

The McMinn County Board of Commissioners met in Regular Session on Monday, June 18, 2012, 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 Bob Powers.

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 Regular Session on May 17, 2012 were provided to the McMinn County Commissioners.

MOTION made by Commissioner Holbrook, and seconded by Commissioner Powers, to approve the Minutes of May 17, 2012.

Motion carried by voice vote.

6. APPROVAL OF BIDS AND PURCHASES

A. A Resolution to Approve and Award Annual Pipe Bid.

Mr. Luallen presented the following resolution to approve and award the annual pipe bid, along with a letter of recommendation from the Highway Commissioner and the Bid Summary Sheet.

RESOLUTION NO. 12-073

A RESOLUTION TO APPROVE AND AWARD ANNUAL PIPE BID

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

WHEREAS, Randall Moss, McMinn County Highway Commissioner, requests to bid the annual pipe purchase for the period of July 1, 2012 through June 30, 2013; and

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

WHEREAS, Randall Moss the McMinn County Highway Commissioner recommends awarding the bid of reinforced concrete pipe to Sherman Dixie of Lenoir City, TN; the bid of steel pipe to Contech of Englewood, TN; and corrugated poly pipe to Contech of Englewood, TN and Superior Drainage of Knoxville, TN. Each recommendation is for the lowest bid meeting specifications except for the corrugated poly pipe which the low bid will be determined by availability at the plant and price according to size at time of purchase, see attached recommendation letter.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 18<sup>th</sup> DAY OF JUNE, 2012, 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 Mason, and seconded by Commissioner Powers, to approve this resolution.

Motion carried by voice vote.

B. A Resolution to Approve and Award the Bids for Two 60” Rotary Mowers and Two 50” Boom Mowers.

Mr. Luallen presented the following resolution to approve and award the bids for two 60” rotary mowers and two 50” boom mowers for the Highway Department, along a copy of the bid summary sheet and a letter of recommendation.

#### RESOLUTION NO. 12-074

##### A RESOLUTION TO APPROVE AND AWARD THE BIDS FOR TWO 60” ROTARY MOWERS AND TWO 50” BOOM MOWERS

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

WHEREAS, Randall Moss, Highway Commissioner, requested the purchase of two 60” Rotary Mowers and two 50” Boom Mowers, for use by the McMinn County Highway Department 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, Highway Commissioner Randall Moss recommends the bid be awarded to the lowest bidder meeting specifications, Diamond Mowers, Sioux Falls, SD.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN CALLED SESSION THIS THE 18<sup>th</sup> DAY OF JUNE 2012, that this Commission does hereby approve the recommendation of the Highway Commissioner.

(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 Masingale, to approve this resolution.

Motion carried by voice vote.

C. 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 two departments using these products.

RESOLUTION NO. 12-075

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, 2012, to December 31, 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, and Sheriff Joe Guy, both recommend the bid be awarded to the vendor 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 18<sup>th</sup> DAY OF JUNE 2012, 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 Simpson, and seconded by Commissioner Powers, to approve this resolution.

Motion carried by voice vote.

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

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

RESOLUTION NO. 12-076

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, 2012 through June 30, 2013, 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 the vendor with the lowest bid price per item meeting specifications; and

WHEREAS, Sheriff Joe Guy, recommends the bid be awarded to the vendor 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 18<sup>th</sup> DAY OF JUNE, 2012, 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 King, and seconded by Commissioner Simpson, to approve this resolution.

Motion carried by voice vote.

E. A Resolution to Approve the Proposal for Solar Generating Systems for McMinn County Landfill.

Mr. Luallen presented the following resolution to approve the proposal for solar generating systems for McMinn County Landfill, along with the bid summary sheet. Mr. Luallen added that this did have Solid Waste Committee approval prior to this meeting.

