

The McMinn County Board of Commissioners met in Regular Session on November 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 David 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 – Present
Chairman David Crews – Present

5. APPROVAL OF MINUTES

Copies of the Minutes of the Regular Session on October 17, 2011 were provided to the McMinn County Commissioners.

MOTION made by Commissioner Holbrook, and seconded by Commissioner Powers, to approve the Minutes of October 17, 2011.

Motion carried by voice vote.

6. APPROVAL OF BIDS AND PURCHASES

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

Mr. Luallen presented the following resolution to approve and award the semi-annual pharmacy bid extension, along with letters from Sheriff Guy and the IHS Pharmacy recommending the extension of the current contract.

RESOLUTION NO. 11-130

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

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. 11-130 (Cont'd)

WHEREAS, the semi-annual pharmacy bid provides an option to be extended for an additional six (6) month period; and

WHEREAS, the Sheriff's Department has requested to extend the contract for semi-annual requirements for medical supplies, non prescription items and prescription drugs to the current vendor, I.H.S. Pharmacy for the period of December 1, 2011 through May 31, 2012; and

WHEREAS, IHS Pharmacy has agreed to extend the current bid for the additional period with no increase in price; and

WHEREAS, Joe Guy, McMinn County Sheriff, has recommended the bid be extended six (6) months to I.H.S. Pharmacy at the same bid of June 1, 2011 through November 30, 2011.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21st DAY OF NOVEMBER, 2011, that this Commission does hereby approve the recommendation of the Sheriff.

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

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

In response to a question from Chairman Crews, Mr. Luallen said he can ask if the vendor would feel comfortable with an annual bid rather than a 6-month bid.

Motion carried by voice vote.

B. A Resolution to Approve the Purchase of up to Four Ford Crown Victoria Police Patrol Cars on Tennessee State Contract.

Mr. Luallen presented the following resolution to approve the purchase of up to four Ford Crown Victoria police patrol cars on Tennessee State contract, along with a copy of Sheriff Guy's letter of recommendation.

Resolution No. 11-131

A RESOLUTION TO APPROVE PURCHASE OF UP TO 4 FORD CROWN VICTORIA POLICE PATROL CARS ON TENNESSEE STATE CONTRACT

WHEREAS, Ford Crown Victoria sedans have been discontinued for production effective the 2011 model year; and

WHEREAS, new Ford, Chevrolet, and Dodge patrol car packages exceed previous years pricing by \$4000-5000; and

WHEREAS, new model vehicles may pose undiscovered maintenance problems during the 1st production year, resulting in increased maintenance costs for McMinn County, as well as costs for model-specific equipment; and

WHEREAS, the Ford Crown Victoria Patrol car has long been a dependable part of the McMinn County Sheriff's Office patrol fleet, and it is the recommendation of Sheriff Joe Guy to purchase up to 4 of the last available 2011 Ford Crown Victoria police pursuit cars on Tennessee state contract for FY 2011-12.

(Cont'd)

Resolution No. 11-131 (Cont'd)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 21ST DAY OF NOVEMBER 2011, that this Commission does hereby confirm this purchase.

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.

7. PRESENTATION OF RESOLUTION TO CONGRATULATE HALEY WARD ON HER TSSAA-AAA CROSS COUNTRY STATE CHAMPION

Mr. John Gentry, McMinn County Mayor, read and presented the following resolution to Haley Ward on her TSSAA-AAA Cross Country State Champion. Mayor Gentry thanked Haley for showing that hard work wins championships and that great things can happen right here in McMinn County. Mr. Gentry added that there is something special about long distance runners and also thanked her parents, who were present, because they have sacrificed as well.

RESOLUTION NO. 11-132

**A RESOLUTION TO CONGRATULATE HALEY WARD ON HER
TSSAA-AAA CROSS COUNTRY STATE CHAMPIONSHIP**

WHEREAS, Haley Ward bested a field of 184 runners to claim the Tennessee Secondary School Athletic Association Class AAA Cross Country State Championship; and

WHEREAS, Haley finished the race with the impressive time of 18 minutes and 41.84 seconds which was 11 seconds faster than her closest opponent; and

WHEREAS, Haley displayed an inspiring and admirable level of dedication throughout the entire season which translated into a state championship in only her junior year of high school; and

WHEREAS, Haley Ward is a four-sport athlete who competes in cross country, basketball, soccer and track and has shown a high degree of excellence in all four; and

WHEREAS, she has not only been an accomplished student athlete for McMinn County High School but Haley has also shown the importance of academics by maintaining a 3.8 GPA; and

(Cont'd)

Resolution 11-132 (Cont'd)

WHEREAS, Haley has 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 21ST DAY OF NOVEMBER 2011, that this Commission does hereby congratulate and commend Haley Ward of McMinn County High School on her 2011 state championship and wishes her continued success 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 as presented to Ms. Haley Ward.

