

The McMinn County Board of Commissioners met in Regular Session on Monday, February 20, 2006, 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 J. W. McPhail.

3. PLEDGE TO THE FLAG

The Pledge to the Flag was led by Commissioner Scott Curtis.

4. ROLL CALL

Roll call was taken by County Clerk Evonne Jones, as recorded:

Scott Curtis Present  
Dale Holbrook Present  
Jeannie 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 Special Call Session and the Regular Session on January 16, 2006 were provided to the Commissioners.

MOTION made by Commissioner Mason, and seconded by Commissioner Vincent, to approve the Special Call and Regular Session Minutes on January 16, 2006.

Motion carried by voice vote.

6. APPROVAL OF BIDS AND PURCHASES

A. A Resolution to Approve and Award the Bid for Generators for McMinn County Rural Fire Department.

Mr. Luallen presented the following resolution to approve and award the bid for generators for McMinn County Rural Fire Department, along with a letter of recommendation from Scott Thompson, Chief/Coordinator and the bid summary sheet. Mr. Luallen added that this resolution was approved by the Emergency Services Committee earlier this evening.

RESOLUTION NO. 06-008

A RESOLUTION TO APPROVE AND AWARD THE BID FOR GENERATORS FOR MCMINN COUNTY RURAL FIRE DEPARTMENT

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 Rural Fire Chief has requested the purchase of three (3) Honda Generators, 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, Scott Thompson, McMinn County Rural Fire Chief has recommended the bid be awarded to Mayo Garden Centers, Inc of Knoxville, TN, the low bidder meeting specifications.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20TH DAY OF FEBRUARY, 2006, that this Commission does hereby approve the recommendation of the Rural Fire Chief.

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

Attest:

(Orig signed by Evonne Jones)  
County Clerk

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

Motion carried by voice vote.

B. A Resolution to Approve and Award Annual Bid for Installation of New or Used Guardrail.

Mr. Luallen presented the following resolution to approve and award annual bid for installation of new or used guardrail, along with the bid summary sheet and a letter of recommendation from the Highway Commissioner.

RESOLUTION NO. 06-009

•A RESOLUTION TO APPROVE AND AWARD ANNUAL BID FOR INSTALLATION OF NEW OR USED GUARDRAIL

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, the McMinn County Highway Commissioner requests to bid installation of new or used guardrail for period of April 1, 2006 through March 31, 2007, 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, Randall Moss, Commissioner of Highways has recommended the bid be awarded to the low bidder with the lowest price at time of purchase Highway Markings, Inc. and Tennessee Guardrail, Inc.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20TH DAY OF FEBRUARY, 2006, 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 Jones)  
County Clerk

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

Motion carried by voice vote.

C. 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 the bid summary sheet and letters of recommendation from the various departments.

RESOLUTION NO. 06-010

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

WHEREAS, the McMinn County Purchasing Department requests the purchase of Motor Oil, fluids and grease for April 1, 2006, through September 30, 2006, to the low bidder for each item from McMinn-Loudon Co-Op and Hunter Oil, 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, Randall Moss Highway Commissioner, Stan Moses Landfill Supervisor, and Steve Frisbie Sheriff, recommends the bid be awarded to the low bidder for each item.

(Cont'd)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20 TH DAY OF FEBRUARY 2006, 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 Jones)  
County Clerk

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

Motion carried by voice vote.

D. A Resolution to Approve and Award River Sand Bid for the Expo Show Ring.

Mr. Luallen presented the following resolution to approve and award river sand bid for the expo show ring, along

with the bid summary sheet and a letter of recommendation from the U.T. Extension Director.

RESOLUTION NO. 06-011

A RESOLUTION TO APPROVE AND AWARD RIVER SAND BID FOR THE EXPO SHOW RING

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

WHEREAS, Tim Woods, McMinn County Agriculture Extension Agent, requests to bid River Sand for use in the Expo Show Ring at the Athens Regional Park, 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, Tim Woods, recommends the bid be awarded to the low bidder, Vulcan Materials of Knoxville, TN.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20TH DAY OF FEBRUARY, 2006, that this Commission does hereby approve the recommendation of Tim Woods.

(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 Masingale, to approve this resolution.

E. A Resolution to Approve the Purchase of ACU-T Bundle Kits and Cables for Radios by EMA from State Contract.

Mr. Luallen presented the following resolution to approve the purchase of ACU-T Bundle Kits and Cables for Radios by EMA from State Contract, along with a copy of the departmental requisition. Mr. Luallen added that this was approved by the Emergency Services Committee.

