

The McMinn County Board of Commissioners met in Regular Session on Monday, July 18, 2005, at 7:30 pm, in the Blue Room of the McMinn County Courthouse.

1. CALL TO ORDER

The meeting was called to order by Chairman David Crews.

2. INVOCATION

The Invocation was given by Commissioner Bob Powers.

3. PLEDGE TO THE FLAG

The Pledge to the Flag was led by Commissioner Gary Mason.

4. ROLL CALL

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

5. APPROVAL OF MINUTES

Copies of the Minutes of the Regular Session on June 20, 2005 were provided to the Commissioners.

MOTION made by Commissioner Mason, and seconded by Commissioner Bob Powers, to approve the Minutes of June 20, 2005.

Motion carried by voice vote.

Copies of the Minutes of the Special Called Session of July 1, 2005 were provided to the Commissioners.

MOTION made by Commissioner Mason, and seconded by Commissioner Masingale, to approve the Minutes of July 1, 2005.

Motion carried by voice vote.

6. APPROVAL OF BIDS AND PURCHASES

A. A Resolution to Approve and Award the Bid of a Mini-Van For Juvenile Services.

Mr. Luallen presented a resolution to approve and award the bid of a mini-van for Juvenile Services as well as the bid summary sheet and a letter of recommendation from Larry Rhodes, McMinn County Department of Juvenile Services. A motion was made by Commissioner Holbrook, and seconded by Commissioner Bob Powers, to approve the bid; however, after a lengthy discussion concerning specifications, warranty, the bid amounts, and source of funds, all Commissioners voted nay. The Commission requested that this be re-bid for both new and used with extended warranty.

B. A Resolution to Approve the Purchase of Three Vehicles from State of Tennessee Surplus.

Mr. Luallen presented the following resolution to approve the purchase of three vehicles from State of Tennessee Surplus, along with a letter of recommendation from the Highway Commissioner describing the three vehicles.

Resolution No. 05-089

A RESOLUTION TO APPROVE THE PURCHASE OF THREE VEHICLES
FROM STATE OF TENNESSEE SURPLUS

WHEREAS, the purchase of three (3) vehicles was made by the McMinn County Highway Department from State of Tennessee Surplus; and

WHEREAS, the amount of the purchase was \$16,900.00; and

WHEREAS, according to Financial Management Committee Policies & Procedures, purchases from State of Tennessee surplus are required to be submitted to the County Legislative Body for "after the fact" approval at their next scheduled meeting.

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, meeting in regular session on this the 18th day of July, 2005, that the purchase of a 1996 GMC Pickup Truck, a 1997 GMC Pickup Truck and a 2000 Chevrolet Pickup Truck, purchased from State of Tennessee Surplus for \$16,900.00, be hereby approved.

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

Attest:

(Orig signed by Evonne Jones)
County Clerk

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

Motion carried by voice vote.

C. A Resolution to Approve the Appropriation of Funds to Non-Profit Organizations Listed in FY 2005-06 Budget.

Mr. Luallen presented the following resolution to approve the appropriation of funds to non-profit organizations listed in FY 2005-06 budget.

Resolution No. 05-090

A RESOLUTION TO APPROVE THE APPROPRIATION OF FUNDS TO NON-PROFIT ORGANIZATIONS LISTED IN FY 2005-06 BUDGET

WHEREAS, requests have been made by various non-profit but non-charitable organizations for appropriations of funds during FY 2005-06, and

WHEREAS, approval of advertisement of appropriation of funds occurred on July 1, 2005.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION, THIS 18TH DAY OF JULY 2005, that this Commission does hereby approve this appropriation of funds to these non-profit but non-charitable organizations.

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

Attest:

(Orig signed by Evonne Jones)
County Clerk

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

Motion carried by voice vote.

