

The McMinn County Board of Commissioners met in Regular Session on March 21, 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 Crews.

2. INVOCATION

The Invocation was given by Commissioner Tim King.

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 – Absent
Chairman David Crews – Present

5. APPROVAL OF MINUTES

Copies of the Minutes of the Special Called Session on February 3, 2011 were provided to the McMinn County Commissioners.

MOTION made by Commissioner Holbrook, and seconded by Commissioner Powers, to approve the Minutes of February 3, 2011.

Motion carried by voice vote.

6. APPROVAL OF BIDS AND PURCHASES

A. A Resolution to Approve and Award the Annual In-Place Asphalt Bid.

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

RESOLUTION NO. 11-015

A RESOLUTION TO APPROVE AND AWARD THE
ANNUAL IN-PLACE ASPHALT BID

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

(Cont'd)

Resolution No. 11-015 (Cont'd)

WHEREAS, the McMinn County Highway Department requests the purchase of In-Place Asphalt from the low bidder of each grade meeting specifications plus the haul charged to the center of the job for the period of April 1, 2011 through November 30, 2011, in order to properly carry out the functions of the department; and

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

WHEREAS, Randall Moss, McMinn County Highway Commissioner has recommended the bid be awarded to the low bidder meeting specifications considering haul charges and severance tax per ton.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21ST DAY OF MARCH, 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 Powers, and seconded by Commissioner King, to approve this resolution.

In response to a question from Chairman Crews, the Highway Commissioner said that they use Grade E Hot Mix the most, and added that for liquid, they use RS2 the most.

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 letters of recommendation from the Highway Commissioner and the Landfill Supervisor as well as the bid summary sheet.

RESOLUTION NO. 11-016

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, 2011 through September 30, 2011, 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.

(Cont'd)

Resolution No. 11-016 (Cont'd)

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21st DAY OF MARCH 2011, 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 Mason, and seconded by Commissioner Masingale, to approve this resolution.

Motion carried by voice vote.

C. Resolution to Approve and Award the Bid for 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 a letter of recommendation from the Landfill Supervisor and a bid summary sheet.

RESOLUTION NO. 11-017

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, Stan Moses McMinn County Landfill Supervisor, requests the purchase of a Zero-Radius Commercial Type Mower, for use by the Recreational Park from Athens Lawn & Garden 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, 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 21st DAY OF MARCH 2011, 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 Powers, and seconded by Commissioner King, to approve this resolution.

Motion carried by voice vote.

7. REVIEW AND APPROVAL OF CONTRACTS

A. 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. Mr. Luallen said that this basically increases the maximum liability of the State.

[NOTE: This Resolution is inserted at the end of these minutes.]

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

Motion carried by voice vote.

Mr. Gentry said that they were hoping that this contract would lock in \$35.00 a day to house State prisoners, for another year, but it did not and added that there are rumblings that the rate will go to \$32.00 or less.

B. A Resolution to Approve the Contract Between McMinn County and Facility Systems Consultants for Fire Alarm System Design at the McMinn County Justice Center.

Mr. Luallen presented the following resolution to approve the contract between McMinn County and Facility Systems Consultants for fire alarm system design at the McMinn County Justice Center and added that this had the approval of the Properties Committee prior to this meeting.

RESOLUTION NO. 11-019

A RESOLUTION TO APPROVE THE CONTRACT BETWEEN
MCMINN COUNTY AND FACILITY SYSTEMS CONSULTANTS
FOR FIRE ALARM SYSTEM DESIGN AT THE
MCMINN COUNTY JUSTICE CENTER

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

WHEREAS, McMinn County desires to enter into contract with Facility Systems Consultants, LLC to supply fire alarm system design to the McMinn County Justice Center; and

WHEREAS, the Properties Committee recommends approval of this contract for these services in the amount of \$11,500.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 21ST DAY OF MARCH 2011 THAT THIS commission does hereby agree to enter into contract with Facility Systems Consultants to design fire alarm systems for the McMinn County Justice Center.

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

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

C. A Resolution to Approve an Amendment of the Contract Between McMinn County and the State of Tennessee Regarding Mental Health Treatment Services for Misdemeanor Criminal Defendants.

Mr. Luallen presented the following resolution to approve an amendment of the contract between McMinn County and the State of Tennessee regarding mental health treatment services for misdemeanor criminal defendants. Mr. Luallen explained that this amendment extends the date to end June 30, 2012, as well as making a department name change.

RESOLUTION NO. 11-020

A RESOLUTION TO APPROVE AN AMENDMENT OF THE CONTRACT BETWEEN MCMINN COUNTY AND THE STATE OF TENNESSEE REGARDING MENTAL HEALTH TREATMENT SERVICES FOR MISDEMEANOR CRIMINAL DEFENDANTS

WHEREAS, McMinn County is currently in a non-exclusive contractual agreement between the Department of Mental Health and Developmental Disabilities which allows for reduced billing rates for counties; and

WHEREAS, McMinn County wishes to amend this current contract by extending the date to end June 30, 2012 as well as replace all references to Department of Mental Health and Developmental Disabilities with Department of Mental Health.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21st DAY OF MARCH 2011, THAT this contract amendment with the DMH for mental health and treatment for misdemeanor criminal defendants is approved, 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 Powers, to approve this resolution.

Motion carried by voice vote.

Mr. Gentry said that this is an issue that is affecting our budget. It is a service that used to be paid for by the State of Tennessee.

D. A Resolution to Enter an Incentive Payment Memorandum of Understanding with the Social Security Administration.

Mr. Luallen presented the following resolution to enter an Incentive Payment Memorandum of Understanding with the Social Security Administration, along with a copy of the Incentive Payment Memorandum of Understanding.

