

The McMinn County Board of Commissioners met in Regular Session on Monday, June 21,2004, 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 Jack Powers.

3. PLEDGE TO THE FLAG

The Pledge to the Flag was led by Commissioner Dale Holbrook.

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
1. 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 May 17,2004 were provided to the Commissioners.

MOTION made by Commissioner King, and seconded by Commissioner Bob Powers, to approve the Minutes of May 17, 2004.

Motion carried by voice vote.

6. APPROVAL OF BIDS AND PURCHASES

A. A Resolution to Approve and Award Copier Bid for Finance Office.

Mr. Luallen presented the following resolution to approve and award copier bid for the Finance Office, along with the bid summary sheet and a letter of recommendation from the Finance Director. Mr. Luallen added that this will be reimbursed by the 10th Judicial District Drug Task Force in appreciation for the accounting services provided by the McMinn County Finance Office.

RESOLUTION NO. 04-072

A RESOLUTION TO APPROVE AND AWARD COPIER BID FOR FINANCE OFFICE

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 Finance Director Jason Luallen has requested the purchase of a Copy Machine in the amount of \$6,350.00, in order to properly carry out the functions of the office; and

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

WHEREAS, Roxanne Blackwell has approved reimbursement of purchase in appreciation of the accounting services provided by the McMinn County Finance Office to the 10k" Judicial District Drug Task Force; and

WHEREAS, Jason Luallen, Director of Finance has recommended the bid be awarded to Commercial Business Machines 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 21ST DAY OF JUNE, 2004, that this Commission does hereby approve the recommendation of the Finance Director.

(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.

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

Mr. Luallen presented the following resolution to approve and award annual janitorial products bid, along with letters of recommendation from various department as well as the bid summary sheet.

RESOLUTION NO. 04-073

A RESOLUTION TO APPROVE AND AWARD ANNUAL JANITORIAL PRODUCTS BID

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

WHEREAS, McMinn County has requested the purchase of Janitorial Products from the low bidder meeting bid specifications from July 1, 2004 through June 30, 2005, to properly carry out the functions of the department; and

(Cont'd)

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

WHEREAS, Benny Bivens, Courthouse Maintenance Supervisor, Steve Frisbie, Sheriff and Howard Jackson, School Plant Operation Supervisor has recommended the bid be awarded to the low bidder in each category meeting specifications.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21ST DAY OF JUNE, 2004, that this Commission does hereby approve the recommendation of the Sheriff, Maintenance Supervisor and School Board Assistant Custodial Supervisor.

(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.

Motion carried by voice vote.

C. A Resolution to Approve and award Semi-Annual Requirements Bid for Paper-Plastics Products.

Mr. Luallen presented the following resolution to approve and award semi-annual requirements bid for paper and plastic products, along with letters of recommendation from various departments as well as the bid summary sheet.

RESOLUTION NO. 04-074

A RESOLUTION TO APPROVE AND AWARD SEMI-ANNUAL REQUIREMENTS BID FOR PAPER-PLASTICS PRODUCTS

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

WHEREAS, the Courthouse Maintenance Department, Sheriff's Department and School Department has requested the purchase of Paper and Plastic Products from the best bidder meeting bid specifications from July 1, 2004 to December 31, 2004, to properly carry out the functions of the department; and

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

WHEREAS, Benny Bivens, Courthouse Maintenance Supervisor, Sheriff Steve Frisbie and Howard Jackson School Board Assistant Custodial Supervisor has recommended the bid be awarded to the best bidder meeting specifications.

(Cont'd)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING N REGULAR SESSION THIS THE 21ST DAY OF JUNE 2004, that this Commission does hereby approve the recommendation of the Sheriff, Maintenance Supervisor and School Assistant Custodial Supervisor.

(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 Vincent, to approve this resolution.

Motion carried by voice vote.

D. A Resolution to Approve and Award Annual Corrugated Steel Pipe, Dura-Zinc Pipe, Corrugated Polyethylene Pipe and Reinforced Concrete Pipe Bid.

Mr. Luallen presented the following resolution to approve the annual corrugated steel pipe, dura-zinc pipe, corrugated polyethylene pipe and reinforced concrete pipe bid, along with the letter of recommendation from the Commissioner of Highways as well the bid summary sheet. Mr. Luallen explained that there was only a guarantee of three months from the low bidder for the steel pipe and dura-zinc pipe and the Highway Commissioner recommended that this portion of the bid be awarded for only three months with the remainder awarded to the low bidder for the entire year.

RESOLUTION NO. 04-075

A RESOLUTION TO APPROVE AND AWARD ANNUAL CORRUGATED STEEL PIPE, DURA-ZINC STEEL PIPE, CORRUGATED POLYETHYLENE PIPE AND REINFORCED CONCRETE PIPE BID

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

WHEREAS, McMinn County Highway Department has requested to award the bid of steel pipe and dura-zinc pipe to Tellico Culvert for the guaranteed ninety day period; and

WHEREAS, McMinn County Highway Department has request to award the bid of corrugated polyethylene pipe to ADS and reinforced concrete pipe to Sherman Dixie, each being the lowest bidder meeting bid specifications, from July 1,2004 through June 30, 2005, to properly carry out the functions of the department, and

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

WHEREAS, Randall Moss, Highway Commissioner has recommended the bid be awarded to the low bidder meeting specifications in each category.

(Cont'd)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21ST DAY OF JUNE, 2004, th'at 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 King, and seconded by Commissioner Bot~ Powers, to approve this resolution.

In response to a question from Chairman Crews, Mr. Luallen said that after the three month period, they will get comparative prices on those items for the remainder of the year. In response to a question from Commissioner Jack Powers, Mr. Luallen said the other bidder guaranteed his prices for the entire year, but they were substantially higher.

Motion carried by voice vote.