RESOLUTION NO. 06-0 12

A RESOLUTION TO APPROVE THE PURCHASE OF ACU-T BUNDLE KITS AND CABLES FOR RADIOS BY  
EMA FROM STATE CONTRACT

WHEREAS, Betty Hamby, EMA Director requests approval for the purchase of two (2) Acu-T bundle kits complete with cables and ten (10) cables for HT Radios from the state contract, to carry out her duties; and

WHEREAS, the amount of the purchase is \$ 19,950.00; and

WHEREAS, according to Financial Management Committee Policies & Procedures, purchases over \$5,000 requires County Commission approval; and

WHEREAS, purchase shall be made with funds from Homeland Security Grant.

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE MEETING IN REGULAR SESSION ON THIS THE 20<sup>TH</sup> DAY OF FEBRUARY 2006, that this purchase from State Contract for EMS be hereby approved.

(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 McPhail, to approve this resolution.

Motion carried by voice vote.

F. A Resolution to Approve the Purchase of VHF UHF Portable Radios and Chargers for EMA from State Contract.

Mr. Luallen presented the following resolution to approve the purchase of VHF UHF portable radios and chargers for EMA from State Contract and added that this was approved by the Emergency Services Committee earlier this evening.

RESOLUTION NO. 06-013

A RESOLUTION TO APPROVE THE PURCHASE OF VHF UHF PORTABLE RADIOS AND CHARGERS FOR  
EMA FROM STATE CONTRACT

WHEREAS, Betty Hamby, EMA Director requests approval for the purchase of seven (7) VHF portable radios, two (2) UHF portable radios four (4) vehicular chargers and two (2) 6-unit rapid chargers from the state contract, to carry out her duties; and

WHEREAS, the amount of the purchase is \$ 9,581.27; and

WHEREAS, according to Financial Management Committee Policies & Procedures, purchases over \$5,000 requires County Commission approval; and

WHEREAS, purchase shall be made with funds from Homeland Security Grant.

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE MEETING IN REGULAR SESSION ON THIS THE 20<sup>TH</sup> DAY OF FEBRUARY 2006, that this purchase from State Contract for EMS be hereby approved.

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

Attest:

(Orig signed by Evonne Jones)  
County Clerk

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

Motion carried by voice vote.

G. A Resolution to Approve Invoice Without Requisition.

Mr. Luallen presented the following resolution to approve invoice without requisition, along with a letter of explanation from the Sheriff and a copy of the invoice from Jackie Jones Ford.

RESOLUTION NO. 06-0 14

A RESOLUTION TO APPROVE INVOICE WITHOUT REQUISITION

WHEREAS, the McMinn County Sheriffs Department requests payment of invoice made without a requisition to Jacky Jones Ford on February 8, 2006, in the amount of \$313.07 for strobe bulbs for light bars at Sheriffs Department; and

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

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20<sup>TH</sup> DAY OF February, 2006, 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 Masingale, and seconded by Commissioner Bob Powers, to approve this resolution.

Motion carried by voice vote.

In response to a question from Chairman Crews, a representative from the Sheriffs Department said he did not know why the vendor gave a credit on one and not the other.

## 7. REVIEW AND APPROVAL OF CONTRACTS

### A. A Resolution to Approve the Contract Between McMinn County and State of Tennessee Department of Health.

Mr. Luallen presented the following resolution to approve the contract between McMinn County and State of Tennessee Department of Health for FY 2005-06 and added that our liability would not exceed \$70,000.

#### Resolution No. 06-0 15

#### A RESOLUTION TO APPROVE THE CONTRACT BETWEEN MCMINN COUNTY AND STATE OF TENNESSEE DEPARTMENT OF HEALTH

WHEREAS, it is the conviction of McMinn County that every individual in the County has good health care readily available; and

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 has previously entered into a contract with the State of Tennessee Department of Health to protect and improve the physical health of the county citizens through the prevention of conditions that may threaten good health; and

WHEREAS, the total appropriation for which the County shall be billed is \$70,000; and

WHEREAS, it is the purpose of the local health department to protect and improve the physical health of the county citizens through the prevention of conditions that may threaten good health; and

WHEREAS, McMinn County Health Department does provide these services and both parties do hereby agree to these provisions in the contract for FY 2005-06.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMJNN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20TH DAY OF FEBRUARY 2006, that this Commission does hereby approve this contract.

ANY FURTHERMORE RESOLVES to give authority to the County Mayor or his designee to execute and administer 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 Mason, 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 six Federal Project budget amendments and copies were provided to the Commissioners.