RESOLUTION NO. 12-077

A RESOLUTION TO APPROVE THE PROPOSAL FOR  
SOLAR GENERATING SYSTEMS  
FOR MCMINN COUNTY LANDFILL

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 requested proposals on solar generating systems, in order to properly carry out the functions of the department; and

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

WHEREAS, County Mayor John Gentry, recommends approval of the only proposal from Jim Bob Contracting.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 18<sup>th</sup> DAY OF JUNE, 2012, that this Commission does hereby approve the recommendation of the County Mayor and furthermore authorizes the County Mayor and County Attorney to execute any and all paperwork 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 Holbrook, and seconded by Commissioner McPhail, to approve this resolution.

Motion carried by voice vote.

F. A Resolution to Approve Payment of Invoice for Annual FY 2012-13 Hardware and Software Maintenance Support for the County Clerk's Office.

Mr. Luallen presented the following resolution to approve payment of invoice for annual FY 2012-13 hardware and software maintenance support for the County Clerk's Office, along with a copy of the requisition. Mr. Luallen explained that since the amount exceeds \$10,000.00, Commission approval is required.

RESOLUTION NO. 12-078

A RESOLUTION TO APPROVE PAYMENT OF INVOICE FOR ANNUAL FY 2012-13  
HARDWARE AND SOFTWARE MAINTENANCE SUPPORT FOR COUNTY CLERK'S OFFICE

WHEREAS, McMinn County Clerk, Evonne Hoback, requests payment of FY 2012-13 annual hardware and software maintenance invoiced from Business Information Systems for \$12,317.05; 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 18<sup>th</sup> DAY OF JUNE, 2012, payment for invoiced maintenance to Business Information Systems of \$12,317.05 be hereby approved.

(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.

G. A Resolution to Approve Payment of Inmate Medical Expenses to Skyridge Medical Center.

Mr. Luallen presented the following resolution to approve payment of inmate medical expenses to Skyridge Medical Center, along with a copy of the requisition. Mr. Luallen said that because this amount exceeds \$10,000.00, Commission approval is required and added that, unfortunately, the inmate is a county inmate.

In response to a question from Commissioner Curtis, Mr. Luallen said that the inmate suffered a broken kneecap, but added that this was the extent of his knowledge. [MR. LUALLEN: IS THIS CORRECTLY STATED?]

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

Motion carried by voice vote.

H. A Resolution to Approve Extension of the Annual Waste Tire Processing Bid.

Mr. Luallen presented the following resolution to approve extension of the annual waste tire processing bid, along a letter of recommendation from the Solid Waste Manager as well as a letter of agreement from Liberty Tire Recycling, the current vendor. Mr. Luallen added that this was approved by the Solid Waste (Landfill) Committee prior to this meeting.

#### RESOLUTION NO. 12-080

#### A RESOLUTION TO APPROVE EXTENSION OF THE ANNUAL WASTE TIRE PROCESSING 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 current bid allows for extension of the contract upon agreement of both parties; and

WHEREAS, Stan Moses, McMinn County Landfill Supervisor has requested to extend the current agreement for bidding the annual requirements of waste tire processing for the period of July 1, 2012 through June 30, 2013; and

WHEREAS, Stan Moses, McMinn County Landfill Supervisor recommends the bid contract be renewed for another year to Liberty Tire Recyclers at the same rate of last year being \$78.00 per ton.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 18<sup>th</sup> DAY OF JUNE, 2012, 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 Holbrook, and seconded by Commissioner Powers, 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 Corrections.

Mr. Luallen presented the following resolution to approve the contract between McMinn County and State of Tennessee Department of Corrections to house state felons within the McMinn County Justice Center for a period five years at a rate of \$37.00 per inmate per day.

RESOLUTION NO. 12-081

A RESOLUTION TO APPROVE THE CONTRACT 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 desires to enter into contract with Tennessee Department of Corrections to house state felons within the McMinn County Justice Center for the period beginning July 1, 2012 and ending June 30,2017, at the rate of \$37.00 per inmate per day; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 18<sup>th</sup> DAY OF JUNE, 2012 THAT THE COMMISSION DOES APPROVE THIS CONTRACT 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 King, to approve this resolution.

