

The McMinn County Board of Commissioners met in Regular Session on Monday, January 17, 2005, 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 Gary Mason.

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 Masingale Present  
Gary Mason Present  
J.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 20, 2004 were provided to the Commissioners.

MOTION made by Commissioner King, and seconded by Commissioner Holbrook, to approve the Minutes of December 20, 2004.

Motion carried by voice vote.

6. APPROVAL OF BIDS AND PURCHASES None.

7 CONTRACTS

None.

8. APPROVAL OF BUDGET AMENDMENTS

Mr. Luallen requested approval of seven budget amendments involving three different funds and a copy of each was provided to the commissioners.

Fund: General# 101

Date: January 17, 2005

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Reserve	Undesignated Fund	39000	2,000.00	
Rescue Squad	Contribution (Claxton)	54420-316		2,000.00

EXPLANATION: To budget funds for contribution to Claxton Rescue Squad for FY 2004-05. Commission approval on 07/19/04.

Fund: General #101

Date: January 13, 2005

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Reserve	Undesignated Fund Balance	390000	78,588.00	
Jail	Other Salaries & Wages (Jailors)	542 10-189		78,588.00

EXPLANATION: To budget for salaries of four additional correctional officers approved by Commission on December 20, 2004.

MOTION made by Commissioner Holbrook, and seconded by Commissioner King, 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: General Purpose School #141

Date: January 3, 2005

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Community Services	Educational Assistants	73300-163	1,000.00	
	Other Fringe Benefits	73300-299		500.00
	Tnc~fr1wtiAfl21 Sunnlies	73300-429	4,500.00	

EXPLANATION: To amend the Early Childhood Education Grant award budget to the actual amounts approved by the State. School Board approval: 1/13/05

MOTION made by Commissioner Bob Powers, and seconded by Commissioner Jack Powers, 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

Fund: Federal Projects # 142-Title IV, Part A, 04.01, #485 Date: December 28, 2004

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Other Student Support	Other Salaries & Wages	72 130-189		1,250.00
	Social Security	72130-201		77.50
	State Retirement	72130-204		68.75
	Unemployment Compensation	72130-210		4.50
	Employer Medicare	72130-212		18.13
	Other Supplies & Materials	72130-499		198.85
	Other Equipment	72 130-790		2,778.00
Reserve	Other Federal Reserves	34440	4,395.73	

EXPLANATION: To enter the Title IV Part A, 04.01 Project carry-over balances into the FY 04-05 budget. School Board approval: 01/13/05

Fund: Federal Projects # 142, TITLE LI, PART A, 04.01, #479 Date: December 28, 2004

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Regular Instruction Program	Teachers	71100-116		68,920.55

Fund: Federal Projects # 142, Title II, Part A, 04.01, #479 (Cont'd)

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Regular Instruction Program	Social Security	71100-201		3,091.19
	State Retirement	71100-204		1,703.16
	Life Insurance	71100-206		282.72
	Medical Insurance	71100-207		14,032.16
	Unemployment Compensation	71100-210	2.41	
	Employer Medicare	71100-212		722.63
	Other Fringe Benefits	71100-299		53.36
Reg. Instruc. Program Support	In-Service Staff Development	72210-524		27,865.79
Reserve	Other Federal Reserves	34440	5,548.15	
Revenue	Eisen. Prof. Dev. State Grants	47189	111,121.00	

EXPLANATION: To enter the Title II, Part A, 04.01 Project carry-over balances into the FY 04.05 budget. School Board approval: 1/13/05.

Fund: Federal Projects # 142, IDEA-B, 05.01, # 591

Date: January 3, 2005

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Special Education Program	Educational Assisants	71200-163		16,197.00
Revenue	Spec. Ed. Grants to States	47143	16,197.00	

EXPLANATION: To enter budget amendment # 1 to the IDEA-B, 05.01 grant. This amendment was approved by the state December 7, 2004. School Board approval: 1/13/05.

Fund: Federal Projects # 142, Title I, Part A, 04.21, #473

Date: January 5, 2005

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Revenue	TiJie I Gts. To Local Agencies	47141	2,465.00	

MOTION made by Commissioner Mason, and seconded by Commissioner King, 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

9. AIR EVAC LIFETEAM MR. GARY GOULD. MEMBERSHIP COORDINATOR

Mr. Gary L. Gould, Membership Coordinator with Air Evac Lifeteam, an air ambulance company in the county which offers memberships for its services, said that he wanted to make the Commission aware of their services but assured Chairman Crews that this was not a sales pitch. Mr. Gould explained the program and left information for the County Mayor as well as each Commissioner.

