

The McMinn County Board of Commissioners met in Regular Session on September 17, 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 Roger Masingale.

3. PLEDGE TO THE FLAG

The Pledge to the Flag was led by Commissioner Charles Slack.

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 August 20, 2012, and the Special Called Session on August 30, 2012, were provided to the McMinn County Commissioners.

MOTION made by Commissioner Holbrook, and seconded by Commissioner Slack, to approve the Minutes of August 20, 2012 and August 30, 2012.

Motion carried by voice vote.

6. ELECTION OF CHAIRMAN AND VICE CHAIRMAN

Chairman Crews opened the floor for nominations for Chairman.

MOTION made by Commissioner Curtis, and seconded by Commissioner Powers, to nominate David Crews as Chairman.

At Commissioner McPhail's suggestion, nominations ceased and Chairman Crews was elected by acclamation.

Chairman Crews opened the floor for nominations for Vice Chairman.

MOTION made by Commissioner Masingale, and seconded by Commissioner Powers, to nominate Commissioner J. W. McPhail as Vice Chairman.

Motion carried by voice vote.

7. APPROVAL OF BIDS AND PURCHASES

A. A Resolution to Approve and Award the Annual Bid for Crushed Stone.

Mr. Luallen presented the following resolution to approve and award the annual bid for crushed stone, along with a letter of recommendation from the Highway Commissioner and the bid summary sheet.

RESOLUTION NO. 12-122

A RESOLUTION TO APPROVE AND AWARD THE ANNUAL
BID FOR CRUSHED STONE

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 Highway Department requests the purchase of crushed stone for the period of October 1, 2012 through September 30, 2013, 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 Vulcan Materials Company and Bluegrass Materials, the low bidders meeting specifications of each grade plus a \$.15 haul charge to the center of each job site based on location of plant considering a \$.15 severance tax to be charged to out of county quarries.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF SEPTEMBER 2012, that this Commission does hereby approve the recommendation of the Highway Commissioner.

(Orig signed John M. Gentry)
McMinn County Mayor

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

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

Mr. Luallen presented the following resolution to approve and award the semi-annual bid of motor oil, along with letters of recommendation from appropriate departments as well as the bid summary sheet.

RESOLUTION NO. 12-123

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

(Cont'd)

Resolution No. 12-123 (Cont'd)

WHEREAS, the McMinn County Purchasing Department requests the purchase of Motor Oil, fluids and grease for October 1, 2012 through March 31, 2013, 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 (see attached).

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF SEPTEMBER 2012, 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 Holbrook, and seconded by Commissioner King, to approve this resolution.

Motion carried by voice vote.

C. A Resolution to Approve the Appropriation of Funds to Non-Profit Organizations Listed in FY 2012-13 Budget.

Mr. Luallen presented the following resolution to approve appropriations of funds to non-profit organizations listed in FY 2012-13 budget, and he added that these have been advertised.

RESOLUTION NO. 12-124

A RESOLUTION TO APPROVE THE APPROPRIATION OF FUNDS TO NON-PROFIT ORGANIZATIONS LISTED IN FY 2012-13 BUDGET

WHEREAS, requests have been made by various non-profit but non-charitable organizations for appropriation of funds during FY 2012-13, and

WHEREAS, approval of advertisement of appropriation of funds occurred on August 30, 2012, and advertisement has occurred.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION, THIS THE 17th DAY OF SEPTEMBER, 2012, that this Commission does hereby approve this appropriation of funds to these non-profit but non-charitable organizations.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

8. REVIEW AND APPROVAL OF CONTRACTS

A. A Resolution to Approve a Contract Agreement Between Athens City Schools and McMinn County Department of Juvenile Services.

Mr. Luallen presented the following resolution to approve a contract agreement between Athens City Schools and McMinn County Department of Juvenile Services, along with a copy of the annual contract. Mr. Luallen added that the amount remains at \$5,000.00.

Resolution No. 12-125

A RESOLUTION TO APPROVE A CONTRACT AGREEMENT BETWEEN ATHENS CITY SCHOOLS
AND MCMINN COUNTY DEPARTMENT OF JUVENILE SERVICES

WHEREAS, Athens City wishes to contract with the McMinn County Department of Juvenile Services to provide the services listed on the attached documentation; and

WHEREAS, these services include providing special classes, specific programs for troubled youth, a youth services officer as well as individual and group counseling; and

WHEREAS, Athens City Schools has agreed to pay McMinn County \$5,000 a year for the services provided; and

WHEREAS, this contract is for a period of one year; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17TH DAY OF SPETEMBER 2012, does approve entering this contract with Athens City Schools, AND FURTHERMORE, authorizes the County Mayor to executive 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 Mason, and seconded by Commissioner Simpson, to approve this resolution.