E. A Resolution to Approve Payment of Annual Hardware and Software Maintenance Support.

Mr. Luallen presented the following resolution to approve payment of Annual Hardware and Software Maintenance Support for the Register of Deeds' Office for this fiscal year.

RESOLUTION NO. 04-076

A RESOLUTION TO APPROVE PAYMENT OF ANNUAL HARDWARE AND SOFTWARE MAINTENANCE

SUPPORT

WHEREAS, McMinn County Register of Deeds request renewal of annual hardware and software maintenance support invoiced at \$ 13,161.90 for the period of July 1,2003 to June 30, 2004; 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 ₂₁ST DAY OF JUNE, 2004, that the payment for invoiced maintenance agreement to ProGResS, Inc. in the amount of\$ 13,161.90 be hereby approved.

(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.

F. A Resolution to Approve Payment to Local Government Data Processing Corporation for FY 2004-05 Hardware and Software Maintenance for the Director of Finance Office.

Mr. Luallen presented the following resolution to approve payment for FY 2004-05 hardware and software maintenance for the Director of Finance Office, as well as the invoice for the total amount of \$6,959.36.

Resolution No. 04-077

A RESOLUTION TO APPROVE PAYMENT TO LOCAL GOVERNMENT DATA
PROCESSING CORPORATION FOR FY 2004-05 HARDWARE AND SOFTWARE
MAINTENANCE FOR THE DIRECTOR OF FINANCE OFFICE

WHEREAS, McMinn County Finance Director, Jason Luallen, requests approval of purchase to Local Government Data Processing for FY 2004-05 hardware and software maintenance for the Finance Office at a total cost of \$6,959.36; 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 21ST DAY OF JUNE 2004, that this Commission does hereby approve the payment of \$6,959.36 to Local Government Data Processing Corporation for FY 2004-05 hardware and software maintenance for the Office of Finance.

(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.

G. A Resolution to Approve Payment for Emergency Purchase - Landfill.

Mr. Luallen presented the following resolution to approve payment for an emergency repair of the scale system and controls at the Landfill which was damaged by lightning. Mr. Luallen said that this would be reimbursed in the amount over \$500.00 deductible by insurance.

RESOLUTION 04-078

A RESOLUTION TO APPROVE PAYMENT FOR EMERGENCY PURCHASE - LANDFILL

WHEREAS, McMinn County Landfill property experienced severe lighting damage to their scale system and controls; and

(Cont'd)

WHEREAS, in accordance with Financial Management Committee Policies and Procedures, expenses over \$5,000 require County Commission approval; and

WHEREAS, McMinn County will be reimbursed \$7,500 less \$500 deductible by the insurance carrier.

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 21st DAY OF JUNE, 2004, that this Commission does hereby approve payment for this emergency purchase at the McMinn County Landfill in the amount of \$7,500.

(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 McPhail, to approve this resolution.

In response to a comment by Commissioner Mason that he thought this problem was resolved, Mr. Gentry explained this was a direct hit by lightning and the past mitigation efforts could not handle a direct hit.

Motion carried by voice vote.

7. REVIEW AND APPROVAL OF CONTRACTS

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

Mr. Luallen presented the following resolution to approve the contract between McMinn County and State of Tennessee Department of Health. Mr. Luallen said this is a grant to us in the amount of \$326,500.00 for operation of the Health Department.

RESOLUTION NO. 04-079

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 ofteg 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

(Cont'd)

WHEREAS, the total appropriation is \$326,500; 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 2004-05.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21ST DAY OF JUNE, 2004, that this Commission does hereby approve this contract.

AND 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 King, and seconded by Commissioner Masoi~, to approve this resolution.

Motion carried by voice vote.

B. A Resolution to Approve the Amendment to Tennessee Department of Environment and Conservation Tire Recycling Grant.

Mr. Luallen presented the following resolution to approve the amendment to Tennessee Department of Environment and Conservation Tire Recycling Grant. Mr. Luallen said that this increases the current amount to \$38,704.00 and extends the grant through June 30, 2005.

RESOLUTION No.04-080

A RESOLUTION TO APPROVE THE AMENDMENT TO TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION TIRE RECYCLING GRANT

WHEREAS, in order to properly perform the duties of county government as prescribed by law, it is often in McMinn County's interest to enter into contracts with other entities; and

WHEREAS, McMinn County desires to amend their Waste Tire Grant # Z-03-01 1374-00 amount from \$3 7,468.00 to \$38,704.00 with the State of Tennessee, Department of Environment and Conservation; and

WHEREAS, the term of this grant is extended through June 30, 2005 in the amount of \$38,704.00.

(Cont'd)

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21ST DAY OF JUNE, 2004 that this Commission does hereby agree to renew this Waste Tire Grant with the State of Tennessee.

AND 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 King, and seconded by Commissioner Masingale, to approve this resolution.

In response to a question from Commissioners Vincent and Commissioner Bob Powers, there was a discussion concerning our tire recycling program but Mr. Gentry said that we recycle tires at a loss. Mr. Gentry added that the State Division of Community Assistance has a task force working on a solution to the tire problem.

Motion carried by voice vote.

C. A Resolution to Approve a Grant Agreement Between McMinn County Juvenile Services and Tennessee Commission on Children and Youth for Community Alternatives for Detention of Juvenile Offenders.

Mr. Luallen presented the following resolution to approve a grant agreement between McMinn County Juvenile Services and the Tennessee Commission on Children and Youth for community alternatives for detention of juvenile offenders.

