

The McMinn County Board of Commissioners met in Regular Session on Monday, January 19,2004, 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 Vincent.

3. PLEDGE TO THE FLAG

The Pledge to the Flag was led by Commissioner Bob Powers.

4. ROLL CALL

Roll Call was taken by Clerk Evonne Jones, as recorded:

Scott Curtis - Present  
Dale Holbrook - Present  
Jack King - Present  
Roger Masingaie - Present  
Gary Mason - Present  
I. W. McPhail - Present  
Bob Powers - Present  
Jack Powers - Present  
Owen Vincent - Present  
Chairman David Crews - Present

5. APPROVAL OF MINUTES

Copies of the Minutes of the Regular Session on December 15,2003 were provided to the Commissioners.

MOTION made by Commissioner King, and seconded by Commissioner Mason, to approve the Minutes of December 15,2003.

Motion carried by voice vote.

6. APPROVAL OF BIDS AND PURCHASES

A. A Resolution to Approve Renewal of Law Enforcement Liability Insurance.

Mr. Luallen presented the following resolution to approve renewal of law enforcement liability insurance, along with a letter of recommendation from Sheriff Frisbie as well as the quote from Columbia Casualty Company, through JWF Specialty, presented by Athens Insurance. Mr. Luallen added that this is actually a reduction from last year.

Resolution No. 04-001

A RESOLUTION TO APPROVE RENEWAL OF LAW ENFORCEMENT  
LIABILITY INSURANCE

WHEREAS, McMinn County Sheriff Steve Frisbie recommends renewal of Law Enforcement Liability Insurance through JWF Specialty invoiced at \$77,874.68 for the period of January 11, 2004 through January 11, 2005; and

WHEREAS, in accordance with Financial Management Committee Policies and Procedures, expenses over \$5,000 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 19TH DAY OF JANUARY 2004 that this Commission does hereby approve the recommendation of Sheriff Steve Frisbie to renew Law Enforcement Liability Insurance through JWF Specialty presented by Athens Insurance for \$77,874.68 be hereby approved.

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

Attest:

(Orig signed by Evonne Jones)  
County Clerk

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

Motion earned by voice vote.

B. A Resolution to Approve Invoice Without Requisition (McMinn County Airport)

Mr. Luallen presented the following resolution~ approve an invoice without requisition in the amount of \$806.50 from Eastern Aviation Fuels, Inc. for replacement of fuel filters on the fuel system at the McMinn County Airport

Resolution No.04-002

A RESOLUTION TO APPROVE INVOICE WITHOUT REQUISITION

WHEREAS, McMinn County has received an invoice in the amount of \$806.50 from Eastern Aviation Fuels, Inc. for replacement of fuel filters on the fuel system at the McMinn County Airport; and

WHEREAS, Eastern Aviation Fuels, Inc. provides fuel services to the airport and replaces the filters for the fuel system every two years; and

(Cont'd)

WHEREAS, it has been an ongoing practice of McMinn County to pay the maintenance costs of replacing these fuel filters; and

WHEREAS, the McMinn County Mayor requests payment to Eastern Aviation Fuels, Inc. in the amount of \$806.50; and

WHEREAS, in accordance with Financial Management Committee Policies and Procedures, after the fact approval of required by County Commission for expenses incurred without a requisition.

NOW, BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 19Th DAY OF JANUARY 2004, that this Commission does hereby approve this payment of above invoice.

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

Attest:

(Orig signed by Evonne Jones)  
County Clerk

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

In response to a question from Commissioner Vincent, there was a discussion concerning the dates of the invoice and requisition.

Motion carried by voice vote.

#### 7. REVIEW AND APPROVAL OF CONTRACTS

A. A Resolution to Approve Amendment to the Grant Contract # Z-04-015391-01 Between McMinn County and State of Tennessee Department of Health for Operation of the Health Department.

Mr. Luallen presented the following resolution to approve an amendment to the grant contract between McMinn County and the State of Tennessee Department of Health for operation of the Health Department, along with the contract summary sheet. Mr. Luallen added that this grant increases the maximum amount of the grant to \$215,900 to be reimbursed to McMinn County by the State for operation of the Health Department.