Motion carried by voice vote.

B. A Resolution to Approve the Contract Between McMinn County and Athens Regional Medical Center for Use of the Morgue by the McMinn County Medical Examiner.

Mr. Luallen presented the following resolution to approve the contract between McMinn County and Athens Regional Medical Center for use of the morgue by the McMinn County Medical Examiner, along with a copy of the Lease Agreement. Mr. Luallen added that this was approved by the Emergency Services Committee prior to this meeting.

Resolution No. 12-082

A RESOLUTION TO APPROVE THE CONTRACT BETWEEN McMINN COUNTY AND ATHENS REGIONAL MEDICAL CENTER FOR USE OF THE MORGUE BY THE McMINN COUNTY MEDICAL EXAMINER

WHEREAS, McMinn County does not own or operate a morgue for the exclusive use of the McMinn County Medical Examiner; and

WHEREAS, the medical examiner currently utilizes the Athens Regional Medical Center morgue to carry out functions necessary to fulfill the duties of his office; and

WHEREAS, Athens Regional Medical Center (ARMC) and McMinn County desire to formalize the utilization of this property by contract; and

WHEREAS, ARMC proposes to lease the use of the morgue to McMinn County for \$2,000.00 per year for a period of three years from June 1, 2012 – May 31, 2015; and

WHEREAS, the McMinn County Mayor and County Attorney recommend approval of said contract.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE MEETING IN REGULAR SESSION THIS THE 18<sup>TH</sup> DAY OF JUNE, 2012, that this Commission does hereby approve the contract between ARMC and McMinn County to lease the ARMC morgue for a period of 3 years for \$2,000.00 per year; and FURTHERMORE, authorizes the County Mayor to execute the necessary documents 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 Masingale, and seconded by Commissioner Curtis, to approve this resolution.

Motion carried by voice vote.

C. A Resolution to Approve a Contract with CGI Communications.

Mr. Luallen presented the following resolution to approve a contract with CGI Communications to produce promotional videos to be displayed on the county website, along with a copy of the agreement. Mr. Gentry added that he would give the Commission a demonstration after this meeting.

RESOLUTION NO. 12-083

A RESOLUTION TO APPROVE A CONTRACT WITH CGI COMMUNICATIONS

WHEREAS, CGI Communications has agreed to produce seven promotional videos approximately one minute in length for McMinn County to be displayed on the county website; and

WHEREAS, McMinn County will assume no cost or liability for this project; and

WHEREAS, McMinn County will allow CGI Communications to place business sponsors on the perimeter of the video panels; and

WHEREAS, CGI Communications does not provide sponsorship opportunities to any business or organization that may be perceived as offensive; and

WHEREAS, the County Mayor's Office will work closely with CGI Communications regarding sponsorships, script writing and approval of video content; and

WHEREAS, this contract with CGI Communications is valid for a duration of three years; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 18<sup>TH</sup> DAY OF JUNE 2012, that this Commission does hereby approve the contract with CGI Communications to provide promotional videos on the McMinn County website AND FURTHER authorizes the County Mayor to execute all paperwork 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 Powers, and seconded by Commissioner Holbrook, to approve this resolution.

Motion carried by voice vote.

D. A Resolution to Approve the Contract Between TDOT and McMinn County for Use of SAFETEA-LU Grant Funds to Pave County Road 100.

Mr. Luallen presented the following resolution to approve the contract between TDOT and McMinn County for use of SAFETEA-LU grant funds to pave County Road 100, along with a copy of the letter from the Department of Transportation, including a \$9,000.00 deposit.

