

The McMinn County Board of Commissioners met in Regular Session on June 20, 2011, 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 Charles Slack.

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
Tim King – Present
Roger Masingale – Present
Gary Mason – Present
J. W. McPhail – Present
Bob Powers – Present
Tad Simpson – Present
Charles Slack – Present
Chairman David Crews – Present

5. APPROVAL OF MINUTES

Copies of the Minutes of the Regular Session on May 16, 2011 were provided to the McMinn County Commissioners.

MOTION made by Commissioner Holbrook, and seconded by Commissioner Powers, to approve the Minutes of May 16, 2011.

Motion carried by voice vote.

6. APPROVAL OF BIDS AND PURCHASES

A. Resolution to Approve UHF VHF Mobile Repeater Systems Bid.

Mr. Luallen presented the following resolution to approve the UHF VHF mobile repeater systems bid, along with the bid summary sheet and letter of recommendation from Betty Hamby, Director, McMinn County Emergency Management Agency (EMA).

RESOLUTION 11-059

RESOLUTION TO APPROVE UHF VHF MOBILE
REPEATER SYSTEMS BID

WHEREAS, McMinn County has been designated by the Regional Homeland Security Council to provide support for this region; and
(Cont'd)

Resolution No. 11-059 (Cont'd)

WHEREAS, State of Tennessee Department of Military Homeland Security has approved grant funding for UHF VHF Mobile Repeater Systems; and

WHEREAS, Betty Hamby McMinn County Emergency Management Director and Emergency Services Committee recommends the bid be awarded to Central Communications of Knoxville, TN the low bid meeting specifications in the amount of \$16,987.21; and

WHEREAS, purchase shall be made with funds from 2008 Homeland Security Grant.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20th DAY OF JUNE 2011, that this Commission does hereby approve the recommendation of Betty Hamby.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

In response to a question from Commissioner McPhail, Mr. Gentry said that this bid, and others to be considered later in the meeting, are for required items we would need with or without Homeland Security funding. We endeavor to use Homeland Security Funds in our favor. However, he also indicated that the necessity of some of the district equipment will need to be reassessed when Homeland Security money is not available. Commissioner McPhail said he wants to make sure that we aren't responsible to keep a program going if it is absolutely necessary for the citizens of McMinn County, and Mr. Gentry said he agrees.

Motion carried by voice vote.

B. 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, along with the bid summary sheet and a letter of recommendation from Sheriff Guy.

RESOLUTION NO. 11-060

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 Sheriff's Department requests purchase of medical supplies, non prescription items, and prescription drugs from I.H.S. Pharmacy for the period of June 1, 2011 through November 30, 2011; and

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

(Cont'd)

Resolution No. 11-060 (Cont'd)

WHEREAS, Joe Guy, McMinn County Sheriff, has recommended the bid be awarded to I.H.S. Pharmacy for various reasons (see recommendation letter).

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20th DAY OF JUNE, 2011, that this Commission does hereby approve the recommendation of Sheriff Joe Guy.

(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 Slack, to approve this resolution.

Motion carried by voice vote.

C. A Resolution to Approve and Award Annual Janitorial Products Bid.

Mr. Luallen presented the following resolution to approve and award annual janitorial products bid, along with the bid summary sheet and letters of recommendation from Scott McDowell, Maintenance Supervisor, and Sheriff Joe Guy.

RESOLUTION NO. 11-061

A RESOLUTION TO APPROVE AND AWARD ANNUAL JANITORIAL PRODUCTS BID

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 requested the purchase of Janitorial Products from July 1, 2011 through June 30, 2012, 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 McDowell, Courthouse Maintenance Supervisor, recommends the bid be awarded to Kel-San, Inc., the sole bidder; and

WHEREAS, Sheriff Joe Guy, recommends the bid be awarded to Kel-San, Inc., the sole bidder.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20th DAY OF JUNE, 2011, that this Commission does hereby approve the recommendation of the Maintenance Supervisor and the Sheriff concerning the janitorial bid.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

D. A Resolution to Approve and Award Semi-Annual Requirements Bid for Paper-Plastics Products.

Mr. Luallen presented the following resolution to approve and award semi-annual requirements bid for paper-plastics products, along with the bid summary sheet and letters of recommendation from the Maintenance Supervisor and Sheriff.

RESOLUTION NO. 11-062

A RESOLUTION TO APPROVE AND AWARD SEMI-ANNUAL
REQUIREMENTS BID FOR PAPER-PLASTICS PRODUCTS

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

WHEREAS, the Courthouse Maintenance Department and Sheriff's Department requests the purchase of Paper and Plastic Products from July 1, 2011, to December 31, 2011, 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 McDowell, Courthouse Maintenance Supervisor, and Sheriff Joe Guy, both recommend the bid be awarded to the vendors with the lowest bid price per item meeting specifications.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20th DAY OF JUNE 2011, that this Commission does hereby approve the recommendation of the Maintenance Supervisor and the Sheriff.