10. COMMENTS FROM THE AUDIENCE

None.

11. RESOLUTIONS

A. McMinn County Water Project Matching Funds Calhoun Charleston Utility District.

Mr. Gentry presented the following resolution from the Calhoun Charleston Utility District presented by the Southeast Tennessee Development District and he recommended approval:

RESOLUTION NO. 05-00 1

MCMINN COUNTY WATER PROJECT MATCHING FUNDS  
CALHOUN CHARLESTON UTILITY DISTRICT

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, the Town of Calhoun is working in partnership with the Calhoun Charleston Utility District in requesting \$500,000 in Community Development Block Grant funds from the State of Tennessee to assist with the cost of extending water lines to approximately 100 unserved McMinn County homes; and

WHEREAS, these funds require a 13 percent matching contribution; and WHEREAS, both the Town of Calhoun and the Utility District are requesting assistance from McMinn County to help with the construction of the water lines and allow the utility to reach as many homes as possible; and

WHEREAS, McMinn County has agreed to provide all the funds necessary to match CDGB applications to extend water lines into unserved areas of the county, in order to encourage the extension of these important utilities to county residents.

(Cont'd)

NOW THEREFORE BE IT RESOLVED that the McMinn County Commission agrees to provide the necessary 13 percent matching funds up to \$74,713 ( $\$574,713 \times 13\% = \$74,713$ ) necessary to match the CDBG request.

BE IT FURTHER RESOLVED that the McMinn County Commission, meeting in regular session on the 17th day of January, 2005, authorizes the Mayor to enter into agreements and execute documents necessary to carry out the intent of this resolution.

(Orig signed by John Gentry)  
County Mayor

Attest:

(Orig signed by Evonne Jones)  
County Clerk

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

Commissioner Jack Powers requested that a better map be submitted in the future. In response to a question from Commissioner King regarding the 13 percent match, Mr. Gentry explained that the match percentage is based on the per capita income of the community as determined by the census.

Motion carried by voice vote.

B. McMinn County Water Project Matching Funds Niota 2005 Water Line CDBG Application.

Mr. Gentry presented the following resolution to extend water lines to approximately 122 unserved

McMinn County homes in the general vicinity of the Lane town community:

RESOLUTION NO. 05-002

MCMINN COUNTY WATER PROJECT MATCHING FUNDS  
NIOTA 2005 WATER LINE CDBG APPLICATION

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, the City of Niota is requesting Community Development Block Grant funds and Rural Development Administration funds to assist with the cost of extending water lines to approximately 122 unserved McMinn County homes in the general vicinity of the Lane town community; and

WHEREAS, Project engineers have estimated the total project cost to be \$755,000; and

WHEREAS, the City of Niota is requesting a financial commitment from the McMinn County Water Fund to provide the 16 percent matching contribution for the CDBG grant and twenty percent matching funds for project expense above the amount of the CDGB grant; and

(Cont'd)

WHEREAS, McMinn County encourages these city-county partnerships that provide public water service to unserved homes.

NOW THEREFORE BE IT RESOLVED that the McMinn County Commission agrees to provide the necessary 16 percent matching funds up to \$95,238 ( $\$595,238 \times 16\% = \$95,238$ ) necessary to match the CDBG request, and provide 20 percent matching funds for project expenses above the CDBG grant amount up to \$31,952 ( $\$755,000$  total 595,238 CDBG grant & match  $\$159,762 \times 20\% = \$31,952$ ) for a total commitment of \$127,190 in McMinn County matching funds. ( $\$95,238 + 31,952 = \$127,190$ ).

BE IT FURTHER RESOLVED that the McMinn County Commission, meeting in regular session on the 17th day of January, 2005, authorizes the Mayor to enter into agreements and execute documents necessary to carry out the intent of this resolution.

(Orig signed by John Gentry)  
County Mayor

Attest:

(Orig signed by Evonne Jones)  
County Clerk

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

Motion carried by voice vote.

C. Resolution to Establish the McMinn County Archives.

Mr. Gentry presented the following resolution to establish the McMinn County Archives which would make the County eligible for some grants through the State Archives Department and Historical Society. Mr. Joe Guy has agreed to administer the archives to try to provide some order to the records we have, with cooperation from public officials. Mr. Gentry also said that procedures will be established for people to research these records.