Resolution No. 04-08 1

A RESOLUTION TO APPROVE A GRANT AGREEMENT BETWEEN McMINN COUNTY JUVENILE SERVICES AND TENNESSEE COMMISSION ON CHILDREN AND YOUTH FOR COMMUNITY ALTERNATIVES FOR DETENTION OF JUVENILE OFFENDERS

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 Juvenile Services desires to enter into a grant contract with Tennessee Commission on Children and Youth for Community Alternatives for Detention of Juvenile Offenders, including a salary supplement for a Juvenile Officer; and

WHEREAS, McMinn County has no obligation under such contract.

(Cont'd)

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21~ DAY OF JUNE 2004 that this Commission does hereby approve this grant contract.

AND FURTHERMORE RESOLVES to grant authority to the County Mayor or his designee to execute the required agreement. 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 Vincent, and seconded by Commissioner Curtis, to approve this resolution.

In response to a question from Commissioner Jack Powers, Mr. Luallen said this is a grant for juvenile services in the amount of \$12,000.00. In response to a question from Commissioner Curtis regarding future obligations, Mr. Gentry said that Mr. Larry Rhodes, Director of Juvenile Services, said that we have received this grant for the past twenty years, but that there is a chance that the State may cut this grant in the future.

Motion carried by voice vote.

D. A Resolution of Intent to Accept a Grant for Bridge Replacement - Greens Road. Conasauga Creek.

Mr. Luallen presented the following resolution of intent to accept a grant for bridge replacement at Greens Road, Conasauga Creek, along with a letter of recommendation from the Highway Commissioner. Mr. Luallen added that the gr8nt total is \$390,000 with the estimated local cost to the County being \$78,000.

RESOLUTION NO. 04-082

A RESOLUTION OF INTENT TO ACCEPT A GRANT FOR BRIDGE REPLACEMENT -
GREENS ROAD, CONASAUGA CREEK

WHEREAS, in order to properly perform the essential 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, Replacement of the Green Road Bridge over Conasauga Creek has been selected under the Federal Bridge Replacement Program; and

WHEREAS, the total estimated total project cost is \$390,000 and estimated cost to the County \$78,000; and

WHEREAS, Randall Moss, McMinn County Highway Commission recommends accepting this Grant offer for bridge replacement; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21 DAY OF JUNE, 2004, that this Commission does hereby approve the recommendation from the Highway Commissioner of accept this Bridge Grant for replacement of Bridge over Conasauga Creek at Green Road.

(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 Bob Powers, to approve this resolution.

Motion carried by voice vote.

8. APPROVAL OF BUDGET AMENDMENTS

Mr. Luallen requested approval of seven budget amendments involving four different funds. Copies were provided to the Commissioners:

Fund: GeneralFund# 101

Date: June 17,2004

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Other Local Revenues	Other Local Revenue	44990	1,240.00	
State of TN	Community Development	47180	50,000.00	
Other Economical Contracts with other Community Development	Agencies	58190-3 10		4,000.00
	Other Construction	58190-791		47,240.00

EXPLANATION To budget revenue and expenditures related to State of Tennessee-Tennessee Housing Development Agency Grant approved by County Commission on 9/15/03.

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

Date: May 18,2004

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Reserve	Other Local Education Reserves	34290	4,998.00	
Reg. Instruct. Program Spt	Equipment	722 10-790		4,998.00

EXPLANATION: To budget items from reserve (Eugene Derrick Estate gift) for actual expenditures in FY 03/04. School Board approval June 10,2004.

Fund: General Purpose School #141

Date: May 18,2004

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Revenue	Career Ladder Ext. Contracts	46612	168,685.00	
Regular Instruct. Program		71100-127		116,685.00
Vocational Educ. Program	"	71300-127		2,400.00
Attendance		72110-127		4,000.00
Other Student Support		72130-127		4,000.00
Reg. Instruction Program Support		72210-127		9,600.00
Voc. Education Program S ⁷ upport		72230-127		4,000.00
Office of Principal		72410-127		28,000.00

EXPLANATION: To budget career ladder extended contracts revenue and expenditures for FY 2003-04.

MOTION made by Commissioner McPhail, 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
- J. W. McPhail - Aye
- Bob Powers - Aye
- Jack Powers - Aye
- Owen Vincent - Aye
- Chairman David Crews - Aye

Fund: Federal Projects # 142, Title II, Part A, 03.21, #383 Date: May 26,2004

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Reserve	Other Federal Reserves	34440	55,198.12	
Revenue	Eisen. Prog. Dev. St. Grants	47189	67,751.00	
Regular Instruction Program	Teachers	71100-116		81,193.27
	Social Security	71100-201		5,033.96
	State Retirement	71100-204		2,752.43
	Life Insurance	71100-206		260.40
	Medical Insurance	71100-207		11,831.77
	Medicare	71 100-212		1,177.30
	Other Fringe Benefits	71100-299		49.95
Reg.Instruc. Program Spt	Secretary	72210-161		3,596.50
	Social Security	72210-201		222.98
	State Retirement	722 10-204		180.18
	Life Insurance	72210-206		13.00
	Medical Insurance	72210-207		649.18
	Unemployment Comp.	72210-210		10.62

(Cont'd)

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Reg. Instruc. Program Spt	Medicare	72210-212		52.15
	Other Fringe Benefits	72210-299		3.33
	Staff Development	722 10-524		15,922.10

EXPLANATION To enter the Title II, Part A, 03.21 budget.

Fund: Federal Projects # 142, Title V, Part A, 03.21 #377 Date: May 26, 2004

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Reserve	Innovative Ed. Program Strat.	34420	4,968.75	
Revenue		47142	18,579.00	
Regular Instruc. Program	Teachers	71 100-116		4,372.74
	Social Security	71100-201		271.13
	State Retirement	71100-204		240.47
	Employer Medicare	71100-212		63.41
	Instructional Supplies	71100-429		18,600.00

EXPLANATION: To enter the Tithe V 03.21 budget.