(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 Slack, to approve this resolution.

Motion carried by voice vote.

E. A Resolution to Approve and Award the Annual Micro-Paving Bids.

Mr. Luallen presented the following resolution to approve and award the annual micro-paving bids – for State Aid Roads and for various county roads – along with the bid summary sheets and a letter of recommendation from the Highway Commissioner.

RESOLUTION NO. 11-063

A RESOLUTION TO APPROVE AND AWARD THE
ANNUAL MICRO-PAVING BID

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, Randall Moss, McMinn County Highway Commissioner has recommended the bid be awarded to the low & only bidder, Strawser Construction of Columbus, OH, for the bid period of July 1, 2011 through September 30, 2011.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20th DAY OF JUNE 2011, 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 Hoback)
County Clerk

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

Motion carried by voice vote.

F. A Resolution to Approve Purchase Over \$10,000 for a 2010 Ford Explorer SUV to be Used at the McMinn County Sheriff's Department.

Mr. Luallen presented the following resolution to approve the purchase of a 2010 Ford Explorer SUV to be used at the McMinn County Sheriff's Department, along with a letter of recommendation from Sheriff Guy with supporting documentation. Mr. Luallen said that it does fall within 5% of the documented price range from a nationally recognized publication or a licensed appraiser.

RESOLUTION NO. 11-064

A RESOLUTION TO APPROVE PURCHASE OVER \$10,000 FOR A
2010 FORD EXPLORER SUV TO BE USED AT THE
MCMINN COUNTY SHERIFF'S DEPARTMENT

WHEREAS, McMinn County Sheriff's Department wishes to purchase a used SUV; and

WHEREAS, the SUV to be purchased is a 2010 Ford Explorer valued at \$25,000.00; and

WHEREAS, according to TCA 12-3-1003 and McMinn County Financial Management Policy and Procedures, the purchase of used items or equipment valued over \$10,000 may be purchased without public advertisement or competitive bidding provided the price falls within 5% of a documented price range from a nationally recognized publication or a licensed appraiser; and

WHEREAS, the Kelly Blue Book Value of this vehicle is \$24,985.00 which is within 5% of the purchase price; and

WHEREAS, the documented price of the SUV is \$25,000.00 which is within 5% threshold provided by the code.

NOW, BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 20th DAY OF JUNE, 2011, that this Commission does hereby approve the purchase of an SUV for the Sheriff's Department.

(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 Simpson, to approve this resolution.

In response to a question from Commissioner King, Sheriff Guy said this is being paid for with drug fund monies.

Motion carried by voice vote.

G. A Resolution to Approve the Purchase of Portable Radios and Chargers for EMA from State Contract.

Mr. Luallen presented the following resolution to approve the purchase of portable radios and chargers for EMA from State contract, along with a copy of EMA Director Betty Hamby's requisition.

RESOLUTION NO. 11-065

A RESOLUTION TO APPROVE THE PURCHASE OF PORTABLE RADIOS AND CHARGERS FOR EMA
FROM STATE CONTRACT

WHEREAS, Betty Hamby, EMA Director requests approval for the purchase of eleven (11) portable radios and chargers from the state contract, to carry out her duties; and

WHEREAS, the amount of the purchase is \$ 10,437.90; and

(Cont'd)

Resolution No. 11-065 (Cont'd)

WHEREAS, according to Financial Management Committee Policies & Procedures, purchases over \$10,000 requires County Commission approval; and

WHEREAS, purchase shall be made with funds from 2008 Homeland Security Grant.

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE MEETING IN REGULAR SESSION ON THIS THE 20TH DAY OF JUNE 2011, that this purchase from State Contract for EMS be hereby approved.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

H. A Resolution to Approve the Purchase of Radios and External Speakers for EMA from State Contract.

Mr. Luallen presented the following resolution to approve the purchase of radios and external speakers for EMA from State Contract.

RESOLUTION NO. 11-066

A RESOLUTION TO APPROVE THE PURCHASE OF RADIOS AND EXTERNAL SPEAKERS FOR EMA FROM STATE CONTRACT

WHEREAS, Betty Hamby, EMA Director requests approval for the purchase of ten (10) radios and ten (10) external speakers from the state contract, to carry out her duties; and

WHEREAS, the amount of the purchase is \$ 11,930.00; and

WHEREAS, according to Financial Management Committee Policies & Procedures, purchases over \$10,000 requires County Commission approval; and

WHEREAS, purchase shall be made with funds from 2008 Homeland Security Grant.

