

The McMinn County Board of Commissioners met in Regular Session on Monday, July 17, 2006, at 7:30 pm, in the Blue Room of the McMinn County Courthouse.

1. CALL TO ORDER

The meeting was called to order by Chairman David Crews.

2. INVOCATION

The Invocation was given by Commissioner Jack Powers.

3. PLEDGE TO THE FLAG

The Pledge to the Flag was led by Commissioner Holbrook.

4. ROLL CALL

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

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

5. APPROVAL OF MINUTES

Copies of the Minutes of the Regular Session on June 22, 2006 and the Special Called Session on July 5, 2006 were provided to the Commissioners.

MOTION made by Commissioner Holbrook, and seconded by Commissioner Mason, to approve the Minutes of the Regular Session on June 22, 2006 and the Special Called Session on July 5, 2006.

Motion carried by voice vote.

6. APPROVAL OF BIDS AND PURCHASES

A. A Resolution to Approve and Award the Bid of Police Pursuit Vehicles.

Mr. Luallen presented the following resolution to approve and award the bid of police pursuit vehicles, along with a letter of recommendation from the Sheriff explaining his selection of the second lowest bid, and the bid summary sheet.

RESOLUTION NO. 06-087

A RESOLUTION TO APPROVE AND AWARD THE BID OF POLICE PURSUIT VEHICLES

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

(Cont'd)

Resolution No. 06-087 (Cont'd)

WHEREAS, the Sheriff's Department requests the purchase of Four (4) Four Door Sedan vehicles, in order to properly carry out the functions of the department; and

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

WHEREAS, Steve Frisbie, McMinn County Sheriff has recommended the bid be awarded to the second lowest bidder Ted Russell Ford of Knoxville, TN per letter of recommendation in the amount of \$23,937 for each unit for a total of \$95,748.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17TH DAY OF JULY, 2006, that this Commission does hereby approve awarding the bid of Police Pursuit Vehicles to Ted Russell Ford.

(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.

In response to a question from Commissioner Vincent, Detective Jerry Wilson explained that it would be costly to take the vehicles to Georgia (near Atlanta) for installation of emergency equipment or warranty repairs.

In response to a question from Commissioner Jack Powers, Mr. Luallen said that he could include more specific bid specifications in the future. Mr. Gentry added that requiring more specific requirements of providing warranty repairs on-site may reduce the number of bidders participating and the Commission presently has the authority to approve the best bid, which may not always be the lowest bid.

Motion carried by voice vote.

B. A Resolution to Approve and Award Bridge Replacement Bid - County Road 50 Over Shoal Creek.

Mr. Luallen presented the following resolution to approve and award bridge replacement bid for County Road 50 over Shoal Creek, along with a letter of recommendation from the Highway Commissioner and the bid summary sheet.

RESOLUTION NO. 06-088

A RESOLUTION TO APPROVE AND AWARD BRIDGE REPLACEMENT BID - COUNTY ROAD 50
OVER SHOAL CREEK

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 Highway Department requests the approval of State-Aid bridge replacement project of a county bridge, County Road 50 over Shoal Creek, in order to properly carry out the functions of the department; and

(Cont'd)

Resolution No. 06-088 (Cont'd)

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

WHEREAS, Randall Moss, McMinn County Highway Commissioner has recommended the bid be awarded to the low bidder meeting specifications, Simpson Construction Company, Inc. for a total of \$122,415.50.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17TH DAY OF JULY 2006, that this Commission does hereby approve the recommendation of the Highway Commissioner.

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

Attest:

(Orig signed by Evonne Jones)
County Clerk

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

In response to a question from Commissioner Vincent, the Highway Commissioner said that this is a culvert. Mr. Luallen added that this is State Aid Bridge money and we have a 25% match.

Motion carried by voice vote.

C. Resolution to Approve 2006 GMC 5500 Crew Cab Bid for EMA.

Mr. Luallen presented the following resolution to approve 2006 GMC 5500 crew cab bid for the Emergency Management Agency, along with a letter of recommendation from Betty Hamby, and the bid summary sheet. Mr. Luallen added that this was approved by the Emergency Services Committee earlier this evening.