7. REVIEW AND APPROVAL OF CONTRACTS

A. A Resolution to Approve a Litter Control Grant Contract for Fiscal Year 2005-2006.

Mr. Luallen presented the following resolution to approve the Litter Grant Contract for FY 2005-2006.

RESOLUTION NO. 05-091

A RESOLUTION TO APPROVE A
LITTER CONTROL GRANT CONTRACT FOR FISCAL YEAR 2005-2006

WHEREAS, McMinn County has received grant assistance from the Tennessee Department of Transportation for litter control activities in McMinn County, known as the "Litter Grant" since 1986; and

WHEREAS, the award of such a grant requires the authorization and consent of the McMinn County Commission for contract execution, subject to award by the Tennessee Department of Transportation; and

WHEREAS, this body deems the continued administration of litter grant activities as in the best interest of the citizens of McMinn County,
(Cont'd)

NOW, THEREFORE; BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 18th DAY OF JULY 2005, that this Commission:

1. approves McMinn County's contract to participation in a \$39,298.00 litter grant in FY 2005-2006 with the Tennessee Department of Transportation, and
2. authorizes the County Mayor to administer and conduct all activities associated with this grant, 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 Holbrook, and seconded by Commissioner Vincent, to approve this resolution.

Motion carried by voice vote.

B. A Resolution to ADDrove the Contract Between McMinn County and the State of Tennessee Emergency Management Aaency to Fund Local Homeland Security Enhancement.

Mr. Luallen presented the following resolution to approve the contract between McMinn County and the State of Tennessee Emergency Management Agency to fund local Homeland Security enhancement.

Resolution No. 05-092

A RESOLUTION TO APPROVE THE CONTRACT BETWEEN MCMINN COUNTY
AND THE STATE OF TENNESSEE EMERGENCY MANAGEMENT AGENCY
TO FUND LOCAL HOMELAND SECURITY ENHANCEMENT

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 enter into contract with the Tennessee Emergency Management Agency to acquire \$228,925.00 in grant funding applicable to local homeland security enhancement; and

WHEREAS, McMinn County has a standing local Homeland Security Council comprised of members of the law enforcement, fire prevention and control, agriculture, emergency services, communications, and emergency management communities which works with the Regional Homeland Security Council to properly determine local needs in accordance with TEMA guidelines; and

WHEREAS, this grant has no match requirement and the term of this contract is for the period commencing on January 1, 2005 and ending February 28, 2007.

(Cont'd)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 18TH DAY OF JULY 2005, that this Commission does hereby agree to enter into contract with the Tennessee Emergency Management Agency to receive this grant funding, 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 Bob Powers, to approve this resolution.

Motion carried by voice vote.

8. APPROVAL OF BUDGET AMENDMENTS

Mr. Luallen requested approval of fourteen budget amendments involving five different funds and a copy of each was provided to the Commissioners:

Fund: General #101			Date: June30,2005	
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Fines, Forfeitures & Drug Court Fees	Circuit 42141		1,324.05	Penalties
	Drug Court Fees - General	42341	11,504.50	
	Sessions			
Drug Court	Other Contracted Services	53330-399		12,828.55

EXPLANATION: To budget revenue & expenditures related to Drug Court for FY 2004-05.

Fund: General #101			Date: June 30, 2005	
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Reserve	Undesignated Fund	39000	154,850.00	
	Balance			
County Commis- sion	Board & Committee	51100-191		6,500.00
Jail	Members Fees			
	Medical & Dental	54210-340		77,000.00
	Services			

(Cont'd)

Fund: General # 101 (Cont'd)

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Jail	Food Supplies	54210-422		30,000.00
Fire Prevention & Control	Maint. & Repair Services Vehicle	543 10-338		250.00
Medical Examiner	Medical Personnel	54610-131		22,000.00
	Printing Stationery & Forms	54610-349		1,000.00
	Transportation& Autopsies	54610-354		5,500.00
Ambulance Service		Gasoline	55130-425	
	12,000.00			
Airport	Utilities	58220-452		400.00
Veterans Services	Part-time Personnel	58300-169		200.00

EXPLANATION: To avoid functional category deficit at end of FY 2004-05.