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE MEETING IN REGULAR SESSION ON THIS THE 20TH DAY OF JUNE 2011, that this purchase from State Contract for EMS be hereby approved.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

In response to a question from Commissioner Mason, EMA Director Betty Hamby explained that the external speakers are for the fire trucks so that personnel can hear when the pumper is running.

Motion carried by voice vote.

I. A Resolution to Approve Payment of Annual Hardware and Software Maintenance Support for Circuit Court Clerk's Office.

Mr. Luallen presented the following resolution to approve payment of annual hardware and software maintenance support for the Circuit Court Clerk's Office.

RESOLUTION NO. 11-067

A RESOLUTION TO APPROVE PAYMENT OF ANNUAL HARDWARE AND SOFTWARE MAINTENANCE SUPPORT

WHEREAS, McMinn County Circuit Court Clerk requests renewal of annual hardware and software maintenance support invoiced at \$12,702.96 for the period of July 1, 2011 to June 30, 2012; and

WHEREAS, in accordance with Financial Management Committee Policies and Procedures, expenses over \$10,000 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 JUNE, 2011, that the payment for invoiced maintenance agreement to Local Government Corp. in the amount of \$12,702.96 be hereby approved.

(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 Mason, to approve this resolution.

Motion carried by voice vote.

J. A Resolution to Approve the Purchase of Portable Radios and Chargers for EMA from State Contract.

Mr. Luallen presented the following resolution to approve the purchase of portable radios and chargers for EMA from State Contract, along with a copy of EMA Director Betty Hamby's requisition. In response to a question from Commissioner McPhail, Mr. Gentry said that these radios are for the 800 megahertz system which was very helpful during the recent tornado and added that these will eventually replace the UHF/VHF system.

RESOLUTION NO. 11-068

A RESOLUTION TO APPROVE THE PURCHASE OF PORTABLE RADIOS AND CHARGERS FOR EMA
FROM STATE CONTRACT

WHEREAS, Betty Hamby, EMA Director requests approval for the purchase of eight (8) portable radios and chargers from the state contract, to carry out her duties; and

WHEREAS, the amount of the purchase is \$ 22,481.12; and

WHEREAS, according to Financial Management Committee Policies & Procedures, purchases over \$10,000 requires County Commission approval; and

WHEREAS, purchase shall be made with funds from 2008 Homeland Security Grant.

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE MEETING IN REGULAR SESSION ON THIS THE 20TH DAY OF JUNE 2011, that this purchase from State Contract for EMS be hereby approved.

(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 Curtis, to approve this resolution.

Motion carried by voice vote.

7. REVIEW AND APPROVAL OF CONTRACTS

A. A Resolution to Approve the Contract Between McMinn County and State of Tennessee Department of Health.

Mr. Luallen presented the following resolution to approve the contract between McMinn County the State of Tennessee Department of Health for FY 2010-2011.

RESOLUTION NO. 11-069

A RESOLUTION TO APPROVE THE CONTRACT BETWEEN MCMINN COUNTY AND
STATE OF TENNESSEE DEPARTMENT OF HEALTH

WHEREAS, it is the conviction of McMinn County, that every individual in the County has good health care readily available; and

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 Department of Health to protect and improve the physical health of the county citizens through the prevention of conditions that may threaten good health; and

(Cont'd)

Resolution No. 11-069 (Cont'd)

WHEREAS, the total appropriation for which the County shall be billed is \$56,125; and

WHEREAS, McMinn County Health Department does provide these services and both parties do hereby agree to these provisions in the contract for FY 2010-11.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20th DAY OF JUNE, 2011, that this Commission does hereby approve this contract.

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

Motion carried by voice vote.

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

Mr. Luallen withdrew this resolution because the Reznick Group will no longer be providing audit services for the County, and added he will be putting out RFPs for that service shortly.

C. A Resolution to Approve the Contract Amendment Between McMinn County and State of Tennessee Department of Corrections.

Mr. Luallen presented the following resolution to approve the contract amendment between McMinn County and State of Tennessee Department of Corrections to house state felons. Mr. Luallen added that this amendment increases the maximum liability for the State and extends the contract through June 30, 2012.