Resolution No. 12-084

A RESOLUTION TO APPROVE THE CONTRACT BETWEEN TDOT AND MCMINN COUNTY FOR  
USE OF  
SAFETEA-LU GRANT FUNDS TO PAVE COUNTY ROAD 100

WHEREAS, McMinn County has received SAFETEA-LU (Federal Transportation Bill) Grant funds that are eligible for use on certain highway and street-related projects; and

WHEREAS, due to the stipulations of the Federal funds only certain roads in McMinn County are eligible to receive the paving portion of the funds due to traffic counts and proximity to State and Federal Highways; and

WHEREAS, the Tennessee Department of Transportation will oversee the implementation of these grant funds and will conduct the bidding of the project subject to McMinn County approval of the contract; and

WHEREAS, it is the recommendation of TDOT and the McMinn County Highway Commissioner that these funds be used for paving County Road 100 or portions thereof; and

WHEREAS, authorization is granted to apply the use of these SAFETEA-LU funds to this project and pay the twenty percent match from the Capital Fund Paving program.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 18<sup>th</sup> DAY OF JUNE 2012 that this Commission does hereby approve the use of SAFTEA-LU funds for paving a section of County Road 100, and FURTHER authorizes the County Mayor and Highway Commissioner to execute any and all 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 Simpson, and seconded by Commissioner Powers, to approve this resolution.

Motion carried by voice vote.

Mr. Gentry said that these funds have been a God-send in tough times, but this is the last of those funds.  
[MR. GENTRY: IS THIS CORRECTLY STATED?]

#### 8. APPROVAL OF BUDGET AMENDMENTS

Mr. Luallen presented and explained in detail the following resolution which relates to a budget amendment to transfer funds from General Purpose School Fund to Federal Projects Fund for fiscal year ending June 30, 2012. [MR. LUALLEN: IS THIS CORRECT AND ENOUGH SAID?]

### RESOLUTION NO. 12-085

#### A RESOLUTION TO TRANSFER FUNDS FROM GENERAL PURPOSE SCHOOL FUND TO FEDERAL PROJECTS FUND FOR FISCAL YEAR ENDING JUNE 30, 2012

WHEREAS, Federal Projects grants operate on a reimbursement basis and funds are requested from the State of Tennessee by McMinn County Board of Education for expenditures on a weekly basis; and

WHEREAS, the Federal Projects Fund operates with a cash deficit at various times throughout the fiscal year due to a slow turn-around time for reimbursements from the State of Tennessee; and

WHEREAS, Generally Accepted Accounting Principles, (GAAP) consider a cash deficit in any fund to be a significant deficiency in internal control; and

WHEREAS, McMinn County Board of Education does not desire to operate any fund with a cash deficit; and

WHEREAS, a resolution has been adopted previously for a \$100,000 transfer; and

WHEREAS, the State of Tennessee has become extremely slow in their reimbursement process; and

WHEREAS, it is necessary to request an increase in transfer of \$100,000 to \$200,000; and

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF EDUCATION OF MCMINN COUNTY, A SCHOOL DISTRICT IN TENNESSEE MEETING IN REGULAR SESSION ON THIS 14<sup>TH</sup> DAY OF JUNE, 2012, AND BY THE COUNTY COMMISSION OF MCMINN COUNTY, A COUNTY IN TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 18<sup>TH</sup> DAY OF JUNE, 2012 THAT:

SECTION 1. The General Purpose School Fund shall transfer an additional \$100,000 to the Federal Projects Fund on June 30, 2012.

SECTION 2. The \$200,000 transfer shall remain in the Federal Projects Fund as a designated fund balance from the General Purpose School Fund and may be repaid at any time as noted in a resolution passed by the Board of Education and County Commission.

SECTION 3. This resolution will take effect on June 30, 2012. The Secretary of the Board of Education shall include this Resolution in the minutes of the McMinn County Board of Education. The County Clerk shall include this Resolution in the minutes of McMinn County.

Adopted the 18<sup>th</sup> day of June, 2012

APPROVED:

APPROVED:

(Orig signed by Chairman,  
Board of Education)

(Orig signed by Chairman,  
County Commission)

Attest:

Attest:

(Orig signed by Secretary,  
Board of Education)

(Orig signed by County Clerk)

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

In response to a question from Commissioner Simpson, Mr. Luallen said that it typically, there is a 60 day delay in getting reimbursed by the State, but added it has taken up to 3 years. [MR. LUALLEN: IS THIS CORRECTLY STATED?]