RESOLUTION NO. 11-021

A RESOLUTION TO ENTER AN INCENTIVE PAYMENT MEMORANDUM OF UNDERSTANDING
WITH THE SOCIAL SECURITY ADMINISTRATION

WHEREAS, McMinn County wishes to sign a memorandum of understanding with the Social Security Administration stating that the county will report information to SSA about individuals incarcerated at the McMinn County Justice Center to determine if a prisoner's Supplementary Security Income payments may be suspended; and

WHEREAS, the Social Security Act authorizes SSA to enter into such agreements with interested state or local institutions to obtain information about certain confined SSA beneficiaries and to pay for this information; and

WHEREAS, McMinn County will receive \$400 per inmate if it furnishes information within 30 days about a confined individual who meets the criteria described in the IPMOU with SSA, and receive \$200 if information is provided within 90 days.

WHEREAS, McMinn County Sheriff Joe Guy recommends entering this agreement with SSA.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21st DAY OF MARCH 2011, does approve entering an Incentive Payment Memorandum of Understanding with the Social Security Administration, AND FURTHERMORE, authorizes the County Mayor to execute all necessary documents to fulfill the intentions of this resolution

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Commissioner King asked if there was a system in place to make sure this information is furnished within 30 days. Sheriff Guy said a lot of this depends upon the Social Security Administration and added that this is not a new program.

Motion carried by voice vote.

8. APPROVAL OF BUDGET AMENDMENTS

Mr. Luallen presented eight budget amendments in three different funds, a copy of which was provided to each Commissioner. Mr. Luallen added that appropriate budget amendments had local school board of education approval.

Fund: General # 101

Date: March 17, 2011

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Reserve	Undesignated Fund	39000	79,329.00	
Drug Prosecutor	Other Salaries & Wages	53900-189		64,524.00
“	Social Security	53900-201		4,936.00
“	State Retirement	53900-204		4,381.00
“	Employee & Dependent Insurance	53900-205		5,150.00
“	Life Insurance	53900-206		75.00
“	Unemployment Compensation	53900-210		108.00
“	Workers Compensation	53900-513		155.00

JOURNAL ENTRY REQUIRED

Reserve	Reserve for DTF Drug Prosecutor	35170	79,329.00	
“	Undesignated Fund Balance	39000		79,329.00

EXPLANATION: To enter budget for drug prosecutor for FY 10-11 from designated reserve for DTF Drug Prosecutor.

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

Motion carried by roll call vote, as recorded:

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

Fund: General Purpose School # 141

Date: March 3, 2011

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Revenue	Special Ed Grants to States	47143	83,920.00	
Special Ed Program	Contracts with Private Agencies	71200-312		69,043.00
Special Ed Program Support	Other Contracted Services	72220-399		11,587.00
“	In-Service/Staff Development	72220-399		3,290.00

EXPLANATION: To budget additional funds received from the State for special education high cost students

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

Motion carried by roll call vote, as recorded:

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

Fund: Federal Projects # 142 – Title II, Part A 11.01 #201

Date: January 4, 2011

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Revenue	Eisenhower Prof. Develop. Grant	47189		7,056.00
Regular Instruction Program	Other Salaries & Wages	71100-189	170,608.00	
“	Social Security	71100-201	10,578.00	
“	State Retirement	71100-204	1,544.00	
“	Life Insurance	71100-206	511.00	
“	Medical Insurance	71100-207	28,390.00	
“	Unemployment Compensation	71100-210	63.00	

(Cont'd)

Fund: Federal Projects # 142 – Title II, Part A 11.01 #201 (Cont'd)

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Regular Instruction Program	Employer Medicare	71100-212	2,474.00	
“	Other Fringe Benefits	71100-299	80.00	
Support Services	Other Salaries & Wages	72210-189		170,608.00
“	Social Security	72210-201		9,105.00
“	State Retirement	72210-204		13,290.00
“	Life Insurance	72210-206		324.00
“	Medical Insurance	72210-207		20,329.00
“	Unemployment Compensation	72210-210		147.00
“	Employer Medicare	72210-212		2,873.00
“	Travel	72210-355	9,484.00	

EXPLANATION: To budget for decrease in actual revenue from estimated revenue for Title II A FY 10 – 11 and to correct account codes per Daryl Schaefer State Financial Consultant.

Fund: Federal Projects, # 142, Title II, Part A, 10.21 # 200

Date: January 4, 2011

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Regular Instruction Program	Teachers	71100-116	14,378.00	
“	Social Security	71100-201	5,027.96	
“	State Retirement	71100-204	5,376.07	
“	Life Insurance	71100-206	377.76	
“	Medical Insurance	71100-207	16,640.46	
“	Unemployment Compensation	71100-210	67.00	
“	Employer Medicare	71100-212	992.33	
“	Other Fringe Benefits	71100-299	53.36	
Support Services	Staff Development	72210-524		42,912.94

EXPLANATION: To adjust estimated budget to actual for Title II, Part A, FY 10 – 11 to correct account codes per Daryl Schaefer, State Fiscal Consultant.

Fund: Federal Projects # 142, Title I, Part A, 10.21, # 100

Date: January 4, 2011

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Revenue	Other Federal Grants	47141	4,647.00	
Regular Instruction Program	Instructional Supplies	71100-429	2,868.00	
“	Instructional Supplies	71100-429-CALH		3,679.00
“	Regular Instruction Equipment	71100-722	4,725.00	
“	Regular Instruction Equipment	71100-722-CALH		6,990.00
“	Regular Instruction Equipment	71100-722-EKBA		1,394.00
“	Regular Instruction Equipment	71100-722-EGWD		2,115.00
“	Regular Instruction Equipment	71100-722MTVW		314.00
“	Regular Instruction Equipment	71100-722-RGCK		1,254.00
Support Services	Other Charges	72130-599	3,305.00	
“	Other Charges	72130-599-CALH		135.00
“	Other Charges	72130-599-NITA		97.00
“	Other Charges	72130-599-RCVL		172.00
“	Travel	72210-355	1,740.00	
“	Travel	72210-355-CALH		236.00
“	Travel	72210-355-NITA		862.00
“	Travel	72210-355-RCVL		642.00
“	Staff Development	72210-524	605.00	

EXPLANATION: To adjust estimated budget to actual for FY 10 – 11 for Title I, Part A.