Resolution No. 04-003

A RESOLUTION TO APPROVE AMENDMENT TO THE GRANT CONTRACT # Z-04-01 5-391-01  
BETWEEN MCMINN COUNTY AND STATE OF TENNESSEE DEPARTMENT OF HEALTH FOR  
OPERATION OF THE HEALTH DEPARTMENT

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

(Cont'd)

WHEREAS, McMinn County has previously entered into a grant agreement with the State of Tennessee Department of Health for the operation of the Health Department; and

WHEREAS, the grant term will be from July 1, 2003 to June 30, 2004; and

WHEREAS, this Grant increases the maximum amount of the Grant to \$215,900 to be reimbursed to McMinn County by the State of Tennessee for the operation of the Health Department

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 19TH DAY OF JANUARY 2004, that this Commission does hereby approve the amendment to this contract.

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

Attest:

(Orig signed by Evonne Jones)

County Clerk

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

Motion carried by voice vote.

#### 8. APPROVAL OF BUDGET AMENDMENTS

Mr. Luallen requested approval of the following budget amendments and provided copies to the Commissioners:

Fund: General Fund # 101

Date: January 15, 2004

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
State of Tenn.	Health Department Programs	46310	78,800.00	
Local Health Center	Temporary Personnel	55110-168		78,800.00

EXPLANATION: To budget additional Revenue and Expenditures related to DGA Grant with State of Tennessee Department of Health for FY 2003-04.

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

Motion carried by roll call vote, as recorded:

- Scott Curtis - Aye
- Dale Holbrook - Aye
- Jack King - Aye
- Roger Masingale Aye
- Gary Mason - Aye
- J. W. McPhail - Aye
- Bob Powers - Aye
- Jack Powers - Aye
- Owen Vincent - Aye
- Chairman David Crews - Aye

Fund: General Purpose      School # 141      Date: January 15,2004

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Other Student Support	Contracts with Gov. Ag. (SRO's)	72130-309		16,441.00
	Other Supplies & Materials	72130-499		7,000.00
	Staff Development	72130-524		8,000.00
	Other equipment	72130-790		10,661.00
State Revenue	Other State Education Funds	46590	33,460.00	
Reserve	Undesignated Fund Balance	39000	8,642.00	

EXPLANATION: To budget revenue and expenditures related to the funding under the Safe School Act of 1998.

Approved by the State November 13, 2003. Approved by the School Board: January 15, 2004.

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	C1~EDIT
Revenue	Special Ed. Grants to States	47143	25,683.30	
Special Education Program	Educational Assistants	71200-163		8,000.00
U	Social Security	71200-201		496.00
	State Retirement	7 1200-204		400.00
	Life Insurance	71200-206		33.00

(Cont'd)

Fund: General Purpose School # 141 (Cont'd)

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Special Education Medical Insurance Program		71200-207		1,800.00
	Disability Insurance	71200-209		10.00
	Medicare	71200-212		116.00
	Instruct. Supplies & Materials	71200429		10,000.00
Special Ed. Program Support	Other Charges	72220-599		4,828.30

EXPLANATION To budget additional funds received from the state for excess cost students with disabilities& School Board approval: January 15,2004.

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

Motion carried by roll call vote, as recorded:

- Scott Curtis - Aye
- Dale Holbrook - Aye
- Jack King - Aye
- Roger Masingale - Aye
- Gary Mason - Aye
- 3. W. McPhail - Aye
- Bob Powers - Aye
- Jack Powers - Aye
- Owen Vincent - Aye
- Chairman David Crews - Aye

Fund: Federal Projects # 142, Title I, Part A, 03.01 # 371

Date: January 12,2004

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Reserve	Res. for Title I Grants	34410	3,320.70	
Regular Instruction Program	Instructional Supplies	71100-429		93.00
	Equipment	71 100-722		2,437.95
Other Student Support	Other Charges	72130-599		789.75

EXPLANATION: To enter the FY 03-04 Title I Part A, 03.01 budget These expenditures were for purchase orders issued in FY 02-03 but not received or paid until FY 03-04. School Board approval: January 15,2004.

Fund: Federal Projects # 142, Voc. Ed. 03.01 #352

Date: January 12,2004

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Reserve	Other Federal Projects	34440	19,861.92	
Vocational Educa- tion Program	Instructional Supplies	71300429		12,984.28
	Equipment	71300-730		6,877.64

EXPLANATION: To enter the FY 03-04 Voc. Ed., 03.01 budget. These expenditures were for purchase orders issued in FY 02-03 but not received or paid until FY 03-04. School Board approval: January 15, 2004.