RESOLUTION 06-089

RESOLUTION TO APPROVE 2006 GMC 5500 CREW CAB BID FOR EMA

WHEREAS, McMinn County has been designated by the Regional Homeland Security Council to provide support for this region; and

WHEREAS, State of Tennessee Department of Military Homeland Security has approved grant funding for a 2006 GMC 5500 Crew Cab to be used by the HazMat Team; and

WHEREAS, Betty Hamby McMinn County Emergency Management Director and Emergency Services Committee recommends the bid be awarded to Long Truck Work of Chattanooga, TN the only bidder in the amount of \$51,712.00.

(Cont'd)

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17TH DAY OF JULY 2006, that this Commission does hereby approve the recommendation of Betty Hamby.

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

Attest:

(Orig signed by Evonne Jones)
County Clerk

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

Motion carried by voice vote.

D. A Resolution to Approve the Extension of the Annual Waste Tire Processing Bid.

Mr. Luallen presented the following resolution to approve the extension of the annual waste tire processing bid, along with a letter from the Landfill Supervisor and MTR/Greenman Tire Recycling, agreeing to extend this contract for an additional year.

RESOLUTION NO. 06-090

A RESOLUTION TO APPROVE THE EXTENSION OF THE ANNUAL WASTE TIRE PROCESSING BID

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

WHEREAS, the annual waste tire processing bid provides an option to extend their bid for consecutive one-year periods, not to exceed three additional years; and

WHEREAS, Greenman has agreed to extend the current bid for the additional period with no increase in price; and

WHEREAS, Stan Moses McMinn County Landfill Supervisor, requests to renew the contract for annual requirements of waste tire processing at \$70.00 per ton for the renewal period of September 1, 2006 through August 31, 2007.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17TH DAY OF JULY, 2006, that this Commission does hereby approve the recommendation of the landfill supervisor.

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

Attest:

(Orig signed by Evonne Jones)
County Clerk

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

Motion carried by voice vote.

E. A Resolution to Approve Payment of New Server for County Clerk's Office.

Mr. Luallen presented the following resolution to approve payment of new server for the County Clerk's Office, along with a copy of the requisition in the amount of \$6,175.00. In accordance with the Financial Management Committee Policies and Procedures, expenses over \$5,000 require County Commission approval. Mr. Luallen added that this is a sole source provider.

RESOLUTION NO. 06-091

A RESOLUTION TO APPROVE PAYMENT OF NEW SERVER FOR CLERK'S OFFICE

WHEREAS, McMinn County Clerk Evonne Jones, requests payment approval to Business Information Systems for Linux server for Clerk's office; and

WHEREAS, the cost of the new server is \$6,175.00; and

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

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 17TH DAY OF JULY, 2006, that the payment for invoiced server for Clerk's office be hereby approved.

(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.

In response to a question from Commissioner Vincent, Clerk Evonne Jones said that there are fifteen work stations.

Motion carried by voice vote.

F. A Resolution to Approve Payment of Invoice for Annual Hardware and Software Maintenance Support for County Clerk's Office.

Mr. Luallen presented the following resolution to approve payment of invoice for annual hardware and software maintenance support for the County Clerk's Office in the amount of \$8,386.19. Mr. Luallen added that because the amount due is over \$5,000.00, County Commission approval is required.

RESOLUTION NO. 06-092

A RESOLUTION TO APPROVE PAYMENT OF INVOICE FOR ANNUAL HARDWARE AND SOFTWARE MAINTENANCE SUPPORT FOR COUNTY CLERK'S OFFICE

WHEREAS, McMinn County Clerk, Evonne Jones, requests payment of annual hardware and software maintenance invoiced from Business Information Systems for \$8,386.19; 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 THIS THE 17TH DAY OF JULY 2006, payment for invoiced maintenance to Business Information Systems of \$8,386.19 be hereby approved.