RESOLUTION NO. 11-070

A RESOLUTION TO APPROVE THE CONTRACT AMENDMENT BETWEEN MCMINN COUNTY AND STATE OF TENNESSEE DEPARTMENT OF CORRECTIONS

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 entered into contract with Tennessee Department of Correction to house state felons within the McMinn County Justice Center; and

(Cont'd)

Resolution No. 11-070 (Cont'd)

WHEREAS, this amendment increases the maximum liability and extends this contract through June 30, 2012.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 20th DAY OF JUNE, 2011 THAT THE COMMISSION DOES APPROVE THIS CONTRACT AMENDMENT WITH TENNESSEE DEPARTMENT OF CORRECTIONS, AND FURTHERMORE RESOLVES TO GRANT AUTHORITY TO THE COUNTY MAYOR OR HIS DESIGNEE TO CARRY OUT THE DUTIES OF SAID CONTRACT, the public welfare demanding it.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

D. A Resolution to Approve a Contract Between McMinn County and Terracon Consultants, Inc. for Geotechnical Engineering Services.

Mr. Gentry presented the following resolution to approve a contract between McMinn County and Terracon Consultants, Inc. for Geotechnical Engineering Services and explained the details as contained in the resolution and added that the present lease had a notable increase. The Emergency Services Committee felt that it may be less expensive to have our own site and Mr. Gentry said that Terracon does the engineering studies for the State sites.

RESOLUTION NO. 11-071

A RESOLUTION TO APPROVE A CONTRACT BETWEEN McMINN COUNTY AND TERRACON CONSULTANTS, INC. FOR GEOTECHNICAL ENGINEERING SERVICES

WHEREAS, McMinn County has historically experienced emergency communication problems on the west side of the county due to topographical issues resulting primarily from Spring Creek Ridge and has leased commercial tower space to alleviate the problems with limited success; and

WHEREAS, AUB has graciously agreed to allow McMinn County to place a communications tower on their Spring Creek Ridge property in order to improve emergency communications on the west side of the county; and

WHEREAS, McMinn County desires to erect a tower on this property to both improve emergency communications and save long term lease payments; and

WHEREAS, Terracon Consultants, Inc. has submitted a proposal to conduct required core testing and soil sampling for the proposed communications tower site; and

(Cont'd)

Resolution No. 11-071 (Cont'd)

WHEREAS, Terracon is a recognized leader in providing environmental and geotechnical engineering services and their proposed price of \$6,375 is less than half the cost of the next closest proposal; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMIN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20th DAY OF JUNE 2011, THAT this commission does approve entering a contract with Terracon Consultants, Inc., and FURTHER approves the County Mayor to execute all necessary documentation regarding said contract.

(Orig signed by John Gentry)
McMinn County Mayor

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

8. APPROVAL OF BUDGET AMENDMENTS

Mr. Luallen presented five budget amendments in four different funds, a copy of which was provided to each Commissioner. Mr. Luallen said that the appropriate budget amendments had School Board approval on June 9, 2011.

Fund: General Fund # 101

Date: June 20, 2011

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Other Local Revenues	Damages Recovered from Individuals	44560	5,310.00	
Fire Prevention & Control	Maint. & Repair Services - Vehicle	54310-310		5,310.00

EXPLANATION: To account for revenue received from HAZMAT clean up.

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

Motion carried by roll call vote, as recorded:

Scott Curtis – Aye
Dale Holbrook – Aye
Tim King – Aye
Robert Masingale – Aye
Gary Mason – Aye
J. W. McPhail – Aye
Bob Powers – Aye
Tad Simpson – Aye
Charles Slack – Aye
Chairman David Crews – Aye

Fund: General Purpose School # 141

Date: May 26, 2011

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Other Local Revenues	E-Rate Funding	44146	24,624.00	
Attendance	Attendance Equipment	72110-704		24,624.00

EXPLANATION: To budget E-Rate funding received in FY 10 – 11. School Board approval: 6/9/11

Fund: General Purpose School # 141

Date: May 26, 2011

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Direct Federal Revenue	Other Direct Federal Revenue	47990	6,015.40	
Operation of Plant	Other Contracted Services	72610-399		3,000.00
“	Custodial Supplies	72610-410		3,015.40

EXPLANATION: To budget revenue and expenditures related to the U.S. EPA Indoor Air Quality Grant for FY 10 – 11. School Board approval 6/9/11.

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

Motion carried by roll call vote, as recorded:

- Scott Curtis – Aye
- Dale Holbrook – Aye
- Tim King – Aye
- Robert Masingale – Aye
- Gary Mason – Aye
- J. W. McPhail – Aye
- Bob Powers – Aye
- Tad Simpson – Aye
- Charles Slack – Aye
- Chairman David Crews – Aye

Fund: Federal Projects # 142 – Education Jobs Program, 11.01, # 550

Date: May 27, 2011

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Federal Fund Rec'd thru State	Other Federal Thru State	47590	610,929.00	

(Cont'd)

Fund: Federal Projects # 142 – Education Jobs Program, 11.01, # 550 (Cont'd)

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Regular Instruction Program	Teachers	71100-116		93,904.00
“	Other Salaries & Wages	71100-189		15,000.00
“	Social Security	71100-201		6,400.00
“	State Retirement	71100-204		476,491.00
“	Life Insurance	71100-206		247.00
“	Medical Insurance	71100-207		17,345.00
“	Employer Medicare	71100-212		1,497.00
“	Other Fringe Benefits	71100-299		45.00

EXPLANATION: To enter the budget for the Education Jobs Program Grant for FY 10 – 11. School Board approval 6/9/2011.