Fund: General Fund #101

Date: June 30, 2005

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Reserve	Undesignated Fund Balance	39000	250.00	
Keep McMinn Beautiful	Other Supplies &	5 5900-499		250.00

JOURNAL ENTRY REQUIRED

Reserve	Keep McMinn Beautiful Reserve	35150	250.00	
	Undesignated Fund Balance	39000		250.00

EXPLANATION: To avoid functional category deficit at end of FY 2004-05 from KMB designated reserve. No affect on general budget.

Date: July 14, 2005

Fund: General Fund # 101

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Other Govt. & Citizen Groups	Other (Drug Prosecutor)	48990	200,000.00	
Other Administration of Justice	Other Salaries & Wages	53900-189		39,264.00
	Social Security	53900-201		3,005.00
	State Retirement	53900-204		2,300.00
	Employee & Dependent Ins.	53900-205		4,400.00
	Life Insurance	53900-206		108.00
	Unemployment Compensation	53900-210		50.00
	Worker's Compensation	53900-5 13		100.00
Reserve	Undesignated Fund	39000		150,773.00
	Balance			

EXPLANATION:

To budget revenue & expenditures for 10th Judicial District Attorney's Drug Prosecutor administered through General Fund in FY 2005-06. 1St year of 3 year period.

Fund: General# 101

Date: July 14, 2005

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Reserve	Undesignated Fund	39000	3,530.00	
	Balance			
Juvenile Services	Maint. & Repair Services Vehicles	54240-338		3,530.00

EXPLANATION:

To budget remaining funds from insurance payment of damages to stolen van.

Fund: General # 101

Date: July 14, 2005

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Reserve	Undesignated Fund	39000	2,000.00	
	Balance			
Veterans' Services	Office Equipment	58300-719		2,000.00

EXPLANATION:

To budget funds received from VEC-Customers Share for computer equipment for Veterans' Service Office.

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

Motion carried by roll call vote, as recorded:

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

Fund: Road & Bridge Fund #131			Date: June30,2005	
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Reserve	Undesignated Fund	39000	7,500.00	
	Balance			
Highway & Bridge Liquid Maintenance		62000-405		7,500.00

EXPLANATION:

To avoid functional category deficit at end of FY 2004-05.

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

Motion carried by roll call vote, as recorded:

Scott Curtis .Aye
 Dale Holbrook .Aye
 Jack King .Absent
 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: June21,2005	
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Community Services	Educational Assistants	73300-163	845.00	
	Other Fringe Benefits	73300-299	500.00	
	Communication	73300-307	1,400.00	
	Travel	73300-355	722.00	
	Instructional Supplies	73300-429		8,967.00
	Other Charges	73300-599	5,500.00	

(Cont'd)

Minutes Regular Session
July 18, 2005

Fund: General Purpose School # 141

Date: June 23, 2005

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Regular Instruction Program	Other Salaries & Wages	71100-189	2,171.00	
	Travel	71100-355	2,000.00	
	Other Supplies & Materials	71 100-499		4,171.00

EXPLANATION: To enter Amendment No. 1 to the AYP Grant. The state approved this amendment June 13, 2005. School Board approval 7/12/05.

Fund: General Purpose School # 141

Date: June 30, 2005

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Regular Instruction Program	Teachers	71100-116	212,000.00	
Special Education Program	Medical Insurance	71200-207	5,000.00	
Health Services	Other Contracted Services	72120-399		1,000.00
Special Ed. Program Spt	Other Charges	72220-599		5,000.00
Board of Education Services	Other Fringe Benefits	72310-299		90,000.00
Plant Operation	Electricity	72610-415		51,000.00
Transportation	Gasoline	727 10-425		40,000.00

EXPLANATION: To amend the budget to avoid deficits in functional categories at year ending June 30, 2005. School Board approval: 7/12/05.