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

[TYPE IN EIGHT BUDGET AMENDMENTS AND FOUR ROLL CALL VOTES HERE]

9. APPROVAL OF 2012-2013 CONTINUING BUDGET RESOLUTION

Mr. Luallen presented the following resolution to adopt a continuing budget and tax rate for the fiscal year beginning July 1, 2012 and to authorize the expenditure of funds by the various County offices and departments. Mr. Luallen said that because we are not going to be able to pass a budget by June 30<sup>th</sup>, we are required to pass a continuing

budget based on the existing fiscal year's expenditures, and Mr. Luallen added that this will continue until the budget is passed which must be by October 1, 2012. [MR. LUALLEN: IS THIS CORRECTLY STATED?]

RESOLUTION NO. 12-086

RESOLUTION TO ADOPT A CONTINUING BUDGET AND TAX RATE  
FOR THE FISCAL YEAR BEGINNING JULY 1, 2012 AND TO  
AUTHORIZE THE EXPENDITURE OF FUNDS BY THE VARIOUS  
COUNTY OFFICES AND DEPARTMENTS

WHEREAS, it now appears that the fiscal year 2012 – 2013 budget of McMinn County, Tennessee will not be approved by July 1, 2012:

NOW, THEREFORE, BE IT RESOLVED, by the County legislative body of McMinn County, Tennessee, meeting in regular session this 18<sup>th</sup> day of June, 2012, that:

SECTION 1. The amount set out in the fiscal year 2011 – 2012 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, 2011, 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 2012 – 2013 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, 2012, until the budget and tax rate for fiscal year 2012 – 2013 is finally adopted and approved. The County Clerk shall include this Resolution in the minutes of the McMinn County legislative body.

Adopted this 18<sup>th</sup> day of June 2012.

(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.

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

## 10. PUBLIC HEARING FOR APPROVAL OF NATIONAL FLOOD INSURANCE PROGRAM RESOLUTION

Chairman Crews said that this program was mandated by the State of Tennessee, not something that this Commission has chosen to do, but added that it must be implemented by June 30<sup>th</sup>. The floor was opened for comments but there were none. Chairman Crews closed the public hearing to continue with the remainder of the meeting including later consideration of the Flood Insurance Program resolution. [MR. GENTRY: IS THIS CORRECT AND ENOUGH SAID?]

## 11. COMMENTS FROM THE AUDIENCE

### A. Comments Regarding Rails to Trails Project.

Three McMinn County residents discussed their concerns regarding the Rails to Trails project, including the right of the Railroad to take the land back, the lack of future cost figures, and the US being in so much debt because of this type of project. Mr. Gentry gave an update on the current status of the program. [MR. GENTRY: IS THIS CORRECT AND ENOUGH SAID?]

## 12. RESOLUTIONS

### A. A Resolution Adopted for the Purpose of Regulating Development Within the Jurisdiction of McMinn County, Tennessee, to Minimize Danger to Life and Property Due to Flooding, and to Establish Eligibility for Participation in the National Flood Insurance Program.

Mr. Gentry presented the official resolution to implement the National Flood Insurance Program and Mr. Gentry explained that the Flood Insurance Committee, chaired by Commissioner McPhail, worked out the details. Mr. Gentry said that the McMinn County Planner is the official administrator, working with the E911 Office to actually implement the flood certificates. There is no fee for citizens associated with this unless a survey is required and those fees are dictated by FEMA. Mr. Gentry said that the committee worked hard to try to make a system that is not intrusive to the citizens but still meets the requirements of the program. He thanked the Flood Insurance Committee for their efforts.

Because of the length of this resolution, it is attached as an enclosure to these minutes.

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

Motion carried by voice vote, with one abstention by Commissioner Holbrook, who owns property that will be affected. [MR. GENTRY: IS THIS CORRECTLY STATED?]

### B.