Fund: Federal Projects # 142 – Title I, Part A – ARRA, 10.21 # 10S Date: January 4, 2011

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Regular Instruction Program	Educational Assistants	71100-163	13,067.00	
“	Educational Assistants	71100-163-MTVW		17,227.00
“	Educational Assistants	71100-163-NITA		15,174.00
“	Other Salaries & Wages	71100-189	61,250.00	
“	Other Salaries & Wages	71100-189-CALH		15,856.00
“	Other Salaries & Wages	71100-189-EGWD		8,750.00
“	Other Salaries & Wages	71100-189-EKBA		8,750.00
“	Other Salaries & Wages	71100-189-MTVW		8,750.00
“	Other Salaries & Wages	71100-189-NITA		15,215.00
“	Other Salaries & Wages	71100-189-RCVL		8,750.00
“	Other Salaries & Wages	71100-189-RGCK		8,750.00
“	Social Security	71100-201		1,852.00
“	State Retirement	71100-204		1,030.00
“	Life Insurance	71100-206		108.00
“	Medical Insurance	71100-207		5,400.00
“	Unemployment Compensation	71100-210		29.00
“	Employer Medicare	71100-212		433.00
“	Other Fringe Benefits	71100-299		20.00
“	Instructional Supplies	71100-429	168,403.00	
“	Instructional Supplies	71100-429-CALH		6,000.00
“	Instructional Supplies	71100-429-EGWD		11,302.00
“	Instructional Supplies	71100-429-EKBA		8,124.00
“	Instructional Supplies	71100-429-MTVW		1,651.00
“	Instructional Supplies	71100-429-NITA		1,172.00
“	Instructional Supplies	71100-429-RCVL		8,098.00

(Cont'd)

Fund: Federal Projects # 142 – Title I, Part A – ARRA, 10.21 # 10S (Cont'd)

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Regular Instruction Program	Instructional Supplies	71100-429-RGCK		2,000.00
“	Regular Instruction Equipment	71100-722	47,012.94	
“	Regular Instruction Equipment	71100-722-CALH		12,955.00
“	Regular Instruction Equipment	71100-722-EGWD		16,500.00
“	Regular Instruction Equipment	71100-722-EKBA		12,731.00
“	Regular Instruction Equipment	71100-722-MTVW		15,025.00
“	Regular Instruction Equipment	71100-722-NITA		15,400.00
“	Regular Instruction Equipment	71100-722-RCVL		31,057.00
“	Regular Instruction Equipment	71100-722-RGCK		19,600.00
Support Services	Other Charges	72130-599	702.50	
“	Other Charges	72130-599-CALH		793.00
“	Other Charges	72130-599-EGWD		793.00
“	Other Charges	72130-599-EKBA		793.00
“	Other Charges	72130-599-MTVW		793.00
“	Other Charges	72130-599-NITA		793.00
“	Other Charges	72130-599-RCVL		793.00
“	Other Charges	72130-599-RGCK		793.00
“	Travel	72210-355	9,707.69	
“	Travel	72210-355-CALH		1,152.00
“	Travel	72210-355-EGWD		5,000.00

(Cont'd)

Fund: Federal Projects # 142 – Title I, Part A – ARRA, 10.21 # 10S (Cont'd)

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Support Services	Travel	72210-355-EKBA		180.00
“	Travel	72210-355-NITA		750.00
“	Travel	72210-355-RCVL		915.00
“	Travel	72210-355-RGCK		2,103.00
“	Staff Development	72210-524	2,381.87	
“	Staff Development	72210-524-CALH		1,153.00
“	Staff Development	72210-524-EGWD		5,000.00
“	Staff Development	72210-524-EKBA		180.00
“	Staff Development	72210-524-NITA		439.00
“	Staff Development	72210-524-RCVL		289.00
“	Staff Development	72210-524-RGCK		2,104.00

EXPLANATION: To adjust estimated budget to actual budget for Title I, Stimulus Funds, FY 10 – 11

Fund: Federal Projects # 142 – IDEA Pre-School, ARRA, 10.21 # 91A Date: January 24, 2011

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Federal Revenue	Special Ed. Preschool	47145	22,754.03	
Special Education Program	Education Assistants	71200-163		9,500.00
“	Social Security	71200-201		589.00
“	Employer Medicare	71200-212		137.00
“	Instructional Supplies & Materials	71200-429		8,000.00
“	Other Supplies & Materials	71200-499		3,028.03
“	Special Education Equipment	71200-725		1,500.00

EXPLANATION: To enter the IDEA Preschool ARRA 10.21 carryover budget that was approved by the State December 15, 2010.

Fund: Federal Projects # 142 – IDEA – Part B ARRA, 10.21 # 90A

Date: January 24, 2011

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Federal Revenue	Special Ed – Grants to States	47143	358,443.35	
Special Education Program	Teachers	71200-116		10,000.00
“	Educational Assistants	71200-163		60,000.00
“	Social Security	71200-201		5,000.00
“	State Retirement	71200-204		900.00
“	Employer Medicare	71200-212		1,200.00
“	Contracts with Private Agencies	71200-312		100,000.00
“	Maint. & Repair Services - Equipment	71200-336		4,000.00
“	Instructional Supplies & Materials	71200-429		40,000.00
“	Other Supplies & Materials	71200-499		21,343.35
“	Special Education Equipment	71200-725		35,000.00
Special Ed. Program Support	Travel	72220-355		9,000.00
“	Other Contracted Services	72220-399		27,000.00
“	In-Service/Staff Development	72220-524		45,000.00

EXPLANATION: To enter the IDEA – Part B ARRA 10.21 carryover budget that was approved by the State. January 13, 2011

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

Motion carried by roll call vote, as recorded:

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

9. AMR UPDATE FOR AMBULANCE SERVICE TRANSITION

Ms. Erin Downey, AMR Regional Manager, thanked the Commission for trusting in AMR and giving them the opportunity to serve McMinn County. Ms. Downey said that the transition has been very smooth and she said they have brought in six brand new trucks. She said that forty eight employees have gone through orientation before startup on March 9, 2011. Relationships are wonderful and everyone has been very welcoming. She said that they look forward to a very long and excellent relationship with the County. She introduced Mr. Lance Harrison who is the director in McMinn County and she added that he has established a strong leadership team with three supervisors who work for Lance, in addition to the 48 employees that we have on staff. Ms. Downey said that all of the equipment is in and she offered to answer any questions.