Fund: Federal Projects N 142-Title II, Part D-06.01 # 680

Date: January 25, 2006

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Revenue	Eisen. Prof. Dev. State Grants	47189	440.00	
Reg. Instruc. Program Support	Other Supplies & Materials	72210-499	1,935.00	
	In-Service/Staff Development	72210-524		214.00
	Other Equipment	72210-790		2,161.00

EXPLANATION: To adjust the Title II, Part D budget to the actual grant amount. The original budget was based on an estimated amount. School Board approval: 2/9/06.

Fund: Federal Projects N 142-Title III, Part A-06.01 N 681

Date: January 26, 2006

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Revenue	Other Federal Through State	47590	1,009.00	
Regular Instruction Program	Instruc. Supplies & Materials	71100-429		10,755.00
keg. Instruc. Program Support	Secretary	72210-161		219.00
	Other Supplies & Materials	722 10-499	1,000.00	
	Other Equipment	72210-790	8,965.00	

EXPLANATION: To adjust the Title III, Part A budget to the actual grant amount. The original budget was based on an estimated amount. School Board approval: 2/9/06.

Fund: Federal Projects, N 142-Title IV, Part a-06-OI # 685

Date: January 26, 2006

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Revenue	Other Federal Through State	47590		406.00
Other Student Support	Secretary	72130-161		595.00
	Attendant	72130-164		4,645.00
	School Resource Officer	72130-170		3,000.00
	Other Salaries & Wages	72130-189		5,113.00
	Social Security	72130-201		1,110.00
	State Retirement	72130-204		729.00
	Employer Medicare	72 130-212		260.00
	Other Supplies & Materials	72130-499		3,168.00
	In Service/Staff Development	72130-524		200.00
	Contracts w/Govt Agencies	72130-309	6,000.00	
	Other Equipment	72130-790	3,000.00	

EXPLANATION: To adjust the Title IV, Part A budget to the actual grant amount. The original budget was based on an estimated amount. School Board approval: 2/9/06.

Fund: Federal Projects N 142-Title II, Part A-06.01 # 679

Date: January 31, 2006

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Revenue	Eisen. Prof. Dev. State Grants	47189		73.00
Regular Instruction Program	Life Insurance	71100-206		231.00
	Medical Insurance	71100-207	4,000.00	
	Other Fringe Benefits	71100-299	40.00	
keg. Instruc. Program Support	In Service/Staff Development	72210-524		3,736.00

EXPLANATiON: To adjust the Title I, Part A budget to the actual grant amount. The original budget was based on an estimated amount. School Board approval : 2/9/06

Fund: Federal Projects # 142-Title V, Part A-06.01 # 676

Date: February 1, 2006

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Revenue	Innovative Ed. Prog. Strategies	47142		46.00
Regular Instruc. Program	Teachers	71100-116	3,000.00	
	Social Security	71100-201	186.00	
	State Retirement	71100-204	165.00	
	Medicare	71100-212	44.00	
	Instructional Supplies	71100-429	10,085.00	
	Equipment	71100-722	4,369.00	
Other Student Support	Other Salaries & Wages	72130-189		9,289.00
	Social Security	72130-201		576.00
	Employer Medicare	72130-212		135.00
	Other Supplies & Materials	72 130-499		3,957.00
Transportation	Bus Drivers	72710-146		3,356.00
	Social Security	72710-201		217.00
	State Retirement	72710-204		222.00
	Employer Medicare	72710-212		51.00

EXPLANATION: To adjust the Title V 06.01 budget to the actual grant amount. The original budget was based on an estimated amount. School Board approval: 2/9/06.

Fund: Federal Projects N 142-Title I, Part A-06.01 # 671

Date: February 06, 2006

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Revenue	Title I Grants to Local Ed. Ag.	47141		9,337.00
Regular Instrttc. Program	Teachers	71100-116		35,098.00
	Instruc. Supplies & Materials	71100-429	33,235.00	
	• Equipment	71100-722	27,401.00	

Fund: Federal Projects # 142-Title I, Part A-06.01 # 671 (Cont'd)

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Other Student Support	Other Salaries & Wages	72130-189		9,844.00
	Other Charges	72 130-599		6,824.00
keg. Instruc. Program Support	In Service-Staff Development	72210-524	467.00	

EXPLANATION: To adjust the Title I, Part A budget to the actual grant amount. The original budget was based on an estimated amount. School Board approval: 2/9/06.

MOTION made by Commissioner Jack Powers, and seconded by Commissioner Holbrook, to approve these budget amendments.