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

Motion carried by roll call vote, as recorded:

- Scott Curtis – Aye
- Dale Holbrook – Aye
- Tim King – Aye
- Robert Masingale – Aye
- Gary Mason – Aye
- J. W. McPhail – Aye
- Bob Powers – Aye
- Tad Simpson – Aye
- Charles Slack – Aye
- Chairman David Crews – Aye

Fund: Central Cafeteria – Fund # 143

Date: May 26, 2011

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Revenue	USDA – Other	47114-EKBA-FFV	16,313.00	
“	USDA – Other	47114-RGCK-FFV	18,610.00	

(Cont'd)

Fund: Central Cafeteria – Fund # 143 (Cont'd)

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Food Service	Administrative Expense	73100-105-RGCK-FFV		150.00
“	Other Salaries & Wages	73100-189-EKBA-FFV		2,890.00
“	Other Salaries & Wages	73100-189-RGCK-FFV		3,653.00
“	Food Supplies	73100-422-EKBA-FFV		11,910.00
“	Food Supplies	73100-422-RGCK-FFV		13,932.00
“	Other Supplies	73100-499-EKBA-FFV		696.00
“	Other Supplies	73100-499-RGCK-FFV		113.00
“	Equipment	73100-710-EKBA-FFV		817.00
“	Equipment	73100-710-RGCK-FFV		762.00

EXPLANATION: To enter the budget for the Fresh Fruit and Vegetable Grants that were awarded to E. K. Baker School and Rogers Creek School in FY 10 – 11. School Board approved 6/9/11.

MOTION made by Commissioner Mason, and seconded by Commissioner Powers, to approve this budget amendment.

Motion carried by roll call vote, as recorded:

- Scott Curtis – Aye
- Dale Holbrook – Aye
- Tim King – Aye
- Robert Masingale – Aye
- Gary Mason – Aye
- J. W. McPhail – Aye
- Bob Powers – Aye
- Tad Simpson – Aye
- Charles Slack – Aye
- Chairman David Crews – Aye

9. APPROVAL OF FY 2011-2012 CONTINUING BUDGET RESOLUTION

Mr. Luallan said that as it appears we will not have our budget passed by June 30, 2011, he presented the following resolution to adopt a continuing budget and tax rate for the fiscal year beginning July 1, 2011 and to authorize the expenditure of funds by the various county offices and departments.

RESOLUTION NO. 11-072

RESOLUTION TO ADOPT A CONTINUING BUDGET AND TAX RATE
FOR THE FISCAL YEAR BEGINNING JULY 1, 2011 AND TO
AUTHORIZE THE EXPENDITURE OF FUNDS BY THE VARIOUS
COUNTY OFFICES AND DEPARTMENTS

WHEREAS, it now appears that the fiscal year 2011-2012 budget of McMinn County, Tennessee will not be approved by July 1, 2011.

NOW, THEREFORE, BE IT RESOLVED, by the County legislative body of McMinn County, Tennessee, meeting in regular session this 20th day of June 2011, that:

SECTION 1. The amount set out in the fiscal year 2010-2011 Appropriations Resolution are continued and the various departments, offices and agencies are authorized to expend funds at the same level as the previous fiscal year.

SECTION 2. The property tax rate of \$1.5553 per each \$100 of taxable property for the fiscal year beginning July 1, 2010, will remain in effect until a new property tax rate is adopted.

SECTION 3. No local funds can be expended or obligated that exceed the previous year's budget appropriation until a new budget is adopted. Expenditures mandated by the State or rules and regulations adopted by the State are incorporated into this continuing budget. Fiscal year 2011-2012 equipment purchases and salary increases will be delayed until after final approval of the budget.

SECTION 4. This resolution will take effect from and after its passage and its provisions will be in force from July 1, 2011, until the budget and tax rate for fiscal year 2011-2012 is finally adopted and approved. The County Clerk shall include this Resolution in the minutes of the McMinn County legislative body.

Adopted this 20th day of June 2011.

(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 Simpson, to approve this resolution.