In response to a question from Commissioner Mason regarding the north ambulance station, Ms. Downey said that they have a meeting next week with the contractor and they anticipate that it will be done in 60-90 days.

Chairman Crews said that he is looking forward to being AMR's Tennessee hub.

10. COMMENTS FROM THE AUDIENCE

None.

11. RESOLUTIONS

A. A Resolution to Encourage the Tennessee State Legislature to Pass Legislation to Make Pseudoephedrine Products a Schedule V Substance.

Sheriff Guy presented the following resolution to ask our Legislature to pursue making Pseudoephedrine products a schedule V substance. Sheriff Guy said that it would allow pharmacists the option of writing a temporary prescriptions for law abiding citizens, while limiting its availability to illicit Meth manufacturers. Sheriff Guy also said that if you take pseudoephedrine products away, Meth cannot be made, and added that he feels this would really benefit this county because over the past two years, McMinn County has led all other counties in the state with the number of Meth lab seizures.

In response to a question from the County Mayor about the fear that the finished product will be brought in from other places, Sheriff Guy said that this is a possibility but he cited other states who have passed this law that have seen a big reduction in Meth. Sheriff Guy added that it is the manufacturing that is the most dangerous and the most costly to clean up. Sheriff Guy said we have a very serious problem.

Resolution No. 11-022

A RESOLUTION TO ENCOURAGE THE TENNESSEE STATE LEGISLATURE TO
PASS LEGISLATION TO MAKE PSEUDOEPHEDRINE PRODUCTS
A SCHEDULE V SUBSTANCE

WHEREAS, for over 10 years, the manufacture, addiction, and cleanup of Methamphetamine has become one of the most detrimental substances to every affect McMinn County, costing hundreds of thousands of dollars, impacting every law enforcement agency, local governments, schools and service agency in our county; and

WHEREAS, Meth is directly related to crimes, health problems, social problems, child abuse, domestic abuse, injuries, addiction, and jail population that McMinn County is forced to deal with; and

WHEREAS, over the past two years, McMinn County has led all other counties in the state with the number of Meth lab seizures, with 161 in 2010 alone; and

WHEREAS, research has proven that under current methods, Meth cannot be made without pseudoephedrine as its basic precursor, the purchase of which involves the enslavement of young adults, the homeless, and the elderly who are either paid with cash or Meth to purchase these products legally, thereby circumventing the efforts to limit and track pseudoephedrine purchases as outlined in the 2005 Meth Free Tennessee Act; and

WHEREAS, knowing that without pseudoephedrine, Meth cannot be made, the McMinn County Commission agrees that the best available course of action to impact Meth production is for any pseudoephedrine product to be declared a Schedule V substance, thereby allowing pharmacists the option of writing prescription so that the general law abiding public still has access to these compounds, while limiting its availability to illicit Meth manufacturers.

NOW, THEREFORE, BE IT RESOLVED BY THE MCMINN COUNTY BOARD OF COMMISSIONERS MEETING THIS THE 21ST DAY OF MARCH 2011, THAT THIS COMMISSION APPROVES THIS RECOMMENDATION TO THE TENNESSEE STATE LEGISLATURE TO PASS LEGISLATION TO MAKE PSEUDOEPHEDRINE PRODUCTS A SCHEDULE V MEDICATION, the public welfare requiring it.

(Orig signed by John Gentry)
McMinn County Mayor

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

B. A Resolution Requesting TDOT to Consider an Emergency Event at Watts Bar When Making Its Decision on the Best Location for a Connector/By-Pass Loop Around Athens.

Mr. Gentry presented and explained the following resolution which was brought to him by the Highway Commissioner, requesting TDOT to consider an emergency event at Watts Bar when making its decision on the best location for a connector/by-pass loop around Athens.

RESOLUTION NO. 11-023

A RESOLUTION REQUESTING TDOT TO CONSIDER AN EMERGENCY EVENT AT WATTS BAR WHEN MAKING ITS DECISION ON THE BEST LOCATION FOR A CONNECTOR/BY-PASS LOOP AROUND ATHENS

WHEREAS, McMinn County and the City of Athens have already filed a joint resolution asking the Tennessee Department of Transportation make a recommendation on the best route, whichever is in the public interest, for a connector/by-pass route around Athens; and

WHEREAS, McMinn County Highway Commissioner Randall Moss now asks TDOT, when making their recommendation, to consider the potential need for an evacuation route in the event of an emergency situation at Watts Bar Nuclear Plant; and

WHEREAS, in the event of an emergency situation at Watts Bar Nuclear Plant, Meigs County schools and E.K. Baker Elementary School are currently routed by McMinn County Emergency Management through the City of Athens to McMinn Central High School; and

WHEREAS, a planned bypass could be used as a safer and more direct route to McMinn Central High School as opposed to the current evacuation route that necessarily directs evacuees from the affected area through the heart of downtown Athens.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21st DAY OF MARCH 2011, that this Commission requests TDOT to consider the possible need of an efficient evacuation route around the City of Athens in the event of an incident at Watts Bar Nuclear Plant.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

C. A Resolution to Approve the Request for Hotel-Motel Funds by the National Moofest Committee.

Mr. Gentry presented the following resolution to approve the request from hotel-motel funds by the National Moofest Committee which was approved earlier this evening by the Budget Committee.