Motion carried by roll call vote, as recorded:

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

9. ACCEPTANCE OF THE INDEPENDENT AUDITOR'S REPORT FOR YEAR ENDED JUNE 30, 2005

Copies of this audit were provided to the Commissioners for review and Mr. Luallen introduced Mr. Tim Royster, the auditor with HG&A Associates, who touched on highlights of this report and offered to answer any questions. Mr. Royster said the financial position of the county is extremely healthy. The county has revenues collected in excess of expenditures in almost every fund. Mr. Royster said all the GASB 34 requirements have been met.

Mr. Royster also discussed the recommendation of consideration that the various office holders put their payroll activities into the County's operation but added that the County Commission cannot require them to do this. Mr. Royster said that there may be less potential for problems if the payroll is handled by one office, but stressed this is just a recommendation of things to consider.

In response to a request from Commissioner Jack Powers, Mr. Royster discussed the financial situation of Woods Hospital. Mr. Royster said although they had a loss this year, they are really close to getting their debt paid off. He sees possibility of improvement but it seems like for every step forward they take, something comes up that they have no control over (Medicare changes, TennCare changes etc.) that takes them a step back, but added that this is an industry-wide problem.

Chairman Crews thanked Mr. Royster for his report.

10. COMMENTS FROM THE AUDIENCE

A. Public Hearing Concerning Cooke Memorial Park Recreation Fund Grant.

In compliance with Local Parks and Recreation Fund (LPRF) Grant regulations, Chairman Crews asked if there were any comments concerning a grant to fund improvements at Cooke Park (lighting and parking lot paving). Mr. Paul Archambault of the Southeast Tennessee Development District passed around a sign-in sheet for the public hearing. There were no comments.

11. RESOLUTIONS

A. A Resolution Authorizing the Hiwassee Utilities Commission to Secure Funding to Expand its Water Treatment Plant and Transmission System.

Mr. Gentry presented the following resolution authorizing the Hiwassee Utilities Commission to secure funding to expand its water treatment plant and transmission system. Mr. Gentry said that this was approved by the Finance Committee earlier this evening and added that this is contingent upon Bradley County Commission passing the same resolution at their next meeting. Mr. Gentry said that Mr. Hale Booth of the Southeast Tennessee Development District and board members of the Hiwassee Utilities Commission were present at this meeting to answer any questions.

RESOLUTION NO. 06-016

A RESOLUTION AUTHORIZING THE HIWASSEE UTILITIES COMMISSION TO  
SECURE FUNDING TO EXPAND ITS WATER TREATMENT PLANT AND  
TRANSMISSION SYSTEM

WHEREAS, working in partnership, Bradley and McMinn County formed the Hiwassee Utilities Commission over twenty-five years ago for the purpose of providing a safe and reliable wholesale source of water for public utilities in both counties; and

WHEREAS, over the past quarter of a century, the Hiwassee Utilities Commission has constructed a major water transmission line and constructed and operated a 7.5 million gallon per day water plant on the Hiwassee River and supplied water to the City of Niota, Athens Utilities Board, Riceville Utilities District, Calhoun Charleston Utilities District and Cleveland Utilities; and

WHEREAS, the Hiwassee Utilities Commission has been responsible for the management, operation and debt service of the utility; and

WHEREAS, the service area of the Hiwassee Utilities Commission has grown substantially with additional industrial, commercial and residential development during the operation of the utility commission and the demand for water from the utility has grown and continues to grow; and

WHEREAS, the Hiwassee Utilities Commission now needs to expand the water treatment facilities and make additional improvements to the transmission line which would approximately double the current capacity of the water treatment plant to 15 million gallons per day; and

WHEREAS, the expansion of the Hiwassee Utilities Commission Water Plant has been established as a priority of the McMinn County Commission in past planning retreats; and

WHEREAS, both Bradley County and McMinn County must authorize and or approve additional indebtedness of the Hiwassee Utilities Commission in order for these necessary expansions to proceed; and

(Contd)

WHEREAS, the Hiwassee Utilities Commission will be responsible for payment of any indebtedness as a result of this facility expansion.

BE IT HEREBY RESOLVED BY THE MCMINN COUNTY COMMISSION, MEETING IN REGULAR SESSION THIS 20TH DAY OF FEBRUARY, 2006, that the Hiwassee Utilities Commission is authorized to borrow funds for up to \$12,000,000 necessary for the successful expansion of the water treatment plant and associated facilities, contingent upon a like authorization by McMinn County's partner in this project, Bradley County.

BE IT FURTHER AUTHORIZED that the McMinn County Mayor is authorized to execute documents and enter into agreements necessary to successfully carry out the intent of this resolution.