Motion carried by voice vote.

B. A Resolution to Approve the Recommendation of the Properties Committee to Contract Addendum with Cope and Associates for Justice Center Project.

Mr. Luallen presented the following resolution to approve the recommendation of the Properties Committee to contract addendum with Cope and Associates for the Justice Center Project, along with a copy of the amendment.

Resolution No. 12-126

A RESOLUTION TO APPROVE THE RECOMMENDATION OF THE PROPERTIES
COMMITTEE TO CONTRACT ADDENDUM WITH
COPE AND ASSOCIATES FOR JUSTICE CENTER PROJECT

WHEREAS, McMinn County has determined that an expansion of the Justice Center to accommodate courtrooms and associated court offices is necessary to adequately address increasing security concerns, a growing court docket and overall efficiency of the local judicial system; and

WHEREAS, a Jail Study Committee was formed to provide guidance and input in this multi-faceted project; and

WHEREAS, the project was bid but not awarded in 2009 due to growing economic uncertainty and internal jail expansion which increased inmate capacity from 198 to 250; and

WHEREAS, rebidding the project involves a substantial change in plans due to new code updates, reduction in project scope and desire by the Commission to bid the Court functions of the project as an alternate; and

WHEREAS, the fees for architectural services remain at 5.8 percent of construction costs for bidding and construction administration portion of the design contract; and

WHEREAS, the redesign costs are set at a lump sum fee of \$82,750; and

WHEREAS, the Properties Committee recommends the McMinn County Commission approve said contract addendum and authorizes Cope and Associates to complete the necessary testing and documents necessary to prepare the project to bid.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION, THIS THE 17TH DAY OF SEPTEMBER 2012, that this Commission does hereby approve the recommendation of the Properties Committee to approve the Contract Addendum and authorizes the County Mayor to execute any and all 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 Slack, and seconded by Commissioner Mason, to approve this resolution.

Motion carried by voice vote.

9. APPROVAL OF BUDGET AMENDMENTS

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

Fund: General Fund # 101

Date: June 29, 2012

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Reserve	Unassigned Fund Balance	39000	2,900.00	
Ambulance	Building Improvements	55130-707		2,900.00

JOURNAL ENTRY REQUIRED

Reserve	Assigned for Emergency Services	34725	2,900.00	
Reserve	Unassigned Fund Balance	39000		2,900.00

EXPLANATION: To budget expenditures for North Ambulance Station parking lot from Emergency Services Reserve. No affect on General Budget.

Fund: General Fund # 101

Date: June 29, 2012

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Charges for Current Services	Data Processing Fees - County Clerk	43396	5,500.00	
County Clerk's Office	Data Processing Equipment	52500-709		5,500.00

EXPLANATION: To budget revenue and expenditures related to County Clerk's Data Processing Fees for FY 11 - 12.

Fund: General Fund # 101

Date: June 29, 2012

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Charles for Current Services	Sexual Offender Registry Fee	43395	850.00	
Sexual Offender Registry	Law Enforcement Supplies	54160-431		850.00

EXPLANATION: To budget additional revenue and expenditures related to Sexual Offender Registry for FY 11-12.

Fund: General Fund # 101

Date: June 29, 2012

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Local Taxes	Hotel/Motel Tax	40220	15,700.00	
Tourism	Contributions	58110-316		15,700.00

EXPLANATION: To budget additional revenue and expenditures related to Tourism portion of Hotel/Motel Tax in FY 11-12.

Fund: General Fund # 101

Date: June 29, 2012

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Reserve	Unassigned Fund Balance	39000	278,750.00	
County Attorney	Legal Services	51400-331		3,385.00
Courtroom Security	Other Salaries & Wages	53920-189		6,165.00
Sheriff's Department	Gasoline	54110-425		14,000.00
Jail	Medical & Dental Services	54210-340		127,000.00
Jail	Food Supplies	54210-422		84,000.00
Work Release Program (Commun)	Maint. & Repair Services - Vehicle	54250-338		600.00
Fire Prevention & Control	Maint. & Repair Services - Vehicle	54310-338		42,200.00
Parks	Maint. & Repair Services - Equip.	56700-338		1,400.00

EXPLANATION: To avoid functional category deficit in Fiscal Year 2011 - 2012.

Fund: General Fund # 101

Date: September 13, 2012

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Other Local Revenues	Contributions & Gifts	44570	1,925.00	
Airport	Furniture & Fixtures	58220-711		1,925.00

EXPLANATION: To budget revenue and expenditures related Gift from the Bible Family for furniture replacement etc. for Airport terminal building.