Resolution No. 11-024

A RESOLUTION TO APPROVE THE REQUEST FOR HOTEL-MOTEL FUNDS BY THE NATIONAL MOOFEST COMMITTEE

WHEREAS, the National MooFest provides an important event to promote McMinn County's proud agrarian heritage on a grand scale; and

WHEREAS, the 2010 National MooFest was attended by an estimated 11,000 people; and

WHEREAS, the MooFest Committee has requested funding from McMinn County to assist in marketing the 2011 National MooFest; and

WHEREAS, to assist in the marketing and promotion of this event, the MooFest Committee requests twenty-five hundred dollars (\$2,500.00) from the Hotel/Motel Tax Fund.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21st DAY OF MARCH 2011 that this Commission does hereby approve \$2,500 for the Moofest Committee to properly promote the National MooFest.

(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 Mason, to approve this resolution.

Motion carried by voice vote.

D. A Resolution to Institute Special Rates for the Disposal of Residential Cleanup Materials at the McMinn County Sanitary Landfill, Effective April 11-16, 2011, and to Designate That Week as "Cleanup, Fix-up, Sparkle Week" in McMinn County.

Mr. Gentry presented the following annual resolution to institute special rates for the disposal of residential cleanup materials at the McMinn County Sanitary Landfill, effective April 11-16, 2011, and to designate that week as "Cleanup, Fix-up, Sparkle Week" in McMinn County.

RESOLUTION NO. 11-025

A RESOLUTION TO INSTITUTE SPECIAL RATES FOR THE DISPOSAL OF RESIDENTIAL CLEANUP MATERIALS AT THE McMINN COUNTY SANITARY LANDFILL, EFFECTIVE APRIL 11-16, 2011, AND TO DESIGNATE THAT WEEK AS "CLEANUP, FIX-UP, SPARKLE WEEK" IN McMINN COUNTY.

WHEREAS, the McMinn County Commission is authorized to set disposal rates for various materials at the McMinn County Sanitary Landfill; and

(Cont'd)

Resolution No. 11-025 (Cont'd)

WHEREAS, this Commission wishes to charge no tipping fees for the disposal of residential cleanup materials at the McMinn County Sanitary Landfill during "Cleanup, Fix-up, Sparkle Week," as a promotion for this annual activity; and

WHEREAS, the Keep McMinn Beautiful, and other municipal and commercial entities in McMinn County wish to schedule their annual beautification promotions during the week of April 11-16, and this Commission wishes to designate that week as "Cleanup, Fix-up, Sparkle Week" in 2011; and

WHEREAS, the County Mayor and Landfill Supervisor will provide suitable public notice, supervision, and monitoring for this activity.

NOW, THEREFORE, BE IT RESOLVED, BY THE COMMISSION OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21st DAY OF MARCH 2011, that this Commission authorizes the disposal of residential cleanup materials at no charge at the McMinn County Sanitary Landfill during April 11-16, 2011, and formally designates that week as "Cleanup, Fix-up, Sparkle Week" in McMinn County, and calls upon all its citizens to join in this worthy observance.

BE IT FURTHER RESOLVED, that this Commission directs the County Mayor to promote, monitor, and supervise this activity in accordance with established operational and regulatory guidelines.

(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.

There was some discussion concerning approving this permanently, but action was not taken to do this.

Motion carried by voice vote.

E. Resolutions to Honor Benny Bivens and Frank Jones on Their Retirement from McMinn County.

Mr. Gentry presented the following resolutions and expressed his appreciation to everyone who attended the retirement gathering for Benny Bivens and Frank Jones. He said that a lot of county employees chipped in to present each of them with a nice retirement gift. Mr. Gentry said the Commission has seen first hand the good work they have done. The work they did on the jail project increased the capacity from 198 to 260 and they did this for a cost of less than \$20,000. This was an amazing feat, and the security system they designed and built has gotten us through until we get the new system built. Both have agreed to help and advise their replacements.

Resolution No. 11-026

A RESOLUTION TO HONOR BENNY BIVENS ON HIS RETIREMENT FROM McMINN COUNTY

WHEREAS, Benny Bivens began his employment for McMinn County in 1997 in the maintenance department, serving as supervisor since 1997; and

WHEREAS, Benny Bivens has been a faithful employee during his tenure with McMinn County, often going beyond the call of ordinary employment to complete the tasks assigned to him; and

WHEREAS, under Benny's leadership the maintenance department was able to complete complicated tasks once only performed by contractors, resulting in the savings of thousands of tax dollars; and

WHEREAS, Benny performed his duties with dedication and craftsmanship; and

WHEREAS, Benny Bivens is a master electrician and plumber with equal skills in carpentry, controls, welding, masonry and machining; and

WHEREAS, following 17 years of service Benny has decided to retire from McMinn County thereby leaving a notable void of quality service and genuine camaraderie that will be sorely missed.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21ST DAY OF MARCH, 2011 THAT this Commission does hereby honor and commend Benny Bivens on his retirement from McMinn County and wishes him many years of good health and prosperity in his retirement years.

(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 Holbrook, to approve this resolution.

Motion carried by voice vote.