Motion carried by roll call vote, as recorded:

Scott Curtis – Aye
Dale Holbrook – Aye
Tim King – Aye
Robert Masingale – Aye
Gary Mason – Aye
J. W. McPhail – Aye
Bob Powers – Aye
Tad Simpson – Aye
Charles Slack – Aye
Chairman David Crews – Aye

10. COMMENTS FROM THE AUDIENCE

A. Comments by Mr. Dan Chesanow, Resident on County Road 616, Athens, Concerning Flood Insurance Program.

Mr. Dan Chesanow, resident on County Road 616, who has spoken to the Commission on numerous occasions regarding his concern that McMinn County has not yet joined the State's flood insurance program even though it will be mandated in June of 2012. Mr. Chesanow said he recently attended the Planning Commission meeting and he said they had a sense of urgency and that they approved a resolution for the McMinn County Commission to move forward on this issue. He said he would like to see a resolution of commitment from the County Commission to have this program in place in six weeks. Chairman Crews said that as recommended by the Planning Commission, the County Commission will be appointing a committee tonight, made up of commissioners, bankers, insurance representatives, as well as the Property Assessor, to begin the study of how to proceed.

11. RESOLUTIONS

A. A Proposed Resolution to Approve an Agreement Between McMinn County and Gurney Productions for Filming and Production Rights Regarding a Project with the McMinn County Sheriff's Office.

Mr. Gentry asked Sheriff Joe Guy to present his resolution and answer any questions. Sheriff Guy said that McMinn County has gained national attention regarding its fight against methamphetamine. He said that McMinn County has been contacted by television production companies regarding the opportunity to document through film the success McMinn County has made against meth and other crimes. Sheriff Guy said that Gurney Productions of Los Angeles, CA, has already filmed the test footage and he provided the Commission with quotes promoting our county. Sheriff Guy explained in detail how our department and our community would be presented, a family-oriented and character-driven production, and he feels that this would be of benefit to McMinn County.

Sheriff Guy provided a copy of the proposed agreement which he said would let them come into our county, we will give them access to our patrol and jail staff, and our court staff. They will have 6 months to take their ideas and filming to a network and then they would come back to negotiate what revenue would be paid to the County. The idea is to produce a weekly television series about our Sheriff's office and community.

Commissioner King asked if the County Attorney had reviewed the agreement and also asked Sheriff Guy who has the final creative control because he feels that the agreement gives control to the production company. There was a lengthy discussion and Sheriff Guy answered several questions. Commissioner King said that hasn't seen very many wholesome reality shows and his concern is that McMinn County will be portrayed in a negative light that would not promote economic development. Commissioner King said that while he trusts Sheriff Guy, his feeling is that the production company will generate a show to make money. Sheriff Guy said that the day that our community is misrepresented, he will put the brakes on the project. Commissioner King said he fears that it would be too late at that point. Sheriff Guy said that the agreement being considered tonight is an access agreement, not a production agreement. When the production agreement is written, Sheriff Guy said it would have to say that the Sheriff has creative and editorial control.

Mayor Gentry said that the potential is great, but the risk is great. Mayor Gentry said that there are attorneys who deal with entertainment law and he and the County Attorney recommended that we might want to ask an entertainment attorney to review it. Mayor Gentry also suggested that the Production Company come before the County Commission to answer questions.

Chairman Crews asked that the Mayor follow-up with his recommendation.

B. A Resolution to Establish a Redistricting Committee.

Mr. Gentry presented the following resolution to establish a redistricting committee as required by law after the census so that commission districts represent substantially equal populations. Mr. Gentry also provided a color coded map indicating McMinn voting precincts and population summary and added that McMinn County must have an approved redistricting plan by January 1, 2012. Mr. Gentry said we are in pretty good shape, but we have two districts that not within the acceptable deviation rule. The State recommends that we establish a redistricting committee and he explained who would make up the committee. He also said that the Local Planning Office, who has handled this in the past, are no longer going to be available. Mr. Gentry said that this will fall to CTAS to provide the software, but since we have GIS technology, it should be fairly simple to do.

Resolution No. 11-073

A RESOLUTION TO ESTABLISH A REDISTRICTING COMMITTEE

WHEREAS, T.C.A. Section 5-1-111 requires that, at least every ten (10) years, county legislative bodies shall change the boundaries of county legislative districts so that members represent substantially equal populations; and

WHEREAS, the McMinn County Commission finds it to be in the best interest of McMinn County to establish a Redistricting Committee to assist the Commission with the necessary boundary changes to county legislative districts so that members represent substantially equal populations; and

WHEREAS, the Redistricting Committee shall consist of the following members:

- (1) Ten current members of the McMinn County Commission
- (2) County Mayor
- (3) Administrator of Elections
- (4) Assessor of Property GIS Staff

WHEREAS, the Redistricting Committee shall elect a chairman and its meeting shall be subject to the meetings provisions of T.C.A. Title 8, Chapter 44; and

WHEREAS, McMinn County must have an approved redistricting plan by January 1, 2012.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE MEETING IN REGULAR SESSION THIS THE 20TH DAY OF JUNE, 2011, that this Commission does hereby approve the establishment of a Redistricting Committee with said membership as presented to aid in the development of the required Redistricting Plan.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

Commissioner Mason suggested that a large map be prepared with the streets listed.