Motion carried by voice vote.

Ms. Haley Ward received a round of applause.

8. REVIEW AND APPROVAL OF CONTRACTS.

A. A Resolution to Approve Tennessee Agricultural Enhancement Program Contract.

Mr. Luallen presented the following resolution to approve Tennessee Agricultural Enhancement Program Contract, along with a copy of their application.

Resolution No. 11-133

A RESOLUTION TO APPROVE TENNESSEE AGRICULTURAL ENHANCEMENT PROGRAM CONTRACT

WHEREAS, McMinn County has been approved to receive a Tennessee Agricultural Enhancement Grant for the promotion of the McMinn County Farmer's Market; and

WHEREAS, the grant is in the amount of \$1,000 and will used primarily to purchase newspaper advertising three times a week for FY 2011-2012; and

WHEREAS, the grant will be administered through local Agricultural Extension Office and does not require a local match; and

(Cont'd)

Resolution No. 11-133 (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 NOVEMBER, 2011, that this Commission does hereby approve this Tennessee Agricultural Enhancement contract to promote local agricultural sales at the McMinn County Farmer's Market and FURTHER RESOLVES to allow the County Mayor to execute the documents necessary to fulfill the intent of this resolution.

(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 McPhail, to approve this resolution.

Motion carried by voice vote.

9. SOUTHERN APPALACHIAN BACK COUNTRY HORSEMEN OF AMERICA

Judy Hadorn said she was born and raised in McMinn County and is an avid horseback rider. Ms. Hadorn said that she feels that the rails to trails project that has been proposed for Athens and McMinn County is a great opportunity and added that it has been proven that rails to trails has a positive economic impact on communities that they are in. As a member of the Southern Appalachian Back Country Horsemen of America they are volunteering to help with the maintenance of the rails to trails and she said there other groups ready to volunteer as well. She introduced JoAnn Mitchell who explained that this group is a volunteer service organization and she provided the Commissioners a brochure on her organization. She also gave an overview of their volunteer efforts and added that they are really wanting to have this rails to trails project in McMinn County and said that they are ready to maintain the route. She also said that this is a tremendous opportunity that we should not miss for this county.

10. APPROVAL OF BUDGET AMENDMENTS

Mr. Luallen presented three budget amendments in two different funds, a copy of which was provided to each Commissioner.

Fund: General # 101

Date: November 17, 2011

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Reserve	Unassigned Fund Balance	39000	325,000.00	
Local Health Center	Other Construction	55110-791		325,000.00

(Cont'd)

Fund: General # 101 (Cont'd)

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
<u>JOURNAL ENTRY REQUIRED</u>				
Reserve	Assigned Fund Balance	34790	325,000.00	
Reserve	Unassigned Fund Balance	39000		325,000.00

EXPLANATION: To budget funds for Health Department Expansion Project from State of Tennessee Department of Health grant and Health Department Assigned Fund Balance.

MOTION made by Commissioner Holbrook, and seconded by Commissioner McPhail, 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 – Aye
- Chairman David Crews – Aye

Fund: General Purpose School # 141

Date: October 19, 2011

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
LEAPS – Mt. View School	Other State Ed. Funds	46590	40,660.00	
“	Teachers	71400-116		31,169.00
“	Social Security	71400-201		1,932.00
“	State Retirement	71400-204		2,226.00
“	Employer Medicare	71400-212		452.00
“	Other Contracted Serv.	71400-399		3,281.00
“	Other Supplies	71400-499		1,600.00

EXPLANATION: To enter the budget for the lottery for education afterschool program. (LEAPS) Grant award to Mountain View School for FY 2011-2012. School Board approved 11/10/11.