Resolution No. 11-027

A RESOLUTION TO HONOR FRANK JONES ON HIS RETIREMENT FROM McMINN COUNTY

WHEREAS, Frank Jones began his employment for McMinn County in 1991 in the maintenance department; and

WHEREAS, Frank Jones has been a faithful employee during his tenure with McMinn County, often going beyond the call of ordinary employment to complete the tasks assigned to him; and

WHEREAS, Frank displayed many talents in the areas of carpentry, masonry, electricity, plumbing, welding and general maintenance; and

(Cont'd)

Resolution No. 11-027 (Cont'd)

WHEREAS, Frank performed his duties with dedication and craftsmanship; and

WHEREAS, Frank Jones brought a bright smile and enthusiastic spirit to work each day and positively affected the work environment of his fellow McMinn County employees; and

WHEREAS, following nearly two decades of service Frank Jones has decided to retire from McMinn County thereby leaving a notable void of quality service and genuine camaraderie that will be sorely missed.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21ST DAY OF MARCH, 2011 THAT this Commission does hereby honor and commend Frank Jones on his retirement from McMinn County and wishes him many years of good health and prosperity in his retirement years.

(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 Powers, to approve this resolution.

Motion carried by voice vote.

F. A Resolution Honoring and Commending the McMinn County Cherokees Basketball Team for an Outstanding 2010-11 Season.

Mr. Gentry presented the following resolution honoring and commending the McMinn County Cherokees for an outstanding 2010-11 season. He said that he so proud of them for making it to the State tournament and he thanked them for representing McMinn County so well.

Resolution No. 11-028

A RESOLUTION HONORING AND COMMENDING THE McMINN COUNTY CHEROKEES BASKETBALL TEAM FOR AN OUTSTANDING 2010-11 SEASON

WHEREAS, the McMinn County Cherokees have appeared in the TSSAA Class AAA State Basketball Tournament; and

WHEREAS, the Cherokees were victorious in the 2010-11 Region 3 AAA Championship, TSSAA Class AAA Sub-State game, and ended the season with an exceptional record of 24 wins and 11 losses; and

WHEREAS, the Cherokees' season was built upon sound coaching by Head Coach Keith Elliot and Assistant Coach Ray Marshall; and

(Cont'd)

Resolution No. 11-028 (Cont'd)

WHEREAS, the Cherokees' success was based on outstanding individual and team play by teammates Dante Arnwine, Austin Davis, Drew Looney, Desmond McBee, Eric Wilcox, Cedric Nevins, Jeremy Prater, Nathan Simbeck, Dysheek Ferguson, Alex Taylor, Brian Sherrill, James Lowry, Taylor Hicks, Donte McCroskey, Bradley Arquette and Brandon Davis; and

WHEREAS, the McMinn County High School coaches, cheerleaders, band members, students and fans represented their school and county with dignity and pride in both victory and defeat.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION, THIS THE 21ST DAY OF MARCH 2011, that this Commission does hereby congratulate and commend the McMinn County Cherokees on a terrific 2010-11 season and wishes them continued success both on and off the court.

(Orig signed by John M. Gentry)
County Mayor

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

G. A Resolution to Congratulate the Central Chargerettes for Winning the 2010-11 TSSAA State Championship.

Mr. Gentry presented the following resolution to congratulate the Central Chargerettes for winning the 2010-11 TSSAA State Championship. Mr. Gentry said he had the opportunity to witness this and it was a proud moment for McMinn County. The team, as well as the fans, represented McMinn County well and they have a reputation throughout the state for quality basketball and good sportsmanship. Mr. Gentry added that he hoped to present this to them at a ceremony on April 2, 2011, at 3:00 pm, at Central High.

RESOLUTION NO. 11-029

A RESOLUTION TO CONGRATULATE THE CENTRAL CHARGERETTES FOR WINNING THE 2010-11 TSSAA STATE CHAMPIONSHIP

WHEREAS, the Chargerettes of Central High School of McMinn County finished the 2010-11 season with an outstanding record of thirty five wins and one loss; and

WHEREAS, the Central Chargerettes won the District 5-AA Championship, Region 3-AA Championship and Class AA Sub-State game in dominating fashion; and

WHEREAS, the Chargerettes went on to win all three games of the TSSAA-AA State Tournament by double digit margins to bring home the first team state title in school history; and

(Cont'd)

Resolution No. 11-029 (Cont'd)

WHEREAS, the State Champion Chargerettes were guided by the skilled leadership of TSSAA Hall of Fame Head Coach Johnny Morgan whose overall record at Central High School consists of 743 wins and only 296 losses as well as Assistant Coach Joe Young who has averaged 30 wins a season during his 10 year tenure at Central; and

WHEREAS, teammates Jenna Adams, Sidni Williams, Elizabeth Masengil, Ashley Johnson, Elizabeth Wells, Nakita Raper, Peyton Williams, Caitlyn Casteel, Kelsey Young, Alisa Guardiola, Taylor Cowart, Ashley Knox, Morgan Williams, Cassie Torbett and Moriah Giles not only displayed incredible talent and heart, but also exuded pride in their team and displayed sincere appreciation for their coaches and the many fans who supported them; and

WHEREAS, the Central players, coaches, cheerleaders and fans represented both Central High School and McMinn County with class and dignity throughout the entire 2010-11 season.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21st DAY OF MARCH 2011, that this Commission does hereby congratulate and commend the Chargerettes of Central High School of McMinn County on their 2010-11 state championship season and wishes them continued success both on and off the court.

(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.

12. ELECTIONS, APPOINTMENTS AND CONFIRMATIONS

A. A Resolution to Confirm the Appointment of Rob Preston to the Woods Hospital Foundation Board.

Mr. Gentry presented the following resolution to confirm the appointment of Rob Preston to the Woods Hospital Foundation Board, as nominated by the Athens Chamber of Commerce.

RESOLUTION NO. 11-030

A RESOLUTION TO CONFIRM THE APPOINTMENT OF ROB PRESTON TO THE WOODS HOSPITAL FOUNDATION BOARD

WHEREAS, the excess proceeds plan, that resulted from the sale of Woods Memorial Hospital District, created a foundation to oversee the proceeds realized from the sale of the hospital district; and

WHEREAS, the excess proceeds plan calls for the Athens Chamber of Commerce to have two appointments on this foundation board; and

(Cont'd)

Resolution No. 11-030 (Cont'd)

WHEREAS, each appointment to the Woods Hospital Foundation Board is subject to confirmation by the full McMinn County Commission for a six year term; and

WHEREAS, the Athens Chamber of Commerce wishes to nominate Rob Preston as one of its two representatives on the Woods Hospital Foundation Board.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21st DAY OF MARCH 2011, that this Commission does hereby confirm the appointment of Rob Preston to the Woods Hospital Foundation Board.