MOTION made by Commissioner Mason, and seconded by Commissioner Masingale, to approve this resolution. Motion carried by roll call vote, as recorded:

Scott Curtis .Aye
 Dale Holbrook .Aye
 Jack King .Absent
 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, 04.01 # 479			Date: June 30, 2005	
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Regular Instruction Teachers Program		71100-116	17,000.00	
Reg. Instruc. Program In Service/Staff Develop- Support	ment	722 10-524		17,000.00

EXPLANATION:
 To amend the Title II, Part A, 04.01 budget to the actual amounts expended-Line item change only.
 School Board approval: 7/12/05

Fund: Federal Projects # 142, Title I, Part A, 05.01, # 571			Date: June 30, 2005	
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Revenue	Title I Grants to States	47141		280.00
Reg. Instruc.	Travel	72210-355	280.00	
Program Support				

EXPLANATION:
 The budget entered exceeds the actual approved amount. This amendment will adjust revenue & expenditures to the approved project amount. School Board approval: 7/12/05.

Fund: Federal Projects, # 142, Title II, Part A, 05.01 # 579			Date: June 30, 2005	
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Revenue	Eisen. Prof. Dev. State Grant	47189	25,368.00	
Regular Instruction Teachers Program		71100-116		24,173.00
Reg. Instruc.	Other Equipment	72210-790		1,195.00
Program Support				

EXPLANATION:
 To amend the Title II, Part A, 05.01 budget to the actual amount approved. The original budget was based on estimates. School Board approval: 7/12/05

MOTION made by Commissioner McPhail, 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 .Absent
- Roger Masingale .Aye
- Gary Mason .Aye
- J. W. McPhail .Aye
- Bob Powers .Aye
- Jack Powers .Aye
- Owen Vincent .Aye
- Chairman David Crews .Aye

Fund: Education Capital Project Fund #177

June 30, 2005

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Other Services	Operating Transfers	49800	886,662.00	
Education Capital Projects	Bldg Construc. (Rogers Creek)	9 1300-706		886,662.00

EXPLANATION:

To budget available funds from the County Commission Other Capital Fund for the Rogers Creek Elementary School Addition project approved by the McMinn County Board of Education.

In response to a question from Commissioner Mason, Mr. Luallen said that Danco, Inc. was the low bidder on this project and this is the first time we have done business with them.

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

Motion carried by roll call vote, as recorded:

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

9. COMMENTS FROM THE AUDIENCE

A. Comments by Mr. David Hutson Regarding the Use of the Power of Eminent Domain.

Mr. Hutson, a member of the Libertarian Party of McMinn County, handed out a proposed resolution prepared by the Wilson County Attorney concerning the use of the power of eminent domain. Mr. Hutson was unaware that this Commission had prepared a proposed resolution of their own which will be considered tonight. On behalf of the Libertarian Party of McMinn County and the Constitution Party of McMinn County, he urged the passage of such a resolution urging the US Congress and the Legislature of the State of Tennessee to pass legislation that protects the private property of its citizens.

B. McMinn County Trustee Annual Report.

Mr. Phil Tuggle presented his annual report and a copy was provided to all the Commissioners Mr. Tuggle reviewed with the Commission a record year in excess fees returned to the General Fund, an increase in return on investments as well as sales tax revenue, and property tax collections.

10. RESOLUTIONS

A. Resolution to Relieve the Trustee of McMinn County, Tennessee of all Further Liability for Reporting and Collecting Delinquent 2003 Real Property Taxes and 2003 Personal Property Taxes.

Mr. Gentry presented the following resolution to relieve the Trustee of all further liability for reporting and collecting delinquent 2003 real property taxes and 2003 personal property taxes.