Fund: Federal Projects # 142, Title I, Part A, 03.21 # 373

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Reserve	Reserve for Title I Grants	34410	55,399.93	
Revenue	Title I Grants to Loc. Ed. Ag.	47141	116.00	
Regular Instruct- Tien Program	Teachers	71100-116		15,040.94
	Life Insurance	71100-206		395.88
	Medical Insurance	71 100-207		22,235.10
	Other Fringe Benefits	71100-299		79.92
Reg. Instruct. Supervisor/Director	Program Support	72210-105		15,075.00
	Social Security	72210-201		934.65
	State Retirement	722 10-204		511.05
	Life Insurance	72210-206		25.74
	Medical Insurance	722 10-207		973.77
	Unemployment Compel- sation	72210-210		20.30
	Employer Medicare	72210-212		218.59
	Other Fringe Benefits	722 10-299		4.99

EXPLANATION: To enter the approved Title I, Part A, 03.21 carryover project budget. The carryover amount was approved by the Slate on September 30,2003. School Board approval: January 15,2004.

Fund: Federal Projects # 142, Title IV, Part A, 04.01 # 485 Date: January 14,2004

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Revenue	Other Federal Through State	47590		448.00
Other Student Support	Clerical Personnel	72 130-162		656.00
	Contracts with Gov. Agencies	72130-309	20,114.00	
	Other Supplies & Materials	72130-499		2,010.00
	Staff Development	72130-524		5,000.00
	Other Equipment	72130-790		12,000.00

EXPLANATION: To enter the approved Title IV, Part A, 04.01 budget. The original budget entered was based on estimates. School Board approval: January 15, 2004.

Fund: Federal Projects # 142, Title II, Part D, 04.01 it 480 Date: January 14,2004

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Revenue	Eisen. Prog. Dev. St. Grants	47189		5,254.00
Regular Instruct-Reg. Instruct. Program Support	Instructional Supplies	71100429	22,821.00	tion Program
	Clerical Personnel	72210-162		351.00
	Other Supplies & Materials	72210-499		1,000.00
	Staff Development	72210-524		5,000.00
	Other Equipment	72210-790		1146.00

EXPLANATION To enter the approved Title II, Part D, 04.01 budget. The original budget entered was based on estimates. School Board approved: January 15,2004.

Fund: Federal Projects # 142, Title V, Part A, 04.01 # 476

Date: January 14,2004

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Revenue	Innovative Ed. Prog. Strat.	47142	801.00	
Regular Instruct- tion Program	Teachers	71100-1 16		24,000.00
	Social Security	71100-201		1,488.00
	Stale Retirement	71100-204		1,094.00
	Employer Medicare	71100-212		348.00
Reg. Instruct. Program Support	Library Books	72210432	32,031.00	
	Staff Development	722 10-524		5,000.00
Transportation	Bus Driver	72710-146		800.00
	Social Security	727 10-201		50.00
	State Retirement	72710-204		40.00
	Employer Medicare	72710-212		12.00

EXPLANATION: To enter the approved Title V, Part A, 04.01 budget The original budget entered was based on estimates. School Board approval: January 15,2004

MOTION made by Commissioner King, and seconded by Commissioner Bob Powers, to approve these budget amendments.

Motion carried by roll call vote, as recorded:

- Scott Curtis - Aye
- Dale Holbrook - Aye
- Jack King - Aye
- Roger Masingale - Aye
- Gary Mason - Aye
- J. W. McPhail - Aye
- Bob Powers - Aye
- Jack Powers - Aye
- Owen Vincent - Aye
- Chairman David Crews - Aye

Fund: # 189 Other Capital Projects

Date: January 15,2004

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
State of Tenn.	Other State Grants	46980	4,125.00	
General Admin- istration Projects	Airport Improvement	91110-702		4,125.00

EXPLANATION: To budget revenue from State of Tennessee Grant related to Ground Communications Outlet at McMinn County Airport. Twenty-five percent County match also budgeted in 189-91110-702.

MOTION made by Commissioner King, and seconded by Commissioner Vincent to approve this budget amendment.