(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. A Resolution to Confirm the Appointment of Joe Riley to the Woods Hospital Foundation Board.

Mr. Gentry presented the following resolution to confirm the appointment of Joe Riley to the Woods Hospital Foundation Board as nominated by the Athens Chamber of Commerce.

RESOLUTION NO. 11-031

A RESOLUTION TO CONFIRM THE APPOINTMENT OF JOE RILEY TO THE WOODS HOSPITAL FOUNDATION BOARD

WHEREAS, the excess proceeds plan, that resulted from the sale of Woods Memorial Hospital District, created a foundation to oversee the proceeds realized from the sale of the hospital district; and

WHEREAS, the excess proceeds plan calls for the Athens Chamber of Commerce to have two appointments on this foundation board; and

WHEREAS, each appointment to the Woods Hospital Foundation Board is subject to confirmation by the full McMinn County Commission for a six year term; and

WHEREAS, the Athens Chamber of Commerce wishes to nominate Joe Riley as one of its two representatives on the Woods Hospital Foundation Board.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21st DAY OF MARCH 2011, that this Commission does hereby confirm the appointment of Joe Riley to the Woods Hospital Foundation Board.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

C. A Resolution to Confirm the Appointment of John Cockrell to the Woods Hospital Foundation Board.

Mr. Gentry presented the following resolution to confirm the appointment of John Cockrell to the Woods Hospital Foundation Board as nominated by Etowah Chamber of Commerce, from the Englewood zip code area. The Excess Proceeds Agreement called for the Etowah Chamber of Commerce to make two appointments to the foundation, one from the Etowah zip code area and the other from the Englewood zip code area.

RESOLUTION NO. 11-032

A RESOLUTION TO CONFIRM THE APPOINTMENT OF JOHN COCKRELL TO THE WOODS HOSPITAL FOUNDATION BOARD

WHEREAS, the excess proceeds plan, that resulted from the sale of Woods Memorial Hospital District, created a foundation to oversee the proceeds realized from the sale of the hospital district; and

WHEREAS, the excess proceeds plan calls for the Etowah Chamber of Commerce to have two appointments on this foundation board; and

WHEREAS, each appointment to the Woods Hospital Foundation Board is subject to confirmation by the full McMinn County Commission for a six year term; and

WHEREAS, the Etowah Chamber of Commerce wishes to nominate John Cockrell as one of its two representatives on the Woods Hospital Foundation Board.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21st DAY OF MARCH 2011, that this Commission does hereby confirm the appointment of John Cockrell to the Woods Hospital Foundation Board.

(Orig signed by John M. Gentry)

McMinn County Mayor

Attest:

(Orig signed by Evonne Hoback)

County Clerk

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

Motion carried by voice vote.

D. A Resolution to Confirm the Appointment of Durant Tullock to the Woods Hospital Foundation Board.

Mr. Gentry presented the following resolution to confirm the appointment of Durant Tullock to the Woods Hospital Foundation Board as nominated by the Etowah Chamber of Commerce, from the Etowah zip code area.

RESOLUTION NO. 11-033

A RESOLUTION TO CONFIRM THE APPOINTMENT OF DURANT TULLOCK TO THE WOODS HOSPITAL FOUNDATION BOARD

WHEREAS, the excess proceeds plan, that resulted from the sale of Woods Memorial Hospital District, created a foundation to oversee the proceeds realized from the sale of the hospital district; and

WHEREAS, the excess proceeds plan calls for the Etowah Chamber of Commerce to have two appointments on this foundation board; and

WHEREAS, each appointment to the Woods Hospital Foundation Board is subject to confirmation by the full McMinn County Commission for a six year term; and

WHEREAS, the Etowah Chamber wishes to nominate Durant Tullock as one of its two representatives on the Woods Hospital Foundation Board.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21st DAY OF MARCH 2011, that this Commission does hereby confirm the appointment of Durant Tullock to the Woods Hospital Foundation Board.

(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 Powers, to approve this resolution.

Motion carried by voice vote.

E. A Resolution to Confirm the Appointment of Bryan Jackson to the Woods Hospital Foundation Board.

Mr. Gentry presented the following resolution to confirm the appointment of Bryan Jackson to the Woods Hospital Foundation Board as nominated by District Five Commissioners David Crews and Scott Curtis.

Resolution No. 11-034

A RESOLUTION TO CONFIRM THE APPOINTMENT OF BRYAN JACKSON TO THE WOODS HOSPITAL FOUNDATION BOARD

WHEREAS, the excess proceeds plan, that resulted from the sale of Woods Memorial Hospital District, created a foundation to oversee the proceeds realized from the sale of the hospital district; and

WHEREAS, the excess proceeds plan calls for each of the commission districts to have one appointment on this foundation board to be nominated by the two commissioners from each respective district; and

WHEREAS, each appointment to the Woods Hospital Foundation Board is subject to confirmation by the full McMinn County Commission for a six year term; and

WHEREAS, District Five Commissioners David Crews and Scott Curtis wish to nominate Bryan Jackson, a citizen of the Fifth Civil District of McMinn County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21ST DAY OF MARCH 2011, that this Commission does hereby confirm the appointment of Bryan Jackson to the Woods Hospital Foundation Board.

(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.

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

A. Bullet-Proof Vest Challenge – Commissioner McPhail.

Commissioner McPhail said private citizens and businesses have responded to the need to provide bullet-proof vests to our Sheriff Department deputies. He challenged the Commissioners to personally contribute \$125.00 each to purchase two bullet-proof vests for the Sheriff's Department. Commissioner McPhail jokingly said if anyone is delinquent, Judge Watson and Sheriff Guy might arrange a free night's stay at the McMinn County Justice Center Hilton. To avoid this fate, Commissioner McPhail gave his check to the Sheriff.