Resolution No. 05-003

RESOLUTION TO ESTABLISH THE MCMINN COUNTY ARCHIVES

WHEREAS, *Tennessee Code Annotated*, Title 10, Chapter 7, requires that records of permanent value be preserved and made available for public inspection; and,

WHEREAS, the Secretary of the State of Tennessee, through the Tennessee State Library and Archives, advises that the most effective and economical means of achieving this public benefit with respect to the keeping of older local records is through the administration of a local government archives;

NOW, THEREFORE, BE IT RESOLVED, by the county legislative body of McMinn County, Tennessee, that:

Section 1. The County Archives of McMinn County is hereby established as a department of county government to operate according to the rules and regulations set by the McMinn County Public Records Commission and under the direction of the County Mayor.

Section 3. The archives shall be the repository for inactive permanent records of the County that are no longer required by county offices for current operations, and county government offices may transfer inactive records to the archives upon the completion of their retention terms set by the public records commission.

Section 4. The archives shall hold title, dominion, and control of the said records in trust for the citizens and government of McMinn County, and shall permit no harm nor loss to the records to deprive the citizens and government of the county of the property or benefit of the said records.

Section 5. The archives shall keep and maintain the said records and shall make them available for public inspection according to the pertinent provisions of Title 10, Chapter 7 of the *Tennessee Code Annotated*, in accordance with archival standards and advice set by the state archives of the Tennessee State Library and Archives, and in accordance with rules and regulations set by the county public records commission.

Section 6. The archives may charge and receive copying fees for the copying of documents in the archives according to a fee schedule proposed by the archives manager. Any revenue generated by such fees shall be turned over to the trustee to be deposited in the county general fund but shall be earmarked for expenditure solely for the procurement of archival supplies and services that will help to preserve and protect the records of the county and other valuable historical documents entrusted to the care of the archives.

Section 8. The archives may, with the concurrence of the county public records commission, accept donations of historical materials that are of historical value in documenting the historical experience of the citizens of McMinn County, provided that a duly executed deed of gift, accepted on behalf of the county by the county mayor, shall govern the receipt and administration of all such donations, which donations shall be held by the archives in trust for the benefit of the citizens of McMinn County.

Section 9. This resolution shall be effective upon its passage and approval, the public welfare requiring it. Adopted this 17th day of January, 2005.

(Orig signed by John Gentry)  
County Mayor

Attest:

(Orig signed by Evonne Jones)  
County Clerk

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

Motion carried by voice vote.

D. A Resolution to Request Tennessee General Assembly to Name State Route 305 in Honor of Former Representative Clyde Webb.

Mr. Gentry presented and requested approval of the following resolution to request Tennessee General Assembly to Name State Route 305 in honor of former Representative Clyde Webb.

Resolution No. 05 -004

A RESOLUTION TO REQUEST TENNESSEE GENERAL ASSEMBLY  
TO  
NAME STATE ROUTE 305 IN HONOR OF FORMER STATE REPRESENTATIVE CLYDE WEBB

WHEREAS, Clyde Webb is a distinguished former state representative and McMinn County citizen; and

WHEREAS, Clyde Webb served McMinn County from 1970 to 1990, and was one of the most effective legislators in the General Assembly; and

WHEREAS, one of the most important acts of Clyde Webb's legislative career was the support of the State Route 305 project to provide a more direct route from Athens to State Hwy 68 and State Hwy 58; and

WHEREAS, State Route 305 has improved the economic viability of western McMinn County and provides a safer route for citizens to travel; and

WHEREAS, because of Clyde Webb's dedicated support of the State Route 305 project, it is requested that the Tennessee General Assembly name this state highway in honor of former State Representative Clyde Webb.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 17TH DAY OF JANUARY 2005, THAT THE COMMISSION DOES APPROVE AND REQUEST THAT THE TENNESSEE GENERAL ASSEMBLY NAME STATE ROUTE 305 IN HONOR OF FORMER STATE REPRESENTATIVE CLYDE WEBB.

(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.

12. ELECTIONS, APPOINTMENTS AND CONFIRMATIONS

- A. A Resolution to Confirm the Appointment of the McMinn County Historical Society to Manaee the McMinn County Archives.

Mr. Gentry presented the following resolution to confirm the appointment of the McMinn County

Resolution No. 05-005

A RESOLUTION TO CONFIRM THE APPOINTMENT OF  
THE MCMINN COUNTY HISTORICAL SOCIETY  
TO MANAGE THE MCMINN COUNTY ARCHIVES

WHEREAS, the McMinn County Archives has been established according to Tennessee Law to provide for the proper care, storage, and preservation of public records; and

WHEREAS, state law grants authority to the County Mayor to appoint a manager of the county archives upon confirmation by the county legislative body; and

WHEREAS, John M. Gentry as McMinn County Mayor, appoints The McMinn County Historical Society to oversee and manage the McMinn County Archives in such location and as set forth by the policies approved by the McMinn County Public Records Commission; and

WHEREAS, John M. Gentry as McMinn County Mayor appoints County Historian Joe Guy to act in the capacity as McMinn County Archivist, and as a liaison between the McMinn County Public Records Commission and the McMinn County Historical Society regarding the functions of the McMinn County Archives.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 17th DAY OF JANUARY 2005, that these commission does hereby confirm these appointments.