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

Fund: Road & Bridge Fund # 131

Date: June 29, 2012

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Reserve	Unassigned Fund Balance	39000	15,000.00	
Capital Outlay	Highway Equipment	68000-714		15,000.00

EXPLANATION: To budget additional expenditures for purchase of equipment in FY 11 - 12 that was not purchased in FY 10 - 11.

MOTION made by Commissioner Masingale, and seconded by Commissioner Slack, 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: Other Capital Projects # 189

Date: June 29, 2012

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Reserve	Unassigned Fund Balance	39000	1,551,495.05	
Transfers Out	Transfers to Other Funds	99100-590		1,551,495.05

JOURNAL ENTRY REQUIRED

Reserve	Assigned - Waste Connections	34730	1,551,495.05	
Reserve	Unassigned Fund Balance	39000		1,551,495.05

EXPLANATION: To budget transfer of Waste Connections revenue assigned to Landfill Equipment and Landfill Impact Issues in order to account for transactions in Solid Waste Fund 207.

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

Motion carried by roll call vote, as recorded:

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

Fund: Solid Waste Disposal # 207

Date: June 29, 2012

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Reserve	Net Assets	39900	451,000.00	
Landfill Operation Maint.	Maint. & Repair Svcs - Equip.	55754-336		110,000.00
"	Crushed Stone	55754-409		20,000.00
"	Gasoline	55754-425		102,000.00
"	Depreciation	55754-514		210,000.00
Other Charges	Trustee's Commission	58400-510		2,000.00
"	Workers Comp Insurance	58400-513		7,000.00

EXPLANATION: To avoid functional category deficit to end FY 11-12.

MOTION made by Commissioner Mason, 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: Woods Hospital Proceeds Endowment # 191

Date: June 29, 2012

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Other Local Revenue	Investment Income	44110	3,000.00	
Other Local Health Services	Medical & Dental Services	55190-340		3,000.00

EXPLANATION: To enter budget related to payments related to workers compensation settlement in FY 11-12.

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

Mr. Gentry explained that he has received correspondence from the Court appointed Receiver, relating to this case, and we may be eligible for reimbursement because of recent action by a Virginia court.

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: Drug Control Fund # 122

Date: June 29, 2012

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Reserve	Unassigned Fund Balance	39000	35,000.00	
Drug Enforcement	Law Enforcement Equipment	54150-716		35,000.00

EXPLANATION: To avoid functional category deficit for FY 11 - 12.

MOTION made by Commissioner Mason, 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

10. COMMENTS FROM THE AUDIENCE

A. Noise Complaint by Dr. Mark Workman.

Dr. Mark Workman, a resident on a County Road near Lambcon Readymix concrete plant, came before the Commission last month to complain concerning the noise caused by this plant, especially at night, and described in detail his efforts to get some help, but to no avail. Dr. Workman said he came tonight to discuss the Noise Pollution Act of 1972, the enforcement of that act, and the County Powers Act which would give the County the authority to enforce it. Dr. Workman said that the County would have to adopt the County Powers Act in order to have any authority over this issue and he explained that the "teeth" of the County Powers Act on the advice of the County Technical Assistance Service (CTAS). He also went over the number of counties that have adopted this act and the history of their efforts for noise pollution and other issues and added that he called several county mayors to discuss the costs to their counties. Dr. Workman reviewed his findings with the Commission, and added that adopting this act does not give the Commission the right to act on any whim. Every issue must be voted on case by case and is not meant to take away the rights of any citizen. Dr. Workman also read the standards for how loud is too loud and added some things that can be done to minimize the noise. Dr. Workman said that in addition to the 60 names on his petition that he presented last month, he has a 146 tonight and these names represent all of the Commission's districts, but added that he will continue to collect support.

The County Attorney said that there are hidden costs as it would be necessary to write a whole set of codes. Dr. Workman said that is not what he was told and he suggested that the Commission contact the County Technical Assistance Service. Mr. Gentry said that a meeting has been arranged with Lambcon Readymix to see if a resolution on this issue can be agreed on. Mr. Gentry added that he had the same information from CTAS.