Motion carried by roll call vote, as recorded:

Scott Curtis - Aye  
Dale Holbrook - Aye  
Jack King - Aye  
Roger Masingale - Aye  
Gary Mason - Aye  
J. W. McPhail - Aye  
Bob Powers - Aye  
Jack Powers - Aye  
Owen Vincent - Aye  
Chairman David Crews - Aye

9. WOODS MEMORIAL HOSPITAL FINANCIAL REPORT - MR. SOUTHERLAND

Chairman Crews announced that the Hospital Board was meeting tonight and the meeting is still in process, and therefore Mr. Southerland will not be here to present a report.

10. COMMENTS FROM THE AUDIENCE None.

11. RESOLUTIONS

A. A Resolution to Grant Approval to the County Mayor to Execute the Host Agreement Contract Between McMinn County and Meadow Branch Landfill.

Mr. Gentry presented the following resolution to grant approval to him to execute the Host Agreement contract between McMinn County and Environmental Trust. Mr. Gentry explained that this contract has not been prepared by their legal staff yet because of a death in the family of the legal staff member.

Resolution No. 04-004

A RESOLUTION TO GRANT APPROVAL TO THE COUNTY MAYOR TO  
EXECUTE THE HOST AGREEMENT CONTRACT BETWEEN MCMINN  
COUNTY AND MEADOW BRANCH LANDFILL

WHEREAS, McMinn County desires to enter into a contract agreement with Environmental Trust Company in respect to a host agreement with Meadow Branch Landfill; and

(Contd)

WHEREAS, the contract is the agreement presented to and approved at the December meeting of the McMinn County Board of Commissioners.

WHEREAS, the County Mayor requests approval to execute said document upon its presentation by the legal staff of Environmental Trust Company; and

WHEREAS, said execution shall be subject to conformity to the approved agreement and approval of the County Attorney.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 19TH DAY OF JANUARY 2004, that this Commission does hereby approve and authorize the County Mayor to execute the host agreement contract with Meadow Branch Landfill.

AND FURTHERMORE RESOLVES to grant authoiity 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 Jones)  
County Clerk

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

Motion canied with one dissenting vote by Commissioner Holbrook.

B. Resolutions Pertaining to Waterline Extensions.

Mr. Gentry presented the following resolutioii~pertaining to waterline extensions and referred to the January 19,2004 letter from the Southeast Tennessee Development District regarding these waterline extensions.

(1) Resolution to Support the City of Cleveland in a Community Development Block Grant to Expand the Hiwassee Utilities Charleston Water Treatment Plant

Mr. Gentry said that this is a resolution of support and does not involve any monetary contribution.

(Cont'd on next page)

Resolution No. 04-005

RESOLUTION TO SUPPORT THE CITY OF CLEVELAND IN A COMMUNITY  
DEVELOPMENT BLOCK GRANT TO EXPAND THE HIWASSEE UTILITIES  
CHARLESTON WATER TREATMENT PLANT

WHEREAS, the provision of safe reliable and affordable water to McMinn County residents is a top priority for McMinn County Government; and

WHEREAS, many McMinn County residents receive their public water from local utilities which initially purchase this water from the regional Hiwassee Utility Commission; and

WHEREAS, the City of Cleveland is assisting the Hiwassee Utility Commission in seeking a regional Community Development Block Grant of \$1,000,000 to help with the costs of expanding this water treatment plant that serves both McMinn and Bradley Counties; and

WHEREAS, the ability of this regional water plant to meet the future demands for water in McMinn and Bradley Counties is critical for all of our community's long term growth and prosperity.

NOW, THEREFORE, BE IT RESOLVED BY THE MCMINN COUNTY BOARD OF COMMISSIONERS MEETING IN REGULAR SESSION THIS 19th Day of January 2004, that the McMinn County Commission supports and encourages this regional application sponsored by the City of Cleveland and urges that the State of Tennessee Department of Economic and Community Development provide funding to assist with the expansion of this essential water treatment plant which serves so many communities, the public welfare demanding it.

(Orig signed by John M. Gentry)  
County Mayor

ATTEST:

(Orig signed by Evonne Jones)  
County Clerk

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

Motion carried by voice vote.

(2) A Resolution to Approve Matching Funds for Athens Utilities CDBG Application.

Mr. Gentry said this is in the vicinity of the South Liberty community on County Roads 655, 656, 669, 674, 675, 676, 677, 679, 684, 700, and 729.