(Orig signed by John Gentry)  
McMinn County Mayor

Attest:

(Orig signed by Evonne Jones)  
County Clerk

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

Motion carried by voice vote.

Chairman Crews commented that he feels that the County residents should be charged the same rate as City residents, and Mr. Gentry added that he will send a letter to the various utilities to consider this.

B. A Resolution to Approve the Appropriation of Funds from McMinn County to the Athens Post of the American Legion, a Non-Profit Private Agency.

Mr. Gentry presented the following resolution to approve the appropriation of funds from McMinn County to the Athens Post of the American Legion, a non-profit private agency, in response to the request of the American Legion Post 68 at the January 16, 2006 Regular Session of the County Commission. Mr. Gentry said that this was also approved by the Finance Committee earlier this evening.

Resolution No. 06-0 17

A RESOLUTION TO APPROVE THE APPROPRIATION OF FUNDS FROM MCMINN COUNTY TO THE  
ATHENS POST OF THE AMERICAN LEGION, A NON-PROFIT PRIVATE AGENCY

WHEREAS, a request has been made by the ATHENS POST OF THE AMERICAN LEGION, a non-profit charitable organization, for an appropriation of Tourism funds during FY 2005-2006; and

WHEREAS, the funds will be used to assist in the construction of the American Legion Flag Memorial at 1-75 Exit 49, with a total request of \$15,000.00; and

WHEREAS, this appropriation is subject to the Athens American Legion Post properly securing title and deed to the property involved with this project; and

(Cont'd)

WHEREAS, the McMinn County Board of Commissioners approves an appropriation of \$15,000.00, to be paid from hotel/motel tax funds, upon the proper notice having been published in the Daily Post-Athenian.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20<sup>th</sup> DAY OF February 2006 that this Commission does hereby approve this appropriation of funds to the Athens Post of the American Legion, 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 Mason, and seconded by Commissioner Masingale, to approve this resolution.

In response to a comment from Commissioner Vincent, Mr. Gentry said that this appropriation is subject to the Athens American Legion Post properly securing title and deed to the property involved with this project.

Motion carried by voice vote.

C. A Resolution to Approve the Appropriation of Funds from McMinn County to McMinn County Living Heritage Museum, a Non-Profit Private Agency.

Mr. Gentry presented the following resolution to approve the appropriation of funds from McMinn County to McMinn County Living Heritage Museum, a non-profit private agency, and added that this was also approved by the Finance Committee earlier this evening.

Resolution No. 06-018

A RESOLUTION TO APPROVE THE APPROPRIATION OF FUNDS FROM McMINN COUNTY TO  
MCMINN COUNTY LIVING HERITAGE MUSEUM, A NON-PROFIT PRIVATE AGENCY

WHEREAS, a request has been made by the McMinn County Living Heritage Museum, a non-profit but non-charitable organization, for an appropriation of Tourism funds during FY 2005-2006; and

WHEREAS, the funds will be used to assist in the following:

1.2 Attraction Signs at 1-75 Exits #49 and #52:	
\$1,220.00	
2.5,000 Museum Brochures:	\$3,473.00
3. Awning over back entrance:	\$1,365.00
4. Tilt hanging rods:	\$3,000.00
Total request	\$8,860.00

WHEREAS, the McMinn County Board of Commissioners approves an appropriation of \$8,860.00, to be paid from hotel/motel tax funds, upon the proper notice having been published in the Daily Post-Athenian.

(Contd)

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20<sup>th</sup> DAY OF February 2006 that this Commission does hereby approve this appropriation of funds to the McMinn County Living Heritage Museum, 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 Bob Powers, and seconded by Commissioner Jack Powers, to approve this resolution.

Mr. Gentry said that these funds are to be paid from hotel/motel tax funds.

Motion carried by voice vote.

D. A Resolution to Approve a Joint Local Parks and Recreation Grant Application by the City of Etowah, the City of Athens, and McMinn County Regarding the Construction of a New Community Recreation Center/Senior Center.

Mr. Gentry presented the following resolution to approve a joint local parks and recreation grant application by the City of Etowah, the City of Athens, and McMinn County regarding the construction of a new Community Recreation Center/Senior Center in Etowah. Mr. Gentry said that this does not obligate McMinn County for funds but a joint application could possibly help them get more points by including a larger area.