Fund: Federal Projects # 142, Title I, Part A, 04.01 # 471 Date: June 3, 2004

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Other Student Support	Other Charges Parent Involve.	72130-599		8,100.00
Reg. Instruc. Program Spt	Staff Development	72210-524	8,100.00	

EXPLANATION: To adjust the Tithe I, Part A, 04.01 budget to avoid a functional deficit as of the end of the fiscal year.

MOTION made by Commissioner Vincent, 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
I. W. McPhail - Aye
Bob Powers - Aye
Jack Powers - Aye
Owen Vincent - Aye
Chairman David Crews - Aye

Fund: # 189 Other Capital Projects

Date: June 17,2004

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
State of Tennessee Community Development		47180	500,000.00	
Public Health	Other Capital Outlay (Water Projects)	91140-799		500,000.00

EXPLANATION: To budget revenue and expenditures related to State of Tennessee 2003 Community Development Block Grant Waterline Project approved by County Commission on 12/10/02. Local match of \$88,236 is also budgeted in 91140-799.

MOTION made by Commissioner King, and seconded by Commissioner Bob 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

9. MOUNTAIN VIEW ELEMENTARY SCHOOL SCIENCE CLUB

Mr. Joseph Riley, a member of the Mountain View Elementary School Science Club, said that their club entered an energy conservation project with four goals: to educate themselves, their family, their school and their community in energy conservation. Mr. Riley updated the Commissioners on some of their activities throughout the year and he presented their scrapbook which was entered in state competition, which they won, and then they entered it into a national competition sponsored by the National Energy Education Department which they also won. Winning these competitions allows the club to participate in a conference in Washington, DC for five days. Mr. Riley said the final cost was \$32,000.00 and he explained that they have raised almost all the funds due to the students really putting forth the effort and generous donations from the community.

Mr. Joseph Riley said they still need \$500.00 and he requested the Commission for their support.

MOTION made by Commissioner Holbrook, and seconded by Commissioner King, to donate \$500.00.

Chairman Crews congratulated Mr. Riley and members of the Science Club for their efforts. There was some discussion concerning where these funds would come from and the Highway Commissioner donated \$50.00. He challenged all elected officials to match his contribution. Mr. Gentry also suggested that this money be raised privately and Commissioner McPhail suggested that the hat be passed around tonight. This was done and the goal was met. The above motion was withdrawn.

10. UPDATE ON JUDICIAL COMMISSIONERS - JUDGE WATSON

Judge Watson reviewed the background of the Commission's decision to appoint licensed communication dispatchers as judicial commissioners in order to issue warrants in a timely manner and to make certain that arrested defendants appear before a magistrate within a reasonable time as required by law. Judge Watson said local law enforcement officers have expressed concern over what was being planned and he explained the details of criminal procedures. Judge Watson said they have conducted training for the E91 1 dispatchers and local law enforcement and the exact procedures are still being worked out, especially for three-day weekends. In response to a question from Commissioner King, Judge Watson explained that having full time coverage at the Justice Center is the best, but he doesn't feel McMinn County is big enough to warrant full time coverage and be on call 24 hours a day. However, Judge Watson added that the Commission will be required to conduct a public hearing to evaluate this judicial commissioner program. There was a lengthy discussion concerning the potential for legal problems with our current procedures and Judge Watson reviewed the legal problems in Monroe County. Mr. Gentry said that this is a significant change and there will be growing problems, but Judge Watson added this seems to be the best procedure now. Judge Watson also said that local law enforcement officers have contributed many excellent ideas of how to make this program work better.

11. WOODS MEMORIAL HOSPITAL FINANCIAL REPORT - MR. SOUTHERLAND

Mr. David Southerland, Administrator, Woods Memorial Hospital, presented the Finance Director with two checks for current and catch-up EMS collections. He also updated the Commissioners on the monthly financial report as of April 30, 2004 and provided to each Commissioners a written summary. His update included the Woods Memorial Hospital District Statistical Report and Revenue and Expense Statement as well as the Revenue and Expense Statement for the Nursing Home.

Chairman Crews suggested that the Woods Hospital Financial Report be presented quarterly as long as the organization's financial situation is "in the black." There was some discussion concerning whether they are technically "in the black" but Mr. Southerland added that they are hoping to have the same profit as last year of \$600,000 net bottom line profit for the organization and they are anticipating receiving approximately \$328,000 from the State of Tennessee in essential access funding. It was agreed that a quarterly update at the Commission meeting would be fine as long as they receive their usual monthly written report.

12. APPROVAL OF THE FY 2004-2005 BUDGET

Mr. Luallen referred to his memorandum dated June 21, 2004, which was provided to each Commissioner, with a detailed listing of revenue and expenditures by fund, the FY 2004-2005 budget analysis as of June 21, 2004, minutes of the budget committee meeting on June 15, 2004, and a draft of advertisement of budget information as well as the notice of time and date for final approval.

A. A Resolution to Approve Proposed Budget for FY 2004-2005.

Mr. Lullen presented the following resolution to approve the proposed budget for FY 2004-2005:

Resolution No. 04-083

A RESOLUTION TO APPROVE PROPOSED BUDGET FOR FY 2004-2005

WHEREAS, as required by Tennessee Code Annotated a budgetary comparison for various funds of McMinn County is presented for approval and;

WHEREAS, in accordance to Tennessee Code Annotated, McMinn County Budget Committee recommends approval of the Proposed Budget for FY2004-05.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 21ST DAY OF JUNE, 2004, that this Commission does hereby approve the proposed budget for FY 2004-05.

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

Attest:

(Orig signed by Evonne Jones)
County Clerk

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

In response to a question from Commissioner Mason, Commissioner Jack Powers said that the final approval of the budget would be brought before the County Commission in Special Call on July 1, 2004~

B. A Resolution to Adopt a Continuing Budget and Tax Rate for the Fiscal Year Beginning July 1, 2004 and to Authorize the Expenditure of Funds by the Various County Offices and Departments.