11. ANNUAL REPORT ON JUVENILE SERVICES - MR. LARRY RHODES.

Mr. Larry Rhodes, Director of Juvenile Services, thanked the Commission for the opportunity to present their Annual Report for 2011 - 2012 which was provided to each Commissioner. He also thanked the Commission for the recent salary increase they approved. Mr. Rhodes said that the number of referrals had gone down for the past three years, but this year, there was about a 20% increase, although the number of juveniles that had to be placed into state custody decreased about 30%. Mr. Rhodes added that the number of repeat offenders has also gone down. He also reviewed the figures for payment of restitution, court costs, and community service for a total benefit to the community of \$69,244.88. Mr. Rhodes went over several goals of their department and reviewed their good progress. He also answered several questions from the County Mayor.

12. RESOLUTIONS

A. A Resolution to Approve Adding An Extended Portion of County Road 720 to the McMinn County Highway Maintenance System.

Mr. Gentry presented the following resolution to approve adding an extended portion of County Road 720 to the McMinn County Highway Maintenance System, along with a letter of recommendation from the Highway Commissioner and an agreement from the property owners to pay \$3,494.36 to begin tar/chip process.

Resolution 12-127

A RESOLUTION TO APPROVE ADDING AN EXTENDED PORTION OF COUNTY ROAD 720 TO THE MCMINN COUNTY HIGHWAY MAINTENANCE SYSTEM

WHEREAS, the residents of County Road 720 desire an extended portion of their road to be included on the McMinn County Highway Maintenance System; and

WHEREAS, the McMinn County Highway Department has a policy of bringing unapproved roads up to county standards; and

WHEREAS, a cashier's check in the amount of \$3,494.36 has been deposited with the McMinn County Finance Office to hold in escrow until the project is completed; and

WHEREAS, said road is a .20 mile and 14 ft extension of the current County Road 720; and

WHEREAS, this extension of County Road 720 must receive tentative Commission approval at the onset of the project and then permanently placed on the maintenance list by the Commission at the conclusion of the project; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17TH DAY OF SEPTEMBER 2012 that this Commission does hereby give initial approval for the extension of County Road 720.

(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 Masingale, to approve this resolution.

In response to a question from Chairman Crews, Mr. Dan Evans said the road is in Riceville off of County Road 725 going toward Eastanallee Church. Commissioner Simpson asked if this road would be brought up to subdivision standards, but Mr. Evans said no it would not. Mr. Gentry explained that this policy is a compromise policy and affects only old and established subdivisions and this road will be brought up to the current standard of that road. Commissioner Simpson questioned this action and Mr. Roy Glass gave some other examples of similar road actions in the past. He also said that the residents have made deposits on materials. In response to a question from Commissioner King, Mr. Glass said that there are hundreds of roads in this same situation. In response to a question from Commissioner McPhail, Mr. Glass said that this policy affects only roads subdivided prior to December 31, 1992 and does not affect new roads being built now.

Motion carried by voice vote.

B. A Resolution to Approve the Request of Funds by the City of Etowah to Assist in Funding Renovations for the Historic Etowah Depot.

Mr. Gentry presented the following resolution to approve the request of funds by the City of Etowah to assist in funding renovations for the historic Etowah Depot. Mr. Gentry explained that the Budget Committee heard the request earlier this evening from Etowah City Manager, Mr. Matthew Gravley, and the amount agreed upon, as a recommendation from the Budget Committee, was \$75,000.00, to be funded from hotel motel fund reserves.

Resolution No. 12-128

A RESOLUTION TO APPROVE THE REQUEST OF FUNDS BY THE CITY OF ETOWAH TO ASSIST IN FUNDING RENOVATIONS FOR THE HISTORIC ETOWAH DEPOT

WHEREAS, the historic L&N Depot has been a part of Etowah and McMinn County since 1906; and

WHEREAS, the Etowah Depot houses the offices of the Tennessee Overhill and Etowah Chamber of Commerce as well as the Etowah Railroad Museum; and

WHEREAS, not only does this historic structure house three organizations that are vital to local tourism but the building itself also draws visitors to McMinn County with its beautiful Victorian architecture and rich history; and

WHEREAS, the building and grounds are often used for community holiday celebrations, fairs, weddings, reunions and historical exhibitions; and

WHEREAS, the Etowah Depot has survived decades of age and weather and the City of Etowah has requested McMinn County assist in renovating this important structure; and

WHEREAS, this request shall be funded from Tourism/Hotel-Motel Tax funds in the amount of \$75,000.00, with appropriate advertisement of this donation to a non-profit as prescribed by law; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17TH DAY OF SEPTEMBER 2012, that this Commission does hereby approve this appropriation of Tourism funds to the City of Etowah for renovation to the historic Etowah Depot, 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.

C. A Resolution to Approve Additional Funding for Renovation of Courthouse Annex for Use as Board of Education Central Office.