Resolution No. 05-093

RESOLUTION TO RELIEVE THE TRUSTEE OF MCMINN COUNTY, TENNESSEE OF ALL FURTHER
LIABILITY FOR REPORTING AND
COLLECTING DELINQUENT 2003 REAL PROPERTY TAXES AND
2003 PERSONAL PROPERTY TAXES

WHEREAS, it appears that Phil Tuggle, Trustee of McMinn County, Tennessee has complied with the statutes of the State of Tennessee, relative to requirements as to the filing of reports of delinquent and insolvent taxpayers for the 2003 real property taxes and 2003 personal property taxes and further, it appears that proper suit has been instituted in the Chancery Court for McMinn County, Tennessee, for collection of said taxes; and

WHEREAS, it further appears that Phil Tuggle, Trustee of McMinn County, Tennessee, has filed a list of delinquent taxpayers and double assessments as provided by law, and should be properly relieved from any further liability for the reporting and collection of delinquent 2003 real property and 2003 personal property taxes as properly certified and turned over to the Clerk & Master for McMinn County, Tennessee.

IT IS THEREFORE RESOLVED by the McMinn County Commission, in regular session assembled, that Phil Tuggle, Trustee of McMinn County, Tennessee, be and he is hereby relieved of all further liability for reporting and collecting delinquent 2003 real property taxes and 2003 personal property taxes as properly certified and turned over to the Clerk and Master of McMinn County, Tennessee.

DULY PASSED and approved this the 18th day of July, 2005.

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

Attest:

(Orig signed by Evonne Jones)
McMinn County Clerk

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

Motion carried by voice vote.

B. A Resolution Urging the United States Congress and the Legislature of the State of Tennessee to Pass Legislation that Protects the Private Property of its Citizens from Unjust "Takings" Under the Provisions of the Fifth Amendment of the United States Constitution.

Mr. Gentry read the following resolution urging the US Congress and the Tennessee Legislature to pass legislation that protects the private property of its citizens from unjust "takings" under the provisions of the Fifth Amendment of the US Constitution.

Resolution No. 05-094

A RESOLUTION URGING THE UNITED STATES CONGRESS AND THE
LEGISLATURE OF THE STATE OF TENNESSEE TO PASS LEGISLATION THAT PROTECTS
THE PRIVATE PROPERTY OF ITS CITIZENS FROM
UNJUST "TAKINGS" UNDER THE PROVISIONS OF THE FIFTH
AMENDMENT OF THE UNITED STATES CONSTITUTION

WHEREAS, McMinn County properly recognizes the authority given to governments by the "Takings" Clause of the Fifth Amendment to acquire private property for public use with just compensation; and

WHEREAS, McMinn County disagrees with the majority opinion of the United States Supreme Court in the Kelo vs City of New London case which essentially opines governments may seize homes, small businesses or other private property for the sole purpose of transferring it to other private parties for the public benefit of additional economic development; and

WHEREAS, McMinn County recognizes the public benefits of economic development as to provide employment, a stabilized tax base and much needed services, however, McMinn County believes that long term harm to economic development will occur when the citizens which we serve, lose the necessary confidence in the long standing American principle of ownership when investing in private property, industry and enterprise; and

WHEREAS, it is McMinn County's understanding the high court's ruling did not prohibit states from creating their own laws to limit the use of eminent domain for their local governments and themselves; and

WHEREAS, the McMinn County Commission urges both the Congress of the United States and the Legislature of the State of Tennessee to pass legislation that will protect the fundamental ideal of private property ownership by prohibiting the seizure of private property for the sole purpose of taking property from private party "A" and giving it to private party "B," even with just compensation; and

WHEREAS, the McMinn County Commission, faithfully considering the vital importance of private property rights and ownership, voluntarily limits its eminent domain powers to projects of public use where the party receiving such benefit is a governmental agency, department or function.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF MCMINN COUNTY, MEETING IN REGULAR SESSION THIS THE 18TH DAY OF JULY 2005 that this Commission requests legislation that properly protects the private property rights of home owners, small businesses and other private property from unreasonable governmental seizures and interference; and

BE IT FURTHER RESOLVED, that this Commission voluntarily limits the powers granted to it by eminent domain to projects of public use only and not for the sole benefit of another private party, the public welfare requiring it.