(Cont'd on next page)

Resolution No. 04-006

A RESOLUTION TO APPROVE MATCHING FUNDS FOR ATHENS UTILITIES CDBG APPLICATION

WHEREAS, the provision of safe, reliable and affordable potable water for its citizens is a priority for McMinn County Government and

WHEREAS, the City of Athens in coordination with Athens Utilities is seeking a \$500,000 Community Development Block Grant to extend water lines in the vicinity of the South Liberty Community on County Roads 655,656, 669k 674,675,676,677, 679r, 684,700 and 729; and

WHEREAS, the Athens grant rate is 87 percent, which requires a minimum of thirteen (13) percent local matching funds for the grant; and

WHEREAS, Project engineers for Athens Utilities have estimated the project will cost \$813,972, which will require an additional investment above the grant amount by AUB.

NOW, THEREFORE BE IT RESOLVED BY THE MCMINN COUNTY BOARD OF COMMISSIONERS MEETING IN REGULAR SESSION THIS 19TH DAY OF JANUARY 2004, that the McMinn County Commission agrees to provide \$74,713 in local funds from the McMinn County Water Fund, to match the CDBG request (574,713 x .81 percent grant rate \$500,000 maximum grant) and also agrees to provide an additional twenty percent matching funds of \$47,851 for direct project costs above the grant/match amount ( $\$813,972 - 574,713 = \$239,259$  x 20% = \$47,851) up to a total matching contribution of \$122,564 ( $\$74,713 + \$47,851 = \$122,564$ ).

AND BE IT FURTHER RESOLVED that the County Mayor is authorized to sign documents and enter into agreements necessary for the successful application and award of the grant, subject to its approval by the state.

(Orig signed by John M. Gentry)  
County Mayor

ATTEST:

(Orig signed by Evonne Jones)  
County Clerk

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

At Commissioner Jack Powers request, there was some discussion concerning a map being furnished by the Development District

Motion carried with one abstention by Chairman Crews because he owns property on two of these roads.

(3) A Resolution to Approve the Matching Funds for London County Regional CDBG.

Mr. Gentry presented the following resolution to approve the matching funds for London County Regional CDBG. Mr. Gentry said that they are putting together a pretty strong application with numerous counties and a portion of this does run into McMinn County for a total of \$87,720.

Resolution No. 04-007

A RESOLUTION TO APPROVE THE MATCHING FUNDS FOR LOUDON COUNTY  
REGIONAL CDBG

WHEREAS, there are many residents of McMinn County which are experiencing problems with unsafe and inadequate wells and have requested assistance with public water service; and

WHEREAS, Loudon County in coordination with Watts Bar Utility District is seeking a regional Community Development Block Grant of \$1,000,000 to extend water lines in adjoining portions of McMinn, Loudon, Meigs and Roane Counties; and

WHEREAS, the proposed project will result in line extensions along McMinn County Roads 286,296, 298,299,304,301 as well as a portion of State Route 68 between County Road 316 and County Road 298; and

WHEREAS, project engineers for Watts Bar Utility District estimate the total project expense to be \$3,000,000, of which they estimate that 14.62 percent or \$438,600 will be invested in the line extension work in McMinn County; and

WHEREAS, Loudon County's grant rate requires a minimum 24 percent local match and Watts Bar Utility District is committed to reusing the remaining \$2,000,000 required for this project; and

WHEREAS, Watts Bar Utility District is requesting twenty percent matching funds, or \$87,720 from McMinn County on the portion of the project that will be constructed in McMinn County.

NOW THEREFORE BE IT RESOLVED BY THE MCMINN COUNTY BOARD OF COMMISSIONERS MEETING IN REGULAR SESSION THIS 19TH DAY OF JANUARY 2004, that the McMinn County Commission agrees to provide twenty percent matching funds up to \$87,720 from the McMinn County Water Fund to assist with the direct cost of water line extensions in McMinn County as part of this regional project (\$438,600 X .20 percent \$87,720).

AND BE IT FURTHER RESOLVED that the County Mayor is authorized to sign documents and enter into agreements necessary for the successful application and award of the grant, subject to its approval by the State,

(Orig signed by John Gentry)  
County Mayor

ATTEST:

(Orig signed by Evonne Jones)  
County Clerk

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

Motion carried by voice vote.

C. Proposed Resolution to Support the Continued Construction and Improvement of US Highway 411.

Mr. Gentry referred to a resolution to support the continued construction and improvement of US Highway 411 and asked that this resolution not be considered because the contractor is in negotiation with the State and could be working out the situation without our action.