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

Motion carried by voice vote.

C. A Resolution to Affirm Compliance with Federal Title VI Regulations.

Mr. Gentry presented the following resolution to affirm compliance with Federal Title VI Regulations, a requirement for Three-Star communities as well as applicants for community development block grants.

Resolution No. 11-074

A RESOLUTION TO AFFIRM COMPLIANCE WITH
FEDERAL TITLE VI REGULATIONS

WHEREAS, Both Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 provide that no person in the United States shall, on the ground of race, color or national origin be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity receiving federal financial assistance; and

WHEREAS, the Tennessee Attorney General opined in Opinion No. 92.47 that state and local governments are required to comply with Title VI of the Civil Rights Act in administering federally funded programs; and

WHEREAS, the Community Development Division of the Tennessee Department of Economic and Community Development administers the Three-Star Program and awards financial incentives for communities designated as Three-Star communities; and

WHEREAS, by virtue of the Tennessee Department of Economic and Community Development receiving federal financial assistance all communities designated as Three-Star communities must confirm that the community is in compliance with the regulations of Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987.

NOW, THEREFORE; BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20th DAY OF JUNE, 2011 that this Commission declares that the county is in compliance with the federal Title VI regulations and that the Department of Economic and Community Development may from time to time monitor the county's compliance with federal Title VI regulations.

(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 Mason, to approve this resolution.

Motion carried by voice vote.

D. A Resolution to Adopt the Strategic Economic Development Plans.

Mr. Gentry presented the following resolution to adopt the strategic economic development plan, as required annually. Mr. Gentry said that there is no change in the plan, but added that he has heard the whole program may go away.

Resolution No. 11-075

A RESOLUTION TO ADOPT THE STRATEGIC
ECONOMIC DEVELOPMENT PLAN

WHEREAS, the Three-Star Program was developed to meet the needs and challenges of the evolving economic environment in urban and rural communities and to partner with communities to create opportunities for sustained economic growth; and

WHEREAS, communities seeking certification as a Three-Star community must meet certain criteria, including the adoption of a five-year strategic economic development plan; and

WHEREAS, in achieving the mission of the Three-Star Program, the Department of Economic and Community Development commits to assist communities in developing and implementing a strategic economic plan.

NOW, THEREFORE; BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20th DAY OF JUNE 2011, that this Commission does declare that McMinn County has adopted a five-year strategic economic development plan to be updated annually and the strategic economic development plan includes McMinn County's economic goals in promoting economic growth, a plan to accomplish those goals and a projected timeline in achieving those goals, and the strategic economic development plan addresses McMinn County's goals pertaining to existing industry, manufacturing recruitment, workforce development, retail/service, tourism, agriculture, infrastructure assessment and educational assessment, 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 Powers, to approve this resolution.

Motion carried by voice vote.

12. ELECTIONS, APPOINTMENTS AND CONFIRMATIONS

A. A Resolution to Confirm the Re-Appointment of Butch Carman to the McMinn County Regional Planning Commission.

Mr. Gentry presented the following resolution to confirm the re-appointment of Butch Carman to the McMinn County Regional Planning Commission.

Resolution No. 11-076

A RESOLUTION TO CONFIRM THE RE-APPOINTMENT OF
BUTCH CARMAN TO THE McMINN COUNTY
REGIONAL PLANNING COMMISSION

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

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

WHEREAS, John M. Gentry as McMinn County Mayor, nominates Butch Carman, current Planning Commission Chairman for re-appointment to the McMinn County Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 20th DAY OF JUNE 2011, that this commission does hereby confirm the re-appointment of Butch Carman to the McMinn County Regional Planning Commission.

(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 Slack, to approve this resolution.

Motion carried by voice vote.

B. A Resolution to Confirm the Re-Appointment of Marvin Kelley to the McMinn County Regional Planning Commission.

Mr. Gentry presented the following resolution to confirm the re-appointment of Marvin Kelley to the McMinn County Regional Planning Commission.

