharp; and

WHEREAS, the Court elected from those present the first constitutional officers of McMinn County, being the following who took their oaths of office: Young Colville, Clerk; Spencer Beavers, Sheriff; Archibald Turk, Trustee; Benjamin Hambright, Register; and Griffith Dickson, Ranger; and

Resolution No. 10-036 (Cont'd)

WHEREAS, this first county court set in motion the local government of McMinn County, which has faithfully served the citizens of this county for 190 years, and the memory and honor due to these first citizens of McMinn County is hereby noted this month of March 2010, being the anniversary of the first organization of McMinn County Government.

NOW, THEREFORE, BE IT REMEMBERED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE MEETING THIS THE 15TH DAY OF MARCH 2010, THAT THIS COMMISSION DOES REMEMBER AND HONOR THE FIRST COUNTY COURT OF MCMINN COUNTY, ORGANIZED 190 YEARS AGO THIS MONTH IN MARCH 1820, the public welfare requiring it.

(Orig signed by John Gentry)
County Mayor

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

H. Resolution to Urge the General Assembly to Oppose SB2938/HB3590.

Mr. Gentry presented the following resolution to urge the General Assembly to oppose Senate Bill 2938 and House Bill 3590 dealing with the establishment of special school districts which would give them taxing authority, removing it from the County Commission and giving it to the School Board. Mr. Gentry said that this was not generated by the McMinn County School Board, but it has been picking up steam in the legislature and the County Commission Association is looking for support to oppose this bill. Mr. Gentry added that the Budget Committee recommends approval of this resolution.

RESOLUTION NO. 10-037

RESOLUTION TO URGE THE GENERAL ASSEMBLY TO OPPOSE SB2938/HB3590

WHEREAS, County Commissions currently play a significant role of budgetary oversight for K-12 schools in Tennessee and must balance these needs and responsibilities with other demands for critical services to county residents in order to keep the overall tax burden on our citizens from becoming too onerous; and

WHEREAS, in special school districts, the Tennessee General Assembly, through a private act, levies a local property tax to fund education in the district often with very little discussion or consideration of the tax rate requested by the school district; and

WHEREAS, SB2938/HB3590, as introduced, would allow any local education agency (“LEA”) to convert to a special school district and thereby remove all County Commission oversight over the local school system; and

WHEREAS, the change authorized by this legislation would allow the elimination of the current system of checks and balances created by having county commission approval of school budgets and setting a tax rate for schools; and

(Cont'd)

Resolution No. 10-037 (Cont'd)

WHEREAS, this proposed legislation, would create a decentralized system of governance comprised of different taxing entities with competing interests and would potentially interfere with efficiencies created by purchasing and contracting for basic needs of governmental functions on a centralized basis by separating the school system from the rest of the operations of county government;

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of McMinn County, meeting in Regular Session on this 15th day of March, 2010, that the Tennessee General Assembly is strongly urged to oppose this legislation.

BE IT FURTHER RESOLVED that the County Clerk shall mail certified copies of this resolution to the members of the Tennessee General Assembly representing the people of McMinn County and send a copy to executive director of the Tennessee County Commissioners Association.

Adopted this 15th day of March, 2010.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Chairman Crews stated that he hopes the Mayors' Association will oppose this bill as well.

Motion carried by voice vote.

12. ELECTIONS, APPOINTMENTS AND CONFIRMATIONS

None.

13. REPORTS FROM COMMITTEES, COUNTY OFFICIALS, COMMENTS FROM COMMISSIONERS

A. Budget Committee – Commissioner Jack Powers.

Commissioner Jack Powers said that the Budget Committee met earlier this evening and approved several resolutions voted on by the Commission earlier in this meeting. He also said they approved the mail-outs to the Department Heads and will be continuing with their budget process.

14. COMMENTS FROM THE COUNTY MAYOR

A. Update on VA Clinic.

Mr. Gentry said he spoke with an agent with the Veterans Administration and Mr. Gentry said that they did not receive favorable bids. They have not rejected them, but they are evaluating them from a legal standpoint and Mr. Gentry added that we are one of four counties that are in this bid.

B. Highway 30 Widening Bid.

Mr. Gentry said that this bid has been awarded to Wright Brothers Construction, and added that the pre-construction meeting is March 23, 2010.

C. Security Consultants for the Jail.

Mr. Gentry said that David Misachio with Security Consultants is working in Kentucky but he is scheduled to come March 26th to try to finalize information to bid new security controls and life safety systems for the Justice Center.

D. Rails to Trail Program.

Mr. Gentry said that the Railroad appraisers are in the process of doing an appraisal on the property. The National Transportation Board has granted the county and the railroad an extension of time through November. Mr. Gentry said they have contacted some other counties who have similar programs and we plan to view what they have done, including their interlocal agreements between cities and counties.

E. North Ambulance Station.

Mr. Gentry said they did close on the north ambulance station and everything went through, including all our stipulations such as land perk test and land swap with the owner to make room for a duplication of septic systems if one fails. Mr. Gentry said that Russell Thress, the County Planner, is drawing up the plans to do the interior renovations.

F. New County Website.

Mr. Gentry said that the new county website is up and the new address is: www.mcminncountyttn.gov Mr. Gentry said it took longer than we thought and said he would welcome any suggestions.

G. E Leadership Team.

Mr. Gentry said that an E Leadership Team has been working with “Connected Tennessee” for the last year and we finalized an assessment of broadband coverage and different technology needs in the County. Mr. Gentry said he would have copies for Commissioners. He said that they would use this for companies coming in as we try to persuade telecommunications companies where our citizens would like to see broadband highband internet service.

H. AT&T Presence.

Mr. Gentry said that AT&T should have a presence in McMinn County by August but they are not disclosing locations because of competition.

15. APPROVAL OF NOTARY APPLICATIONS

The following notary applications were submitted to the County Clerk’s Office:

Notary Applications for March 2010

William P. Biddle III
Barbara Brakebill
Sharon Kaye Daugherty
Raye Henry
Kathleen F. King
J. C. Manning

(Cont’d)

Notary Applications for March 2010 (Cont'd)

Carolyn N. McCabe
Reba K. McKinney
Teresa A. Rhodes
Janis R. Roseberry
Judith G. Williams

MOTION made by Commissioner Mason, and seconded by Commissioner Bob Powers, to approve these notary applications.

Motion carried by voice vote.

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

None.

17. ADJOURNMENT

There being no other regular business, Chairman Crews declared the Commission meeting adjourned at 8:05 pm.

EVONNE HOBACK
McMinn County Clerk

Attest:

Deputy Clerk

(date)