Resolution No. 06-019

A RESOLUTION TO APPROVE  
A JOINT LOCAL PARKS AND RECREATION GRANT APPLICATION BY THE CITY OF ETOWAH,  
THE CITY OF ATHENS, AND McMINN COUNTY REGARDING THE CONSTRUCTION OF A NEW  
COMMUNITY RECREATION CENTER/SENIOR CENTER

WHEREAS, the City of Etowah has sought the cooperation of the City of Athens and McMinn County to apply for LPRG funds to assist on the construction of a new community center/senior center to expand the recreational opportunities for the residents of the city; and

WHEREAS, such a community/senior center is needed in Etowah for the betterment of the city and the surrounding communities; and

WHEREAS, the McMinn County Board of Commissioners expresses its approval for this LPRG application, as it supports the positive growth and development of the City of Etowah in regard to the new community center and senior center.

(Contd)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 20th DAY OF FEBRUARY 2005, THAT THIS COMMISSION DOES SUPPORT THE JOINT LPRG APPLICATION MADE BY THE CITY OF ETOWAH, THE CITY OF ATHENS, AND MCMINN COUNTY REGARDING THE CONSTRUCTION OF A NEW COMMUNITY CENTER AND SENIOR CENTER, 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 Holbrook, and seconded by Commissioner Masingale, to approve this resolution.

Motion carried by voice vote.

E. A Resolution to Request the State of Tennessee Department of Transportation and CSX Transportation to Install Signal Lights at the County Road 520 Railroad Crossings in McMinn County

Mr. Gentry presented the following resolution to request the State of Tennessee Department of Transportation and CSX Transportation to install signal lights at the County Road 520 railroad crossings. Mr. Gentry said that citizens have requested this and in response to a question from Commissioner Jack Powers, Mr. Gentry said this road is behind Kirkwood Estates subdivision.

Resolution No. 06-020

A RESOLUTION TO REQUEST  
THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION AND CSX TRANSPORTATION TO  
INSTALL SIGNAL LIGHTS AT THE COUNTY ROAD 520 RAILROAD CROSSINGS IN MCMINN  
COUNTY

WHEREAS, railroad crossing exists at many points on the highways and county roads in McMinn County; and

WHEREAS, as population increases in McMinn County have also caused an increase in traffic over railroad crossings; and

WHEREAS, the railroad crossing at County Road 520 is elevated and provides difficulty seeing approaching trains; and

WHEREAS, McMinn County citizens have petitioned the McMinn County Commission to request that CSX Transportation Engineering Department install Signal Lights at the County Road 520 railroad crossing, and to notify the Tennessee Department of Transportation of this request.

(Cont'd)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN SESSION ON THIS 20th DAY OF FEBRUARY 2006, THAT THE MCMINN COUNTY COMMISSION APPROVES THIS REQUEST FOR CSX TRANSPORTATION TO INSTALL SIGNAL LIGHTS AT THE COUNTY ROAD 520 CROSSING, 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 Bob Powers, and seconded by Commissioner Jack Powers, to approve this resolution.

Motion carried by voice vote.

F. A Resolution to Approve the Grant of \$1,000.00 to Englewood Youth Football.

Mr. Gentry presented the following resolution to approve the grant of \$1,000.00 to Englewood Youth Football.

Resolution No. 06-021

A RESOLUTION TO APPROVE THE GRANT OF \$1000.00 TO  
ENGLE WOOD YOUTH FOOTBALL

WHEREAS, it is the intent of the McMinn County Recreation Committee to assist in providing support for youth athletics in McMinn County; and

WHEREAS; Englewood Youth Football is currently in need of funds to assist in the repair and renovation of goal posts, concession stand, and bleachers; and

WHEREAS, Englewood Youth Football has requested a FY 2005-06 recreation grant of \$1000.00 to assist in the funding of the above project.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20th DAY OF FEBRUARY 2006, that this Commission does hereby approve this request for a McMinn County Recreation Grant, the public welfare demanding it.

(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 Jack Powers, to approve this resolution.

Motion carried by voice vote.

G. A Resolution to Approve the Grant of \$1,000.00 to the City of Etowah.

Mr. Gentry presented the following resolution to approve the grant of \$1,000.00 to the City of Etowah to assist in the building of a parking lot for soccer fields at Johns Manville.

Resolution No. 06-022

A RESOLUTION TO APPROVE THE GRANT OF \$1000.00 TO  
THE CITY OF ETOWAH

WHEREAS, it is the intent of the McMinn County Recreation Committee to assist in providing support for youth athletics in McMinn County; and

WHEREAS; the City of Etowah is currently in need of funds to assist in the building of a parking lot for soccer fields at Johns Manville; and

WHEREAS, Etowah has requested a FY 2005-06 recreation grant of \$1000.00 to assist in the funding of the above project; and

WHEREAS, this grant is approved upon the execution of a lease agreement between the City of Etowah and Johns Manville for the use of the property as a parking lot.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20th DAY OF FEBRUARY 2006, that this Commission does hereby approve this request for a McMinn County Recreation Grant, the public welfare demanding it.