Commissioner Jack Powers, Chairman of the Budget Committee presented the following resolution to adopt a continuing budget and tax rate for the fiscal year beginning July 1,2004 and to authorize the expenditure of funds by the various county offices and departments. Commissioner Powers added that this resolution is necessary just in case the budget didn't get approved on July 1,2004 as planned.

Resolution No. 04-084

RESOLUTION TO ADOPT A CONTINUING BUDGET AND TAX RATE FOR THE FISCAL YEAR BEGINNING JULY 1,2004 AND TO AUTHORIZE THE EXPENDITURE OF FUNDS BY THE VARIOUS COUNTY OFFICES AND DEPARTMENTS

WHEREAS, it now appears that the fiscal year 2004-2005 budget of McMinn County, Tennessee may not be approved by July 1,2004:

NOW, THEREFORE, BE IT RESOLVED by the County legislative body of McMinn County, Tennessee, meeting in regular session this 21st day of June, 2004, that:

(Cont'd)

SECTION 1. The amount set out in the fiscal year 2003-2004 Appropriation Resolution are continued and the various departments, offices and agencies are authorized to expend funds at the same level as the previous fiscal year.

SECTION 2. The Property tax rate of \$1.90 per each \$100 of taxable property for the fiscal year beginning July 1,2003, will remain in effect until a new property tax rate is adopted.

SECTION 3. No local funds can be expended or obligated that exceed the previous year's budget appropriation until a new budget is adopted. Expenditures mandated by the State or rules and regulations adopted by the State are incorporated into this continuing budget. Fiscal year 2004-2005 equipment purchases and salary increases will be delayed until after final approval of the budget.

SECTION 4. This resolution will take effect from and after its passage and its provisions will be in force from July 1,2004, until the budget and tax rate for fiscal year 2004-2005 is finally adopted and approved. The County Clerk shall include this Resolution in the minutes of the McMinn County legislative body.

Adopted this 21st day of June 2004.

APPROVED:

(Orig signed by John M. Gentry)
County Mayor

Attest:

(Orig signed by Evonne Jones)
County Clerk

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

Motion carried by voice vote.

C. Announcement of Special Called Session to Approve the FY 2004-2005 Budget.

Commissioner Jack Powers said that the Budget Committee recommends that a Special Called session of the McMinn County Commission be scheduled on Thursday, July 1,2004, at 12:00 noon to approve the FY 2004-2005 budget.

13. COMMENTS FROM THE AUDIENCE

A. Complaints by Mr. Clifford Elkins and Others Concerning County Road 83 and County Road 249.

Mr. Clifford Elkins, a property owner on County Road 83, said that this road has been neglected for years by the Highway Commissioner. Mr. Elkins, who has a few family members residing along the road, said he had to cancel his life insurance to pay for an entrance way for his daughter's home and to repair a gully plaguing the road. Mr. Elkins said they have been neglected and he asked that County Road 83 be completed and connected to County Road 50.

Commissioner Mason requested the Highway Commissioner to address this complaint and Mr. Moss said that this is nothing to maintain until a road is properly built. Mr. Moss added that he would not spend taxpayers dollars for a person to easily subdivide property.

There was a lengthy discussion between Mr. Elkins and the Commissioners concerning the history of this road.

Another McMinn County resident, Mr. Jules Sparkman, who owns a parcel next to Mr. Elkins, presented a map and survey which shows County Road 83 to be a public road.

Dr. Michael Schmidt, a resident on County Road 249, complained about the Highway Commissioner's disrespectful and uncaring attitude. His complaint was concerning County Road 249, primarily its drainage problems. He also accused Mr. Moss of not following a recommendation from the Chattanooga's Office of Environment Protection Agency to dig deeper drainage ditches and replace the culverts with larger ones. Dr. Schmidt also expressed concern about the speed limit of 55 on this road, but the County Attorney said that the Commission has no authority to change the speed limit without a county-wide traffic engineering study.

14. RESOLUTIONS

A. A Resolution to Request Tennessee Department of Transportation to Install Traffic Caution Light Controls and Reduced Speed During School Mornings and Afternoons at the Intersection of Highway 411 and County Road 461.

Mr. Gentry presented the following resolution to approve a caution light and reduced speed limits near McMinn Central High School:

Resolution No. 04-085

A RESOLUTION TO REQUEST TENNESSEE DEPARTMENT OF TRANSPORTATION TO INSTALL TRAFFIC CAUTION LIGHT CONTROLS AND REDUCED SPEED DURING SCHOOL MORNINGS AND AFTERNOONS AT THE INTERSECTION OF HWY 411 AND COUNTY ROAD 461

WHEREAS, the intersection of 4-lane Hwy 411 and 2-lane County Road 461 is a highly congested intersection in McMinn County in front of McMinn Central High School; and

WHEREAS, the intersection is burdened with large amounts of traffic, especially during morning and afternoon hour high school traffic involving students, parents, teachers, and school buses; and

WHEREAS, placing the controls at the intersection of Hwy 411 and County Road 461 has been listed as a priority at numerous McMinn County Planning Sessions; and

WHEREAS, the large amount of traffic necessitates traffic caution light controls and reduced speed limits during school mornings and afternoons to ensure the safe movement of traffic at this dangerous intersection.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN SESSION ON THIS 21st DAY OF JUNE 2004, THAT THE MCMINN COUNTY COMMISSION REQUESTS THAT TENNESSEE DEPARTMENT OF TRANSPORTATION INSTALL TRAFFIC CAUTION LIGHT CONTROLS AND REDUCED SPEED LIMITS AT THE INTERSECTION OF HWY 411 AND COUNTY ROAD 461 AT MCMINN CENTRAL HIGH SCHOOL, 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 McPhail, to approve this resolution.