IX A Resolution Approving the Bond for Constable Freddie Coleman.

Mr. Gentry presented the following resolution to approve the bond for Constable Freddie Coleman, and indicated Constable Coleman's bond is on a different schedule from the other Constables.

Resolution No. 04-008

A RESOLUTION APPROVING TILE BOND FOR CONSTABLE FREDDIE COLEMAN

WHEREAS, McMinn County Constables work as agents of the local court system in serving civil process throughout McMinn County; and

WHEREAS, it has been the policy for McMinn to pay surety bonding fees for elected officials; and

WHEREAS, T.C.A. 8-10-106 requires the county legislative body to approve said bond; and

WHEREAS, constables are duly elected officials of McMinn County, and the surety bond for Constable Freddie Coleman has been submitted for approval and payment at a cost not to exceed \$255.00 for the remainder of his present term.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 19TH DAY OF January 2004, that this board does authorize McMinn County to pay the bond for Constable Freddie Coleman, the public welfare requiring it.

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

Attest

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(Orig signed by Evonne Jones)  
County Clerk

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

In response to a question from Chairman Crews, Mr. Gentry said they are trying to get Mr. Coleman's bond on the same schedule with the other Constables.

E. A Resolution to Approve the Addition of Roads to the McMinn County Highway Department Road Maintenance System.

Mr. Gentry presented the following resolution to approve the addition of roads to the McMinn County Highway Department Road Maintenance System and referred to a letter of recommendation from the Highway Commissioner which was provided to the Commissioners.

Resolution No. 04-009

A RESOLUTION TO APPROVE THE ADDITION OF ROADS TO THE MCMLNN COUNTY HIGHWAY  
DEPARTMENT ROAD MAINTENANCE SYSTEM

WHEREAS, a Road Maintenance System has been adopted by the McMinn County Highway Department to continue the efficient maintenance of McMinn County roads; and

WHEREAS, private roads which have been brought up to the required specifications may be included into the McMinn County Highway Department's Road Maintenance System; and

WHEREAS, it is the recommendation of the Commissioner of Highways that the following roads be added to the Road Maintenance System: County Road 318, a class 1 road with a length of 4/10 mile.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMLNN COUNTY, TENNESSEE, MEETING IN SESSION ON THIS 19TH DAY OF JANUARY 2004, THAT THE MCMINN COUNTY COMMISSION APPROVES THE ADDITION OF ROADS TO THE ROAD MAINTENANCE SYSTEM, the public welfare requiring it.

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

Attest:

(Orig signed by Evonne Jones)  
County Clerk

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

Rarity Meadows Subdivision begins at County Road 316 and goes four tenths of a mile to a dead end, and the Highway Commissioner requested that the minutes reflect that 125 feet from the center line of County Road 316, going into the subdivision, will be maintained by the Home Owners Association. In response to a question from Commissioner Jack Powers, the Highway Commissioner explained the Homeowners Association would be doing a lot of cosmetic work at the entrance to their subdivision, and the County will not be maintaining that.

Motion carried by voice vote.

12. ELECTIONS, APPOINTMENTS AND CONFIRMATIONS.

A. A Resolution to Confirm the Appointment of Erbin Baumgardner to the McMinn County Regional Planning Commission.

Mr. Gentry presented the following resolution to confirm the appointment of Erbin Baumgardner to the McMinn County Regional Planning Commission:

Resolution No. 04-010

A. RESOLUTION TO CONFIRM THE APPOINTMENT OF ERIN BAUMGARDNER  
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 ERIN BAUMGARDNER to serve the remainder of the four-year term left vacant by the resignation of Rick Brown, serving through June 1, 2007 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 19TH DAY OF January 2004, that this Commission does hereby confirm this appointment.

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

Attest

(Orig signed by Evonne Jones)  
County Clerk

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

Motion carried by voice vote.

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

A. Request by Highway Commissioner.

The Highway Commissioner requested that Mr. Roy Glass be remembered in prayer following a stroke.

B. Approval of McMinn County Road List and Map.

The Highway Commissioner requested approval of the McMinn County Road List and Map.

MOTION made by Commissioner King, and seconded by Commissioner Vincent, to approve this updated road list and map.