(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 Holbrook, to approve this resolution.

Commissioner McPhail, a member of the Recreation Committee, respectfully reminded Commissioners that there will not be any more recreation grant money until July 1, 2006.

H. A Resolution to Honor Carl E. "Buzz" Davis for His Service to McMinn County.

Mr. Gentry presented the following resolution to honor the late Carl "Buzz" Davis for his long-time public service as constable in McMinn County.

Resolution No. 06-023

A RESOLUTION TO HONOR CARL E. "BUZZ" DAVIS  
FOR HIS SERVICE TO MCMINN COUNTY

WHEREAS, Carl E. "Buzz" Davis was a retired railroad engineer, hobby farmer, past Commander of the Etowah Post of the VFW, and long-time public servant of McMinn County; and

WHEREAS, Carl E. "Buzz" Davis was known to the people of McMinn County as a model citizen, showing dedication and compassion to others; and

WHEREAS, Carl E. "Buzz" Davis has served the people of McMinn County as a member of the McMinn County E-91 I Board from 1990-2003, and has long served McMinn County as a Constable in the 4th Civil District; and

WHEREAS, Carl E. "Buzz" Davis passed away on Friday, January 6, 2006, after a lengthy illness; and

WHEREAS, it is resolved that Carl E. "Buzz" Davis is honored and praised for his faithful service to the citizens of McMinn County, his wisdom, dedication, and compassion throughout his career as a public servant, he will be sorely missed.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 20th DAY OF FEBRUARY 2006, THAT THIS COMMISSION DOES HONOR CARL E. "BUZZ" DAVIS FOR HIS SERVICE TO THE CITIZENS OF MCMINN COUNTY.

(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 Jack Powers, to approve this resolution.

Motion carried by voice vote.

I. A Resolution to Approve A Change Order for McKinne Excavation Regarding the McMinn County Airport Expansion Project.

Mr. Gentry presented the following resolution to approve two change orders regarding the airport expansion project. This is not related to the runway gradient issues at the airport but are things that the State allows the County to do at the 90/10 rate and Mr. Gentry said he recommends approval.

RESOLUTION NO. 06-024

A RESOLUTION TO APPROVE A CHANGE ORDER FOR MCKINNEY  
EXCAVATING REGARDING THE MCMINN COUNTY AIRPORT EXPANSION  
PROJECT

WHEREAS, McMinn County entered into a contract with McKinney Excavating to construct the McMinn County Airport Expansion; and

WHEREAS, a previous change order has increased the contract amount by \$100,000.00; and

WHEREAS, changes in the following have resulted in a net increase of \$43,500.00:

1. Change Order N 2: install slope drains, excavate knoll along taxiway extension (\$28,500)
2. Change Order N 3: additional clearing for future safety issues (\$15,000) and;

WHEREAS, upon approval by the McMinn County Board of Commissioners, the total for all change orders issued to McKinney Excavating will increase the total contract amount from \$1,092,439.88 to \$ 1,235,939.88, which is a total increase in cost of \$143,500.00.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 20TH DAY OF FEBRUARY 2006, THAT THE COMMISSION DOES APPROVE THE CHANGE ORDERS AND INCREASE OF CONTRACT AMOUNT WITH MCKINNEY EXCAVATING RESULTING IN A TOTAL INCREASE OF \$143,500.00.

(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 Mason, to approve this resolution.

Motion carried by voice vote.

J. A Resolution to Approve a Bond for the McMinn County School Superintendent.

Mr. Gentry presented the following resolution to approve a bond for the McMinn County School Superintendent John Forgety.



C. Recreation Committee Commissioner Bob Powers.

Commissioners Bob Powers said that the Recreation Committee met before this Commission meeting and approved two grants one for Englewood and one for Etowah as delineated in resolutions approved this evening.

D. Warning to Watch for Deer Crossing 1-75.

Commissioner Gary Mason said that a citizen reported there are many deer between Niota and Sweetwater exits on 1-75 and he warned everyone to use caution when traveling on that stretch of road and he wondered if a sign could be erected. The Highway Commissioner commented that he had discussed with Representative Bob McKee who has requested that the median be cleared out.

E. Airport Committee Commissioner Vincent.

Commissioner Vincent said that the Regional Meeting of the Aeronautics Division of TDOT will be held in Athens on March 28, 2006, at 10:00am and requested as much participation by Commissioners as possible and he promised to send them a brochure.