Commissioner Vincent commented that the State will determine what can be installed and the School Board would need to pay the expenses involved in a caution light.

Motion carried by voice vote.

B. A Resolution to Approve the Closing of County Road 268.

Mr. Gentry presented the following resolution to approve the closing of County Road 268 as requested by Mr. Gene Kincaid at the May 17, 2004 regular session of the McMinn County Commission.

Resolution No. 04-086

A RESOLUTION TO APPROVE THE CLOSING OF COUNTY ROAD 268

WHEREAS, County Road 268 is a 1/10 mile road connecting County Road 267 and the R. E. Kincaid Farm in the Rockview Community; and

WHEREAS, the only property serviced by County Road 268 is the Kincaid property, which owner has experienced a large amount of theft of farm equipment; and

WHEREAS, due to these concerns, the property owner on County Road 268 has made a request in writing that County Road 268 be closed as a County Road, that a quit claim deed be issued to the property owner R. E. Kincaid, and as such the property owner will assume all repairs and maintenance associated with the present County Road 268; and

WHEREAS, the McMinn County Commissioner of Highways gives his recommendation that this request be honored and that County Road 268 be closed as a County Road and taken off of the McMinn County Highway Department's road maintenance listing.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN SESSION ON THIS 21st DAY OF JUNE 2004, THAT THE MCMINN COUNTY COMMISSION APPROVES THE CLOSING OF COUNTY ROAD 268, 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 Mason, to approve this resolution.

Motion carried by voice vote.

C. A Resolution to Approve the Removal of Roads from the McMinn County Highway Department Road Maintenance System.

Mr. Gentry said the Public Safety Committee met earlier this evening and he presented the following resolution to approve the removal of portions of County Road 83 and County Road 217 from the McMinn County Highway Department Road Maintenance System. Mr. Gentry reminded the Commissioners that County Road 83 is the road that Mr. Elkins discussed earlier in the meeting.

Resolution No. 04-087

A RESOLUTION TO APPROVE
THE REMOVAL OF ROADS FROM THE MCMINN 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, county roads which have not been maintained to the required specifications over a certain period of time may be removed from the McMinn County Highway Department's Road Maintenance System; and

WHEREAS, it is the recommendation of the Commissioner of Highways that the following portions of roads be removed from the Road Maintenance System: County Road 83 (.85 mile section of the road not maintained in 20 years) and County Road 217 (.30 mile section of the road not maintained in 20 years)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN SESSION ON THIS 21st DAY OF JUNE 2004, THAT THE MCMINN COUNTY COMMISSION APPROVES THE REMOVAL OF ROADS FROM THE ROADWAY MAINTENANCE SYSTEM, the public welfare requiring it.

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

Attest:

(Orig signed by Evonne Jones)
County Clerk

Because there are two roads being considered, Chairman Crews requested that they be considered separately.

Chairman Crews requested that a vote be taken on County Road 83 first. In response to a question from Commissioner Jack Powers, the County Attorney said this action was in line with legal requirements.

Commissioner Holbrook said that he couldn't vote to close this road in defiance of these property owners.

MOTION by the Public Safety Committee, and seconded by Commissioner Masingale, to approve the removal of the portion of County Road 83 as shown in the resolution.

In response to a comment by Commissioner Vincent, the Highway Commissioner said that there is a difference between taking a road off the maintenance system and closing a road and a discussion followed concerning what this resolution approves.

Mr. Clifford Elkins said that if the Commission approves this, he will take legal action. Motion carried

by roll call vote, as recorded:

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

Chairman Crews requested a vote on County Road 217:

MOTION made by Public Safety Committee, and seconded by Commissioner Masingale, to approve the removal of the portion of County Road 217 as shown in this resolution.

Motion carried with two dissenting votes by Commissioners Holbrook and Bob Powers.

In response to a question from Commissioner King regarding County Road 58, which was also included in an earlier version of this resolution and deleted because the Public Safety Committee had not approved it, the County Attorney said that any recommendation concerning County Road 58 needs to come from Committee.

D. A Resolution to Donate a Surplus Radio Repeater to the McMinn County Amateur Radio Club, Inc.

Mr. Gentry presented the following resolution to donate a surplus radio repeaters to the McMinn County Amateur Radio Club:

Resolution No. 04-088

A RESOLUTION TO DONATE A SURPLUS RADIO REPEATER TO THE MCMINN COUNTY AMATEUR

RADIO CLUB, INC

WHEREAS, a surplus radio repeater, antenna, and cable exists which was formerly used by the McMinn County Rural Fire Department; and

WHEREAS, the surplus items, described as a Motorola MSF5000 Repeater(Model C74CXB71O6BT, Serial #388CVL0287), UHF Folded Dipole Array Antenna, and 380 feet of 1 ¼ Heliac cable have been requested for use by the McMinn County Amateur Radio Club, Inc to update the use of their equipment; and

WHEREAS, the McMinn County Amateur Radio Club has aided McMinn County through Radio Amateur Civil Emergency Service, Watts Bar Fixed Nuclear Facility Plan, Skywarn and the National Weather Service assisting in emergency communications; and

WHEREAS, the McMinn County Board of Commissioners approves this donation of surplus items to the McMinn County Amateur Radio Club.

(Cont'd)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN SESSION ON THIS 21st DAY OF JUNE 2004, THAT THE MCMINN COUNTY APPROVES THIS DONATION OF SURPLUS PROPERTY, 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 Masingale, and seconded by Commissioner King, to approve this resolution.

Motion carried by voice vote.

E. A Resolution to Approve the Transfer of Title for a 1995 Ford E-30 Ambulance from McMinn County to Athens-McMinn County Rescue Squad, a Non-Profit Private Agency.