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

Attest:

(Orig signed by Evonne Jones)

County Clerk

Mr. Gentry apologized for not sending this out in the packets and he suggested the Commission may wish to consider this at next month's County Commission meeting; however, he said he has thought about it diligently and he believes this provides a check on ourselves. Mr. Gentry added that whatever future governing body is here after us will need to look long and hard at what they are going to do regarding using their powers of eminent domain on private projects.

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

They were applauded by members in the audience.

Chairman Crews said that he hopes that this will be a unanimous decision.

Commissioner Vincent stressed that this does not affect projects of public use where the party receiving such benefit is a government agency, department or function.

Motion carried unanimously by voice vote.

They were applauded again.

C. A Resolution to Approve funds from Hotel-Motel tax to Pave the Entrance Way to the McMinn County Ag-Expo Center.

Mr. Gentry presented the following resolution to approve funds from hotel-motel tax to pave the entrance way to the McMinn County Ag-Expo Center. Mr. Gentry added that Commissioner Moss has agreed to provide the equipment and manpower to perform the work.

Resolution No. 05-095

A RESOLUTION TO APPROVE
FUNDS FROM HOTEL-MOTEL TAX TO
PAVE THE ENTRANCE WAY TO THE
MCMINN COUNTY AG-EXPO CENTER

WHEREAS, McMinn County disburses 1/3 of its Hotel Motel tax into tourism promotion; and

WHEREAS, the McMinn County Ag-Expo Building is McMinn County's largest venue for agriculture-related events and functions, all of which are critical components of ag-tourism ; and

WHEREAS, to better serve patrons, it is necessary to pave the entrance to the Ag-Expo Center from the Athens Convention Center to the Ag-Expo Building; and

WHEREAS, such Hotel-Motel funds will be used to purchase asphalt necessary for the paving, and the County Highway Department will provide equipment and manpower to perform the work; and

WHEREAS, the cost of said asphalt shall not exceed \$10,000 without additional approval of the County Commission.

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NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 18TH DAY OF JULY 2005 THAT THE COMMISSION DOES APPROVE THIS USE OF HOTEL-MOTEL TAX FUNDS FOR TOURISM ENHANCEMENT, the public welfare demanding it.

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

Attest:

(Ori2 signed by Evonne Jones)
County Clerk

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

Motion carried by voice vote.

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

Mr. Gentry presented the following resolution to approve the addition of roads to the McMinn County Highway Department Road Maintenance System.

Resolution No. 05-096

A RESOLUTION TO APPROVE
THE ADDITION OF ROADS TO 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, certain changes and additions to the county road list are often necessary; and

WHEREAS, it is the recommendation of the Commissioner of Highways that the following roads be added to the Road Maintenance System:

1. County Road 537 has been extended by .40 miles, for a total length of .65 miles. This extension is a Class I road with no curb in Williamsburg Estates subdivision, beginning at Old Athens Road and extending to County Road 561.

(Cont'd)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McM INN COUNTY, TENNESSEE, MEETING IN SESSION ON THIS 18th DAY OF JULY 2005, THAT THE MCMINN COUNTY COMMISSION APPROVES THIS ADDITION OF ROADS TO 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

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

Motion carried by voice vote.

11. ELECTIONS, APPOINTMENTS AND CONFIRMATIONS

A. A Resolution to Confirm the Reappointment of Susan Buttram to the Board of Directors of Keen McMinn Beautiful.

Mr. Gentry presented the following resolution to confirm the reappointment of Susan Buttram to the Board of Directors of Keep McMinn Beautiful.