(Orig signed by John Gentry)  
McMinn County Mayor

Attest:

(Orig signed by Evonne Jones)  
County Clerk

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

Motion carried by voice vote.

B. A Resolution to Confirm the Appointment of Dr. Scott Curtis to the McMinn County Regional Planning Commission.

Mr. Gentry presented the following resolution to confirm the appointment Dr. Scott Curtis to the McMinn County Regional Planning Commission:

Resolution No. 05-006

A RESOLUTION TO CONFIRM THE APPOINTMENT OF DR. SCOTT CURTIS 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 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 DR. SCOTT CURTIS to serve a four-year term beginning February 1, 2005 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 17<sup>th</sup> DAY OF JANUARY 2005, 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 Bob Powers, and seconded by Commissioner King, to approve this resolution.

Motion carried by voice vote.

C. A Resolution to Confirm the Appointment of Ralph Fenton to the Board of Directors of Keen McMinn Beautiful.

Mr. Gentry presented the following resolution to confirm the appointment of Ralph Fenton to the Board of Directors of Keep McMinn Beautiful for a three year term:

Resolution No. 05-007

A RESOLUTION TO CONFIRM THE APPOINTMENT OF RALPH FENTON TO THE BOARD OF DIRECTORS OF KEEP MCMINN BEAUTIFUL

WHEREAS, McMinn County has a Keep McMinn Beautiful board to provide for educational and civic programs that promote litter cleanup and recycling in McMinn County; and

WHEREAS, as part of its duties and services, Keep McMinn Beautiful plays an important role in the Litter Grant program as required by the Tennessee Department of Transportation; and

WHEREAS, John M. Gentry as McMinn County Mayor, nominates Ralph Fenton for appointment as a member of the Keep McMinn Beautiful Board of Directors for a three year term.

(Cont'd)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 17TH DAY OF January 2005, 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 Vincent, to approve this resolution.

Motion carried by voice vote.

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

A. Budget Committee Commissioner Jack Powers.

Commissioner Jack Powers, Chairman of the Budget Committee, said that the Budget Committee met prior to this meeting to set the agenda and approve the budget process calendar for the Fiscal Year 2005-2006 budget. Commissioner Jack Powers promised to keep the Commission informed of progress.

B. Approval of Updated McMinn County Road List and Map.

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

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

Motion carried by voice vote.

14. COMMENTS FROM THE COUNTY MAYOR

A. Water Quality Meetin2 Scheduled for June 25. 2005.

Mr. Gentry said that there would be a TDEC water quality meeting on January 25, 2005, at 1:00 pm, at the Soil Conservation Service Office on Congress Parkway to discuss the North Mouse Creek impairment. Mr. Gentry also said that on January 27, 2005, at 1:00 pm, at the Englewood City Hall another meeting will be held to discuss the water quality of Chestuee Creek. Mr. Gentry invited all Commissioners to attend.

B. County Government Day.

Mr. Gentry said that County Government Day will be March 15-16, 2005 and added that his secretary will be contacting everyone.

C. Annex Committee.

Mr. Gentry said (hat the Annex Committee has been working with the Department of Education concerning the old Federal Building. Mr. Gentry said that the Board of Education would like to move some of their off-site offices, such as Vocational Rehab, and we have received verbal approval. The Annex Committee will be working on this over the next few months.

D. Reminder of Joint Meeting Between McMinn County Commission and Woods Hospital Board of Directors.

Mr. Gentry reminded the Commission of the joint meeting with the Woods Hospital Board tomorrow night at 6:00 pm, in the Blue Room of the Courthouse.

15. APPROVAL OF NOTARY APPLICATIONS

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

Notary Applications for January 2005

Carolyn Marie Curtis  
Pamela K. Dalton  
Kelley R. Dennis  
Janice Hall Gentry  
Judy B. Guinn  
Susan Hampton  
Kathryn H. Miller  
Cindy R. Moore  
Elaine Purser  
Brett A. Yielding

MOTION made by Commissioner King, and seconded by Commissioner McPhail, to approve these notary applications.

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 7:52 pm.

McMinn County Clerk

Attest