Mr. Gentry presented the following resolution to approve the transfer of title for an ambulance from McMinn County to Athens-McMinn County Rescue Squad. Mr. Gentry reminded the Commission that they approved the advertisement of this transfer last month, but that this was the actual transfer.

Resolution No. 04-089

A RESOLUTION TO APPROVE THE TRANSFER OF TITLE FOR A 1995 FORD E-30 AMBULANCE FROM MCMINN COUNTY TO ATHENS-MCMINN COUNTY RESCUE SQUAD, A NON-PROFIT PRIVATE AGENCY

WHEREAS, McMinn County desires to transfer title and ownership for a 1995 Ford E-30 ambulance to Athens-McMinn County Rescue Squad in order for that department to exercise full ownership and maintenance of the ambulance; and

WHEREAS, this transfer of title has been properly advertised and the McMinn County Board of Commissioners has review and approved this transfer of property.

NO, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21ST DAY OF JUNE 2004 that this Commission does hereby agree to transfer ownership of the 1995 ambulance to the Athens-McMinn County Rescue Squad, 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 Masingale to approve this resolution.

Motion carried by voice vote.

F. A Resolution to Approve the Amended Five-Year Capital Outlay Paving Plan.

Mr. Gentry presented the following resolution to approve the amended five-year capital outlay paving plan, along with a recommendation from the Highway Commissioner and a copy of the amended plan.

Resolution No. 04-090

A RESOLUTION TO APPROVE THE AMENDED FIVE-YEAR CAPITAL OUTLAY PAVING PLAN

WHEREAS, McMinn County has a five-year capital outlay plan for the improvement and maintenance of McMinn County roads; and

WHEREAS, due to the change in cost of paving, it is necessary to amend the list of roads on the existing capital improvement list; and

WHEREAS, the Commissioner of Highways has submitted an amended Paving Plan for FY 2004-2005; and

WHEREAS, the McMinn County Public Safety Committee has recommended approval of the plan.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS, MEETING IN REGULAR SESSION THIS THE 21st DAY OF JUNE 2004, does hereby approve the Amended Paving Plan for FY 2004-2005, the public welfare requiring it.

(Orig signed by John M. Gentry)
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.

0. A Resolution to Approve the Advertisement of an 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 advertisement of an appropriation of funds to the McMinn County Living Heritage Museum. Mr. Gentry said that they have been chosen to display a permanent exhibit of the USS Ware, a warship commissioned in honor of a McMinn County native and World War II hero, Charles Ware.

Resolution No.04-091

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

AGENCY

WHEREAS, McMinn County desires to appropriate funds during FY 2003-2004 to McMinn County Living Heritage Museum, a non-profit but non-charitable organization; and

WHEREAS, the funds will be used to enhance and promote a permanent exhibit celebrating the USS Ware, a warship commissioned in the honor of McMinn County Native and World War II hero Charles Ware; and

WHEREAS, McMinn County wishes to properly advertise this appropriation of funds, a total of \$1500 to be paid from hotel/motel tax funds, so that such appropriation may be made in accordance with law.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21st DAY OF JUNE 2004 that this Commission does hereby agree to advertise 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 King, and seconded by commissioner Mason, to approve this resolution.

Motion carried by voice vote.

H. A Resolution to Approve a Proposal Contract Between Tennessee Department of Transportation and McMinn County Regarding a Project to Widen Highway 30 from 4-Lane Section in Etowah to 4-Lane Section in Athens.

Mr. Gentry presented the following resolution to approve a proposal contract between Tennessee Department of Transportation and McMinn County regarding a project to widen Highway 30 between Athens and Etowah. He added that it part of TDOT's practice to obtain local government approval.

Resolution No. 04-094

A RESOLUTION TO APPROVE A PROPOSAL CONTRACT BETWEEN TENNESSEE DEPARTMENT OF TRANSPORTATION AND MCMINN COUNTY REGARDING A PROJECT TO WIDEN HWY 30 FROM 4-LANE SECTION IN ETOWAH TO 4-LANE SECTION IN ATHENS

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 a contract with Tennessee Department of Transportation (TDOT); and

(Cont'd)

WHEREAS, TDOT desires to undertake a project to widen Hwy 30 from the 4-lane section in Etowah to the 4-lane section in Athens in McMinn County; and

WHEREAS, it is the general practice of TDOT to require such proposal contracts be executed within the counties where such a project is undertaken.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21st DAY OF JUNE 2004 that this Commission does hereby approve this proposal contract between TDOT and McMinn County regarding the project to widen Hwy 30 between Etowah and Athens.

AND FURTHERMORE RESOLVES to grant authority 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 King, and seconded by Commissioner Holbrook, to approve this resolution.

Motion carried by voice vote.

15. ELECTIONS, APPOINTMENTS AND CONFIRMATIONS

A. A Resolution to Confirm the Appointment of Gail McConkev, Joe Preece, and Cindy Duncan to the McMinn County Library Board.

Mr. Gentry presented the following resolution to confirm the appointments of Gail McConkey, Joe Preece and Cindy Duncan to the McMinn County Library Board:

Resolution No. 04-092

A RESOLUTION TO CONFIRM THE APPOINTMENT OF GAIL McCONKEY, JOE PREECE, AND CINDY

DUNCAN TO THE McMINN COUNTY LIBRARY BOARD

WHEREAS, EG Fisher Library has a board of directors which provides guidance and oversight to the library's operation and services; and

WHEREAS, state law grants authority to the County Mayor to appoint members to the McMinn County Library Board upon confirmation by the county legislative body; and

WHEREAS, John M. Gentry as McMinn County Mayor, nominates Gail McConkev, Joe Preece, and Cindy Duncan to serve as a members of the McMinn County Library Board for 3-year terms which will expire June 30, 2007.