Resolution No. 11-077

A RESOLUTION TO CONFIRM THE RE-APPOINTMENT OF
MARVIN KELLEY TO THE McMINN COUNTY REGIONAL PLANNING COMMISSION

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

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

WHEREAS, John M. Gentry as McMinn County Mayor nominates Marvin Kelley, current Planning Commission Secretary, for re-appointment to the McMinn County Regional Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 20th DAY OF JUNE 2010, that this commission does hereby confirm the re-appointment of Marvin Kelley to the McMinn County Regional Planning Commission.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

C. A Resolution to Congratulate Dianna Eddington on Winning the 800, 1600 and 3200 Meter Runs in the TSSAA State Track Meet.

Mr. Gentry presented the following resolution to congratulate Dianna Eddington on winning the 800, 1600 and 3200 meter runs in the TSSAA State Track Meet and apologized for not presenting this resolution earlier in the meeting. Mr. Gentry said that this was an incredible individual accomplishment and he understands she has a scholarship to an SEC school. Mr. Gentry said that she will represent McMinn County very well and added we are very proud of her.

Resolution No. 11-078

A RESOLUTION TO CONGRATULATE DIANNA EDDINGTON ON WINNING
THE 800, 1600 AND 3200 METER RUNS IN THE TSSAA STATE TRACK MEET

WHEREAS, during Dianna Eddington's four seasons running track at Central High School of McMinn County, she competed in the State Track Meet four consecutive years and produced nine medals; and

(Cont'd)

Resolution No. 11-078 (Cont'd)

WHEREAS, Dianne Eddington's many years of hard work and devotion ultimately resulted in her winning state titles in the 800, 1600 and 3200 meter runs at the 2011 Class A/AA State Track Meet in Murfreesboro; and

WHEREAS, her three state championships were won in a matter of two days and her 2/10 of a second victory in the 800 meter occurred just one hour after winning gold in the 1600 meter run; and

WHEREAS, Dianna Eddington has not only been an accomplished student athlete for Central High School but she has also served as an excellent ambassador for McMinn County as a whole by displaying class, dignity and heart while pursuing her endeavors; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20TH DAY OF JUNE 2011, that this Commission does hereby congratulate and commend Dianna Eddington of Central High School of McMinn County on her 2011 state championships and wishes her continued success at Mississippi State University both on and off the track.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

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

A. Solid Waste (Landfill) Committee – Commissioner McPhail.

Commissioner McPhail said that the Solid Waste Committee met to consider extending the leachate contract for 60 days. The current bid resulted in a much higher price and the Landfill Committee is looking at other alternatives before we accept or reject the bids.

B. Budget Committee – Commissioner Curtis.

Commissioner Curtis said that the Budget Committee has met a couple of times in the last month and right now the budget is in a holding pattern until they get the school numbers.

C. Flood Insurance Committee.

Chairman Crews said that a Flood Insurance Committee needs to be appointed and he mentioned that someone from the insurance industry, someone from the banking community, a representative from the Property Assessor's Office would be appointed, as well as a Commissioner from each District. He solicited volunteers from each district before the next Commission meeting and said if he doesn't get volunteers, he would choose.

14. COMMENTS FROM THE COUNTY MAYOR

A. Flood Insurance Compliance Plan.

Mr. Gentry said he knows that for some there is urgency but explained that passing a resolution doesn't put you in compliance. Your compliance plan must be approved, i.e. how do you police what is being built in the flood plain. Things are escalating on this issue and we have to have an approved plan. Mr. Gentry said the process involves everyone even though there aren't that many in the flood plain and he urged the Commissioners volunteer to serve.

15. APPROVAL OF NOTARY APPLICATIONS

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

Notary Applications for June 2011

Kimberly A. Clare
Pamela J. Hutsell
Charity Julian
Janice Yvonne Kincannon
Jim Landreth
Tom Q. Lovingood
Kristie R. Nipper
Janice M. Perry
Cindy Michelle Salmon
Pamela D. Shahan
Jenny Thompson
Connie J. Triplett

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

Motion carried by voice vote.

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

A. Question from Commissioner Mason Regarding the North Ambulance Station.

Mr. Johnny Lipps said that they have started the process to get the phone service started and he said that the Mayor told them to move into that building. Some remodeling will be done and they are working on bids.

B. Sheriff's Office Monthly Report for the County Commission Meeting.

Chairman Crews commended the Sheriff for the 50% reduction in meth lab seizures in McMinn County this year compared to last year. Sheriff Guy said that is a coordinated effort. He also discussed the population in the jail and the possibility of reconsidering the construction of the proposed jail expansion. Mr. Gentry also discussed the security system and said that they are waiting on the fire inspector to sign off.

17. ADJOURNMENT

There being no other business, Chairman Crews declared the Commission meeting adjourned at 8:30 pm.

EVONNE HOBACK
McMinn County Clerk

Attest:

Deputy Clerk (date)