In response to a question from Commissioner Jack Powers the Highway Commissioner said that they have taken on four subdivisions this year and there was also some discussion concerning some roads that were taken off.

Motion carried by voice vote.

C. Budget Committee - Commissioner Jack Powers.

Commissioner Jack Powers, Chairman of the Budget Committee, said that the Budget Committee met prior to this meeting and announced it was time to begin the budget process for this year. Commissioner Powers said that the budget calendar was approved for the 2004-05 budget year and added that the Commissioners were provided a copy.

D. Agricultural Extension Committee - Commissioner Mason.

Commissioner Mason said that they are interviewing for a Food Consumer Science position that has been vacant for two years.

Commissioner Mason also complimented the remodeling/painting in the Blue Room.

E. Question by Commissioner Masingale Regarding Regional Planning Commission.

In response to a question from Commissioner Masingale, Mr. Gentry said former Commissioner Rick Brown was not appointed to the Planning Commission as a Commissioner.

F. Comments by Commissioner Vincent Regarding the Fisher Library.

Commissioner Vincent referred to the dinner hosted at the E. G. Fisher Library prior to this meeting and discussed their funding.

Commissioner Vincent also expressed his concern that our beer regulations indicate that a resident must appear in person before the Commission to object to a beer permit being issued to an establishment within 300 feet of his/her residence. He suggested this might be difficult for a handicapped person or someone who does not drive and a discussion followed concerning ways to insure that a resident has the opportunity to appear before the Beer Board. There was also a question from a member of the audience concerning whether the objection must be raised by a resident of the property or if it can be raised by the owner of the property, and the County Attorney indicated that residents, even occasional residents, can voice their objection.

14. COMMENTS FROM TIWJ COUNTY MAYOR

A. Waterline Extension Update.

Mr. Gentry said that the County has twelve projects that are currently in some stage of application or development that represent over 90 county roads and well over 1,500 homes, close to 200 miles of waterlines, totaling over \$9 million dollars of project costs, \$1.4 million of county match. Mr. Gentry said that Athens Tranquility CDBG is now finished and tonight the Commission approved their second application for South Liberty. Mr. Gentry said that Englewood and Etowah are under construction and Calhoun and Niota are expected to begin construction in 30 days and the Riceville CDBG grant portion is in design. Mr. Gentry said the Riceville project funded by Rural Development is in re-design based upon some hydraulic issues and easement problems. The Decatur portion that is going into the southwest part of the county is in design and Watts Bar section on Highway 6S is looking at construction in the summer.

In response to a question from Commissioner Jack Powers concerning fire hydrants on waterlines, Mr. Gentry said that on CDBG grants, they work them into the grant. There was also a discussion concerning the present policy of two per fire district per year.

B. Judicial Commissioner or Second Judge.

Mr. Gentry said that they have been doing quite a bit of research on this and added that several issues are involved. He has met with Judge Watson, Chancellor Bryant and the Clerks regarding the possibility of moving Probate Court from General Sessions Court to Chancery Court and they have all agreed to this. A Private Act is being written by CTAS at this time for the Commission's review. Mr. Gentry said that Mr. Guy and the maintenance staff are looking at some projected costs for furnishing the courtroom at the Justice Center.

C. Tax Rates Across Tennessee.

Mr. Gentry said that out of 95 counties, McMinn County has the thirteenth lowest property tax rate and of the twelve counties that have a lower property tax rate, ten of them either have a higher local option sales tax or a wheel tax and six of them have both.

15. APPROVAL OF NOTARY APPLICATIONS AND BONDS

The following notary applications and bonds were submitted to the County Clerks Office:

Notary Applications and Bonds for January 2004

Princess Kay Adkins  
S. Randolph Ayres  
Debbie L. Braekett  
Janet L. Brown  
Amy M. Cook  
Mike Frazier  
Phyllis A. Lunceford  
Stephanie W. Ring  
Deborah W. Starkey

MOTION made by Commissioner King, and seconded by Commissioner Jack Powers, to approve these notary applications and bonds as listed.

Motion carried by voice vote.

16. ANY OTHER BUSINESS THAT MAY LEGALLY COME BEFORE THE COMMISSION None.

17. ADJOURNMENT

There being no other business, Chairman Crews declared the meeting adjourned at 8:15 pm.

JONES  
McMinn County Clerk

Attest:  
Deputy Clerk                      (date)