(Cont'd)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 21st DAY OF JUNE 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 Vincent, and seconded by Commissioner Mason, to approve these appointments.

Motion carried by voice vote.

B. A Resolution to Confirm the Appointment of 911 Dispatchers as Judicial Commissioners for McMinn County.

Mr. Gentry presented the following resolution to confirm the appointment of 911 Dispatchers as Judicial Commissioners for McMinn County. Mr. Gentry introduced the candidates who were here to be sworn in tonight.

Resolution No. 04-093

A RESOLUTION TO CONFIRM THE APPOINTMENT OF 911 DISPATCHERS AS JUDICIAL COMMISSIONERS FOR MCMINN COUNTY

WHEREAS, Tennessee Code Annotated 40-1-111 authorizes the county legislative body to appoint judicial commissioners, termed magistrates according to TCA 40-5-102; and

WHEREAS, the duties of judicial commissioners as set forth by statute are to issue arrest warrants, including misdemeanor warrants upon a finding of probable cause, to set bonds and recognizances included in a "first appearance" before a magistrate, and to issue mittimus for persons to be held at the county jail; and

WHEREAS, the utilization of judicial commissioners is essential to provide due process to the citizens of McMinn County, as well as to strengthen criminal cases prepared by law enforcement officers; and

WHEREAS, to properly serve the judicial system in McMinn County, judicial commissioners should be accessible, centrally located, and readily available; and

WHEREAS, the McMinn County Board of Commissioners has previously taken action to create the position of Judicial Commissioners by approving McMinn County 911 Dispatchers to act in the capacity as Judicial Commissioners as set forth by TCA 40-5-201; and

WHEREAS, the McMinn County Board of Commissioners formally appoints by name the following 911 Dispatchers as Judicial Commissioners, subject to their taking the oath of office: Susan Jackson, John Beasley, Carolyn Carter, Betsy Gabrel, Judy Halstead, Julie Hyde, Wendy Means, Cheryl Moser, and Paul Pickel.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 21st DAY OF JUNE 2004, that this commission does hereby confirm the appointment of the above licensed communication dispatchers as judicial commissioners, each for a one year term, or upon termination of employment as a 911 dispatcher, commencing at 1201 AM on July 1, 2004.

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

ATTEST:

(Orig signed by Evonne Jones)
County Clerk

Mr. Gentry reiterated that this is only good for as long as they are employees of E-91 1.

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

In response to a question from Commissioner Holbrook regarding whether they will consider dispatchers in other locations of McMinn County, Mr. Gentry said they will be reviewing this periodically and added that this is just a starting point.

Motion carried by voice vote.

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

A. Recreation Committee - Commissioner Bob Powers.

Commissioner Bob Powers said that the Recreation Committee met earlier this evening and he presented the following recommendations:

(1) Calhoun Booster Club.

Commissioner Bob Powers said that the Recreation Committee recommends a \$1,000.00 grant to the Calhoun Booster Club. Mr. Gentry added that this is in next year's budget.

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

Motion carried by voice vote.

(2) Niota Youth Softball/Baseball.

Commissioner Bob Powers said that the Niota Youth Softball/Baseball has requested \$500.00 to improve their fields and the Recreation Committee has recommended approval.

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

(3) City of Etowah/Mountain View School.

Commissioner Bob Powers also presented a request from City of Etowah/Mountain View School for a \$1,000.00 recreation grant to improve their ballfields.

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

Motion carried by voice vote.

B. Request to Draw up a Resolution Commending Law Enforcement Officials for their Efforts to Eliminate Meth Labs.

Commissioner King requested that a resolution be drawn up commending local law enforcement officials for a job well done in eliminating meth labs.

17. COMMENTS FROM THE COUNTY MAYOR

A. Comments Concerning E91 1 Staff

Mr. Gentry expressed appreciation to the E91 1 staff for once again stepping up, this time as regards the Judicial Commissioners. Mr. Gentry said people would be amazed at the number of county services are being provided out of that organization's facilities.

B. Comments Regarding Amateur Radio Field Day.

Mr. Gentry recognized some members of the McMinn County Amateur Radio Club in the audience and announced that they will have their annual field day on June 26,2004 and June 27,2004 at Knox Park.

C. Comments Regarding the Deployment of 1/278 Armored Cavalry Regiment.

Mr. Gentry said that the bulk of the troops of the 1/278 Armored Cavalry Regiment will be leaving this Friday morning, June 25th and the Family Readiness Group has asked that public officials be at the Proffitts Plaza at 6:30 am to extend a proper farewell.

D. Condolences for Sheriff Frisbie.

Mr. Gentry extended his condolences, on behalf of McMinn County, to Sheriff Frisbie on the loss of his father.

18. APPROVAL OF NOTARY APPLICATIONS AND BONDS

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

Notary Applications and Bonds for June 2004

Barbara Ball
Ronald L. Banks
Larry R. Blair
Sharon E. Bright
Margie Caraway
Christine A. Davis
Linda G. Fortenberry

Notary Applications and Bonds for June 2004 (Cont'd)

Jean Grayson
Jalayne Johnson
Brad Landers
Sherry Landers
John R. McKeehan
Cynthia A. Osborne
Diana Jean Renfro
Jason A. Searles
Jerry E. Smith
Loretta H. Ford Webb
Jane Whaley
Tonia Whitt

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

Motion carried by voice vote.

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

A. Amateur Radio Field Day. June 26-27.2004.

Mr. David Fridley, President of the McMinn County Amateur Radio Club, invited everyone to come to their Field Day at Knox Park from lunchtime on Saturday until Sunday, at 2:00 pm.

20. ADJOURNMENT

There being no other business, Chairman Crews declared the meeting adjourned at 9:15 pm.

McMinn County Clerk

Attest:

Deputy Clerk (date)