Resolution No. 05-097

A RESOLUTION TO CONFIRM THE REAPPOINTMENT OF SUSAN BUTTRAM
TO THE BOARD OF DIRECTORS OF KEEP MCMINN BEAUTIFUL

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

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

WHEREAS, John M. Gentry as McMinn County Mayor, nominates SUSAN BUTTRAM for reappointment as a member of the Keep McMinn Beautiful Board of Directors for a three-year term.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 18TH DAY OF July 2005, that this Commission does hereby confirm this appointment.

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

Attest:

On signed by Evonne Jones

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

Motion carried by voice vote.

12. REPORTS FROM COMMITTEES. COUNTY OFFICIALS~ COMMENTS FROM COMMISSIONERS

A. Recreation Committee Commissioner Bob Powers.

Commissioner Bob Powers, Chairman of the Recreation Committee, said that the Recreation Committee met prior to this meeting to consider two applications for recreation grants and he added that they recommended approval of the following resolutions:

- (1) A Resolution to Approve the Grant of \$1,000.00 to Riceville Youth Football.

Resolution No. 05-098

A RESOLUTION TO APPROVE THE GRANT OF \$1000.00 TO
RICEVILLE 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; Riceville Youth Football is currently in need of funds to assist in the construction of a new field house and restrooms; and

WHEREAS, Riceville Youth Football has requested a grant of \$1000.00 to assist in this project, from FY 2005-06.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THISTHE 18th DAY OF JULY 2005 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

- (2) A Resolution to Approve the Grant of \$1,000.00 to Rogers Creek
Baseball.

Resolution No. 05-099

A RESOLUTION TO APPROVE THE GRANT OF \$1000.00 TO
ROGERS CREEK BASEBALL

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

WHEREAS; Rogers Creek Youth Baseball is currently in need of funds to assist in the renovation of baseball fields (dugouts, concessions, fences); and

WHEREAS, Rogers Creek Baseball has requested a grant of \$1000.00 to assist in this project, from FY 2005-06.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 18th DAY OF JULY 2005 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 Vincent, to approve these resolutions.

Motion carried by voice vote.

B. Comments by Commissioner Vincent Concerning Improvements at the Airport.

Commissioner Vincent encouraged the Commissioners to go out to the airport and see the improvements.

C. FY 2005-2006 Budget.

Mr. Luallen referred to the FY 2005-2006 Budget that was handed out tonight.

13. COMMENTS FROM THE COUNTY MAYOR

A. Inmate Medical Bills.

Mr. Gentry said that in response to a Commissioner questioning the medical bill for the inmate whose medical care was due to conflict with another inmate, the County Attorney has sent correspondence to the District Attorney's Office that requests McMinn County be entered as desiring restitution in all like cases.

B. Commissioner King's Condition.

Mr. Gentry said that Commissioner King is in Texas for further medical tests. Mr. Gentry added that although these tests haven't shown any new progression of the cancer, Commissioner King is feeling the effects of continued treatment and he is very weak and in need of continued prayer.

C. Meeting with Aeronautics Commission.

Mr. Gentry said that he had a formal presentation before the Aeronautics Commission for recent grant to the Federal Government and he added that it went favorably. McMinn County was approved to build 10 T-hangars using Vision 100 entitlement money. This is a first time approved use of these funds.

14. APPROVAL OF NOTARY APPLICATIONS

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

Notary Applications for July 2005

Rebecca A. Barnett
Dorothy A. Cranfield
Esther McCowan
William Allen McDonald
E. L. Parker III
Mary Catherine Rogers
Kimberly J. Skeen
Ten Wade
Shan K. Wallace
Barbara K. Wilson

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

Motion carried by voice vote.

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

16. ADJOURNMENT

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

(EVONNE JONES
McMinn County Clerk

Attest:
'deputy Clerk

(date)