Mr. Gentry presented and explained the following resolution to approve additional funding for the renovation of Courthouse Annex for use as Board of Education Central Office. Mr. Gentry said that the Director of Schools, Mr. Blevins, presented this to the Budget Committee earlier this evening and they recommend approval to provide \$152,078.00 in additional funding to the McMinn County Board of Education to be used solely for the renovation of certain unoccupied portions of the Courthouse Annex for use as a Central Office, with these funds to come from TVA Impact Fees.

Resolution No. 12-129

A RESOLUTION TO APPROVE ADDITIONAL FUNDING FOR RENOVATION OF
COURTHOUSE ANNEX FOR USE AS BOARD OF EDUCATION CENTRAL OFFICE

WHEREAS, the McMinn County Commission approved granting \$300,000 in TVA Impact Fees to help the McMinn County Board of Education (B.O.E.) renovate their new Central Office in March of 2012; and

WHEREAS, the current Central Office is facing serious space constraints, parking limitations and handicap accessibility challenges; and

WHEREAS, McMinn County was unsuccessful securing a Clean Tennessee Energy Grant to help meet the renovation costs; and

WHEREAS, the project was bid on two occasions with the current minimum partial bid coming in at \$418,000 and full renovation at \$474,578; and

WHEREAS, the McMinn County Commission recognizes the importance of the new Central Office to address the aforementioned concerns and also improve instructor training and continuing education and approves an additional \$152,078 to aid in the costs of preparing the facility to serve as the new B.O.E. Central Office; and

WHEREAS, in consideration of providing said funding, the McMinn County Commission desires that the McMinn County General Government and B.O.E. share certain portions of said facility for joint uses such as employee lounge, storage space, loading dock and large meeting rooms, and requests the County Mayor and Director of Schools to create an operational agreement reflecting same.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17TH DAY OF SEPTEMBER 2012, that this Commission does hereby approve the Budget Committee's recommendation to provide \$152,078.00 in additional funding to the McMinn County Board of Education to be used solely for the renovation of certain unoccupied portions of the Courthouse Annex for use as a Central Office, with said funds to come from Tennessee Valley Authority Impact Fees.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

13. ELECTIONS, APPOINTMENTS AND CONFIRMATIONS

None.

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

A. Budget Committee - Commissioner Curtis.

Commissioner Curtis said that the Budget Committee met prior to this meeting and approved two resolutions which the Commission acted upon in this meeting.

B. Properties Committee - Commissioner Mason.

Commissioner Mason said that the Properties Committee met on September 6, 2012 and recommended approval of the resolution to approve the contract addendum with Cope and Associates for Justice Center Project which was approved by the Commission in this meeting.

C. Question by Commissioner Slack Regarding a 4-Way Stop.

Commissioner Slack said he has had several phone calls regarding a 4-way stop on County Road 609 near the golf course and added that there have been some near accidents. Commissioner Slack asked Mr. Roy Glass of the Highway Department to look into this, but Mr. Glass said that this would need to come before the Safety Committee.

15. COMMENTS FROM THE COUNTY MAYOR

A. Trade Mission to Japan with Governor Haslam.

Mr. Gentry said he had the opportunity to join Governor Haslam on a trade mission to Japan last week. Mr. Gentry said that we are living in a global economy and he said that our state and county are considered a viable location to invest, and he mentioned the shared values with the American south. Mr. Gentry said the trip went well and he hopes to have more details to share in the near future.

B. Veterans Service Update.

Mr. Gentry referred to the McMinn County Veterans Affairs Office Annual Report for 2012 which was provided to the Commissioners. He reviewed some of the more interesting statistics. We are estimated to have about 4,500 Veterans in our County and he said that 6 years ago, the monetary awards for McMinn County Veterans was \$3.7 million and last year, the amount was \$11 million, a substantial increase in the benefits, which our Veterans service staff has helped them realize.

C. VA Clinic Update.

Mr. Gentry said that they are talking to contractors and will be soon looking for available buildings. He added that they are still looking at January 2013 open date.

D. County Powers Act.

Mr. Gentry said that Dr. Workman had covered all the details Mr. Gentry had requested from CTAS concerning other counties that adopted the County Powers Act.

16. APPROVAL OF NOTARY APPLICATIONS

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

Notary Applications for September 2012

Robin Jolley
Mary J. Lefler
James Moore
Joanne Morgan
Debbie H. Rowland
Connie Rogers
Andrea Skiera
Christina A. Weeks
Vicki L. Winder

MOTION made by Commissioner McPhail, and seconded by Commissioner Mason, 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 8:30 pm.

EVONNE HOBACK
McMinn County Clerk

Attest:

Deputy Clerk

(date)