B. Budget Committee – Commissioner Curtis.

Commissioner Curtis said that the Budget Committee met earlier this evening and approved the recommendation to the full Commission concerning the Moofest donation. He said they also had an update from the School Board on the proposed McMinn County High School renovations and added that the architect was on hand to show them to us. Commissioner Curtis said that they also approved the budget instructions and forms for the upcoming budget process.

C. Comments by Commissioner Mason Regarding the Security System at the Justice Center.

Commissioner Mason said that he and Mayor Gentry met with David E. Musacchio & Associates regarding the security system plans and added that bids will be out in 30 days.

D. Emergency Services Committee – Commissioner Simpson.

Commissioner Simpson said that the Emergency Services Committee met earlier this evening to discuss turnout gear bids, the cell tower project which is still on line, and the resolution that was passed by this Commission asking the Tenn. State Legislature to pass legislation to make pseudoephedrine products a Schedule V substance.

E. Comments by the Highway Commissioner Regarding A Safer Route from Meigs County to McMinn Central High School In the Event of a Watts Bar Emergency.

The Highway Commissioner commented on the resolution approved by the Commission earlier in this meeting. He said he can't imagine the chaos of parents picking up their children at E. K. Baker School and traveling back through Athens to go to McMinn Central High School. He is recommending that TDOT take a hard look at providing a route around Athens.

F. Acceptance of Commissioner McPhail's Challenge to Contribute Toward Providing Bullet-Proof Vests for the Sheriff's Department – Commissioner Masingale.

Commissioner Masingale accepted Commissioner McPhail's challenge and offered a check or cash. Sheriff Guy expressed his appreciation, and Commissioner McPhail added that he is hopeful all the Commissioners will accept this challenge.

14. COMMENTS FROM THE COUNTY MAYOR

A. Protocol for Meth Clean up.

Mr. Gentry said that they are working with the Hazmat Team and the Landfill to get a quicker and safe cleanup of meth situations that will not tie up our officers for long periods of time and still dispose of everything in a proper way and not have such a huge impact on the budget. Mr. Gentry added that there will be some expenses to buy supplies for our Hazmat Team, but this will not be as costly as what it would cost on the private market to come and haul this stuff off.

B. Pipeline Construction from Meadow Branch Landfill to Riceville Natural Gas Transmission Line.

Mr. Gentry said he has had some citizen calls regarding the pipeline construction from Meadow Branch Landfill to Riceville. Mr. Gentry said he invited the President of that company, Renewco, Inc., to be here tonight, but he had to be in Washington, DC. However, he is committed to being here next month to bring an update on what that project entails. Mr. Gentry added that he wants to figure out if our Landfill is reaching the point where it would be cost beneficial to harvest the methane gas.

C. Update on VA Clinic.

Mr. Gentry said that Ron Morales, State VA Director, accompanied by a physician and also his public information officer, did come to meet with us on February 28, 2011. Local leaders of the various veterans organizations were also in attendance. Mr. Morales went over the process and the reasons for some of the delay, but Mr. Gentry said they didn't give us a date of when to expect it. They said that the bidding was a cumbersome process and they listed the challenges they face. Mr. Gentry did say that the VA does prefer local vendors to bid and we offered to help them get the word out and to educate them on the process of a Federal bid. By law, the clinic has to provide for mental health care and staffing is difficult, especially in rural areas. The other issue is the budget. Mr. Morales said that just because it has been approved, it doesn't mean the expense has been authorized.

D. Budget Committee Regarding School Board Projects.

Mr. Gentry explained that the reason the School Board is bringing capital projects that are budgeted in the Capital Project Fund 189 to the Commission is due to a requirement of implementation of GASB-54. The Commission will now have to approve bids for projects funded out of our Capital Fund, whereas previously the funds were transferred from Fund 189 to Fund 177 prior to the projects being paid. Fund 177 has now been closed, leaving the projects to be paid from Fund 189.

E. Properties Committee.

Mr. Gentry said that they did look over the final plans for Health Department expansion. Mr. Gentry added that we did receive a State grant to do this project and they are ready to take this to bid, which was approved by the Properties Committee. Mr. Gentry said he hoped to bring the bid to the Commission in 30-60 days.

15. APPROVAL OF NOTARY APPLICATIONS

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

Notary Applications for March 2011

Delores Jan Carter
Terri Casteel
Constance S. Combes
Kimberly C. Davis
Dana Jaquish
Connie R. Keeton
Patricia M. Labit
Cynthia D. Owens
Tammy L. Robinson
Deborah A. Slack
Christina E. South
Miranda S. Stiles
William Tim Trotter
Jeffery L. Walker
Dorothea Watson
Karen E. Wilson

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

None.

17. COUNTY ATTORNEY/COMMISSION CONFERENCE

After the County Attorney and the Commission met privately, the County Attorney said we need to attempt to negotiate a settlement on the case that was discussed privately and approve the County Attorney's hourly contract fee to be billed quarterly.

MOTION made by Commissioner Mason, and seconded by Commissioner McPhail, to approve the County Attorney's request.

Motion carried with one dissenting vote by Commissioner Masingale.

18. ADJOURNMENT

There being no other business, Chairman Crews declared the Commission meeting adjourned at 8:40 pm.

EVONNE HOBACK
McMinn County Clerk

Attest:

Deputy Clerk (date)

Insert from page 022:

RESOLUTION NO. 11-018

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

WHEREAS, this amendment increases the maximum liability and this amended contract shall be in effect through June 30, 2011.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 21ST DAY OF MARCH, 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 Gentry)
McMinn County Mayor

Attest:

(Orig signed by Evonne Hoback)
County Clerk