F. Approval of County Road Log Highway Commissioner.

The Highway Commissioner said that this road log hasn't been updated in 30 years and they have found a lot of mistakes. Every road has been measured and the road log has been corrected.

MOTION made by Commissioner McPhail, and seconded by Commissioner Bob Powers, to approve the revised road log.

Motion carried by voice vote.

The Highway Commissioner asked Chairman Crews to sign it after the meeting.

14. COMMENTS FROM THE COUNTY MAYOR

A. McMinn County Education and Community Foundation.

Mr. Gentry referred to the McMinn County Education and Community Foundation report which was provided to each Commissioner. No action is required but the Three Star Program requires that it be presented to the Commission and Mr. Gentry requested that this be reflected in the Minutes.

B. Letter from a Concerned Citizen on County Road 675.

Mr. Gentry referred to a letter from a concerned citizen on County Road 675 regarding excessive speeding outside the city limits and the serious problem this is to the safety of the citizens. A copy of this letter was provided to all Commissioners and Mr. Gentry reported this letter to the Sheriff.

C. Complaints Regarding 35 m.p.h. Speed Limit South of Etowah.

Mr. Gentry said that Mr. Guy contacted TDOT, who advised that the area is still under construction, and that until the construction contract is fulfilled, the contractor requests lower and safer speed limit. Once construction is completed, the speed limits will be re-set by TDOT.

D. Complimentary Letter Concerning McMinn County Juvenile Services.

Mr. Gentry referred to a letter from the Deputy Commissioner of the Department of Children's Services complimenting Judge Watson and McMinn County Juvenile Services regarding our community-based system of graduated sanctions for our juvenile delinquent population.

E. County Government Day.

Mr. Gentry said that County Government Day is scheduled for March 14-15, 2006.

F. Jail Study Committee Meeting.

Mr. Gentry said that there will be a meeting of the Jail Study Committee on Thursday, February 23, 2006, at 5:00 pm at the Justice Center. Mr. Gentry anticipates a fairly lengthy meeting in regards to the courts moving to the Justice Center. Mr. Gentry encouraged participation by all Commissioners not just the members of the Jail Study Committee.

G. Airport Committee.

Mr. Gentry said that he and the County Engineer met last week with FAA and they are moving closer to a recommended solution to the line of sight issue at the airport. Mr. Gentry said that he hopes that a meeting can be held with all parties in the month of March.

H. Physical Condition of the Courthouse.

Mr. Gentry referred to an earlier bid which was not responded to and a later quote for painting the courthouse which has not been done yet. Mr. Gentry said that they have found instances of damage to copper gutters, some flashing problems which has caused wood to rot, and some possible damage to the tower. Mr. Gentry added that the courthouse is over 40 years old and there has not been any comprehensive work done to the exterior in that time. He also mentioned that there is a potential safety issues with the front steps. Mr. Gentry said they will work within their existing budget as much as they can, but larger projects will be brought to the Commission for approval.

I. Freedom Salute Ceremony March 18, 2006.

Mr. Gentry referred to the all-day Planning Session scheduled for March 18th. He said they have been notified by the National Guard Armory that there will be a 2-hour Freedom Salute Ceremony for the 278th that morning and all County officials are invited. He added that the Governor and Congressmen have been invited. They are looking at rescheduling the morning portion of the planning session on Friday evening to allow the Commission to attend the Salute at Central High School.

J. Security System in Place.

Mr. Gentry pointed out that the security camera system is in place in the Courthouse as well as the Courthouse Annex.

K. Comments of Appreciation to Finance Office.

Mr. Gentry thanked the Finance Office for another good audit and their attention to detail. Mr. Luallen, Finance Director, said he wanted to publicly thank his staff for their outstanding work.

15. APPROVAL OF NOTARY APPLICATIONS

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

Notary Applications for February 2006

Libby A. Bookout  
Timothy M. Brown  
Ralph W. Fenton  
James C. Garren  
Angela G. Johnson  
Lynn Johnson  
Thorn Johnson  
J. C. Manning  
Susan A. Martin  
Evalyn S. Massingale  
Donna E. McKale  
Carleen McKeehan  
Vicki L. Nichols  
Melissa D. Price  
William J. Sindlinger  
Christina T. Stephenson  
Nancy W. White  
Shane M. Williams

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

Motion carried by voice vote.

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

A. Comments Regarding Lighting at 1-75 Exits 49 and 52.

Commissioner McPhail said that new lighting is at these exits is fantastic.

17. ADJOURNMENT

There being no other business, Chairman Crews declared the meeting adjourned at 8:10 pm.

McMinn County Clerk

Attest:  
Deputy Clerk

Date