Fund: General Purpose School # 141

Date: November 7, 2011

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
State Education Funds	Other State Grants	46980	1,660.00	
Office of the Principal	Other Charges	72410-599-CALH		850.00
“	Other Charges	72410-599-MTVW		810.00

EXPLANATION: To enter the approved budget for the Arts Student Ticket Subsidy Grant funds that have been received for Calhoun School and Mountain View Elementary School. School Board approved 11/10/11.

MOTION made by Commissioner Mason, and seconded by Commissioner Powers, 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 – Aye
- Chairman David Crews – Aye

11. COMMENTS FROM THE AUDIENCE

None.

12. RESOLUTIONS

A. A Resolution to Approve FY 2011-12 Payment for Eligible McMinn County Employees.

Mr. Gentry presented the following resolution to approve FY 2011-12 payment for eligible McMinn County employees, as recommended by the Budget Committee. Mr. Gentry said that this is a one-time payment of \$750.00 for those employees who did not receive any cost of living increase or bonus in FY 2011-12 and added that funds are to come out of Fund 189 undesignated reserve account.

Resolution No. 11-134

A RESOLUTION TO APPROVE FY 11-12 PAYMENT FOR ELIGIBLE McMINN COUNTY EMPLOYEES

WHEREAS, the McMinn County Commission, realizing that the various Funds of county government have distinct revenue sources which may result in the respective Funds having the opportunity to provide fiscal increases to its employees while others may not; and

(Cont'd)

Resolution No. 11-134 (Cont'd)

WHEREAS, acting within its means and ability, this Commission desires to maintain a competent county workforce with appropriate levels of pay equity among the departments; and

WHEREAS, the Commission authorizes a one-time payment of seven hundred and fifty dollars \$750.00 to those McMinn County General Fund and Landfill employees who did not receive a cost of living increase or bonus in Fiscal Year 2011-12; and

WHEREAS, the Director of Finance and County Mayor recommend this one-time payment be paid from Fund 189's undesignated reserve account.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21ST DAY OF NOVEMBER, 2011, that this Commission does hereby approve a one-time payment for eligible McMinn County General Fund and Landfill employees, with said funds to be transferred from FUND 189 undesignated reserves.

(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 McPhail, to approve this resolution.

Motion carried by voice vote.

B. A Resolution to Approve the Appropriation of Funds from McMinn County to Tennessee Overhill Heritage Association, a Non-Profit Private Agency, for Website Development.

Mr. Gentry presented the following resolution to approve the appropriation of \$4,000.00 from McMinn County hotel/motel tax to go toward a new website development project for the Tennessee Overhill Heritage Association, a non-profit private agency. Mr. Gentry added that the total project cost is \$23,000.00.

Resolution No. 11-135

A RESOLUTION TO APPROVE THE APPROPRIATION OF FUNDS FROM MCMINN COUNTY TO TENNESSEE OVERHILL HERITAGE ASSOCIATION, A NON-PROFIT PRIVATE AGENCY, FOR WEBSITE DEVELOPMENT

WHEREAS, McMinn County levies a five percent hotel/motel occupancy tax to fund tourism and economic development initiatives; and

WHEREAS, a request has been made by the TENNESSEE OVERHILL HERITAGE ASSOCIATION, a non-profit organization, for a \$4,000 appropriation of these funds to promote the McMinn County area to tourists; and

(Cont'd)

Resolution No. 11-135 (Cont'd)

WHEREAS, the funds will be used to assist in funding the Tennessee Overhill's development of a new website and customized content management system; and

WHEREAS, increased use of the internet and social media provides a vehicle for McMinn County to compete with urban centers that spend millions of dollars on advertising; and

WHEREAS, the McMinn County Board of Commissioners approves this appropriation of funds, a total of \$4,000 to be paid from hotel/motel tax funds, pending any proper notice having been published in the Daily Post-Athenian.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21ST DAY OF NOVEMBER 2011, that this Commission does hereby approve this appropriation of funds, 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 Slack, to approve this resolution.

Motion carried by voice vote.

C. A Resolution to Approve the Request of Funds by the Athens Area Council for the Arts to Assist in Funding the AACA Performance Guide.

Mr. Gentry presented the following annual resolution to request \$5,000.00 from hotel/motel tax to assist the Athens Area Council for the Arts in funding their AACA Performance Guide, and Mr. Gentry added that this has the support of the Budget Committee.

Resolution No. 11-136

**A RESOLUTION TO APPROVE THE REQUEST OF FUNDS BY THE ATHENS AREA COUNCIL FOR
THE ARTS TO ASSIST IN FUNDING
THE AACA PERFORMANCE GUIDE**

WHEREAS, the Athens Area Council for the Arts has requested \$5000.00 to assist in funding the AACA 2011-12 Performance Guide; and

WHEREAS, the Performance Guide details all of the major performance offerings which are on the Arts Center calendar for the year and is mailed to 5000 patrons prospects and local businesses

WHEREAS, this request shall be funded from Tourism/Hotel-Motel Tax funds in the amount of \$5,000, with appropriate advertisement of this donation to a non-profit as prescribed by law.

(Cont'd)

Resolution 11-136 (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 NOVEMBER 2011, that this Commission does hereby approve this appropriation of Tourism funds to the Athens Area Council for the Arts, the public welfare requiring it.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

13. ELECTIONS, APPOINTMENTS AND CONFIRMATIONS

A. A Resolution to Confirm the Appointment of Bob Lambert Jr. to the McMinn County Regional Planning Commission.

Mr. Gentry presented the following resolution to confirm the appointment of Bob Lambert Jr. to the McMinn County Regional Planning Commission.

Resolution No. 11-137

A RESOLUTION TO CONFIRM THE APPOINTMENT OF BOB LAMBERT JR 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 Bob Lambert Jr. to serve a four-year term as a member of 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 21ST DAY OF NOVEMBER 2011, that this Commission does hereby confirm this appointment.

(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.

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

A. Budget Committee – Commissioner Curtis.

Commissioner Curtis said that the Budget Committee met earlier this evening and approved three resolutions that were also approved by County Commission earlier in this meeting.

B. Properties Committee – Commissioner Mason.

Commissioner Mason said that the Properties Committee met prior to this meeting to discuss the sound system in the Blue Room and added that hopefully after the first of the year, they will have a new system that will be able to be heard even in the back of the room. Commissioner Mason said they also discussed possible solar panels for the Courthouse Annex and a new phone system for the Courthouse. Commissioner Mason said that the current phone system is over twenty years old, and added that they haven't taken any official action yet but are just getting numbers together at this point.

C. Financial Management Committee – Commissioner Masingale.

Commissioner Masingale said that the Financial Management Committee met prior to this meeting and he said they discussed changes in our health insurance and the wellness program we will be participating in.

D. Sheriff's Office Monthly Report.

Sheriff Guy referred to the monthly report for November 21, 2011 which was provided to each Commissioner.

15. COMMENTS FROM THE COUNTY MAYOR

A. Shop McMinn.

Mr. Gentry provided the Commissioners with promotion window decals "Shop McMinn" which can be displayed in business, home and vehicle windows to encourage people to shop local. Increased sales tax revenue primarily help fund education for our children and provides jobs locally with increased retail sales.

B. McMinn County Long Range Strategic Planning Retreat, December 2-3, 2011.

Mr. Gentry provided the Commissioners with a draft agenda for the Planning Session and asked the Commissioners for their input. Mr. Gentry said that these planning sessions are used to look to the future and the challenges we face, and added that this session will focus in-depth on financial issues.

C. Prospect Hill Assisted Living Project.

Mr. Gentry said that Grover Thurman, representing Prospect Hill Project, said that they are ready to present a resolution for the Commission's action regarding the Prospect Hill Assisted Living Project that has been proposed by Mr. Stan Womac and others. Mr. Gentry said that he feels that the Commission needs to work on setting up a policy for tax increment financing (TIF) before it is presented to the Commission for project approval.

D. Happy Thanksgiving.

Mr. Gentry said we have a lot to be thankful for and he wished everyone a Happy Thanksgiving.

16. APPROVAL OF NOTARY APPLICATIONS

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

Notary Applications for November 2011

Daniel B. Atkinson
Pamela K. Bragg
Amy M. Cook
Debra L. Dillard
Sandra M. Lemons
Phyllis A. Lunceford
Daniel E. Morgan Jr.

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

Motion carried by voice vote.

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

None.

18. ADJOURNMENT

There being no other business, Chairman Crews declared the Commission meeting adjourned at 8:55 pm.

EVONNE HOBACK
McMinn County Clerk

Attest:

Deputy Clerk (date)