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

Attest:

(Orig signed by Evonne Jones)
County Clerk

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

In response to a question from Chairman Crews, there was a discussion concerning the requirements for maintenance and support because of the specialized nature of our software needs.

G. A Resolution to Approve Payment to Local Government Data Processing Corporation for FY 2006-07 Hardware and Software Maintenance for Chancery Court.

Mr. Luallen presented the following resolution to approve payment to Local Government Data Processing Corporation for FY 2006-2007 hardware and software maintenance for Chancery Court.

RESOLUTION NO. 06-093

A RESOLUTION TO APPROVE PAYMENT TO LOCAL GOVERNMENT DATA PROCESSING CORPORATION FOR FY 2006-07 HARDWARE AND SOFTWARE MAINTENANCE FOR CHANCERY COURT

WHEREAS, McMinn County Clerk and Master, Patty S. Gaines requests approval of purchase to Local Government Data Processing for FY 2006-07 hardware and software maintenance for the Clerk & Master at a total cost of \$5,788.06; and

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

(Cont'd)

Resolution 06-093 (Cont'd)

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17TH DAY OF JULY, 2006, the payment for invoiced maintenance to Local Government Data Processing Corporation of \$ 5,788.06 be hereby approved.

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

Attest:

(Orig signed by Evonne Jones)
County Clerk

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

Motion carried by voice vote.

H. A Resolution to Approve Payment to Local Government Data Processing Corporation for FY 2006-07 Hardware and Software Maintenance for the Office of Director of Finance.

Mr. Luallen presented the following resolution to approve payment to Local Government Data Processing Corporation for FY 2006-07 Hardware and Software Maintenance for the Office of Director of Finance.

RESOLUTION NO. 06-094

A RESOLUTION TO APPROVE PAYMENT TO LOCAL GOVERNMENT DATA PROCESSING CORPORATION FOR FY 2006-07 HARDWARE AND SOFTWARE MAINTENANCE FOR THE OFFICE OF DIRECTOR OF FINANCE

WHEREAS, McMinn County Finance Director, Jason Luallen requests approval of payment to Local Government Data Processing for FY 2006-07 hardware and software maintenance for the finance office at a total cost of \$7,031.28; 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 17TH DAY OF JULY, 2006, that this Commission does hereby approve the payment of \$7,031.28 to Local Government Data Processing Corporation for FY 2006-07 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 Holbrook, and seconded by Commissioner King, to approve this resolution.

Motion carried by voice vote.

I. A Resolution to Approve Payment of Annual Hardware Computer Maintenance Contract for Trustee's Office.

Mr. Luallen presented the following resolution to approve payment of annual hardware computer maintenance contract for the Trustee's Office in the amount of \$6,822.80. Mr. Luallen added that since this amount exceeded \$5,000.00, County Commission approval if required.

RESOLUTION NO. 06-095

A RESOLUTION TO APPROVE PAYMENT OF ANNUAL HARDWARE COMPUTER MAINTENANCE CONTRACT FOR TRUSTEE'S OFFICE

WHEREAS, McMinn County Trustee, Phillip Tuggle requests approval for payment of annual hardware computer maintenance contract to Bridge Computer Systems, Inc. invoiced at \$6,822.80; 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 17TH DAY OF JULY, 2006, that the payment for invoiced maintenance contract of hardware for Trustee's office be hereby approved.

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

Attest:

(Orig signed by Evonne Jones)
County Clerk

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

Motion carried by voice vote.

J. A Resolution to Approve Bid for Required Annual Pump Testing, Service and Maintenance for McMinn County Fire Trucks and Equipment.

Mr. Luallen presented the following resolution to approve bid for required annual pump testing, service and maintenance for McMinn County Fire Trucks and Equipment, along with a copy of the blanket service requisition not to exceed \$30,000.00. Mr. Luallen added that this will actually come close to covering for the entire year.

RESOLUTION NO. 06-096

A RESOLUTION TO APPROVE BID FOR REQUIRED ANNUAL PUMP TESTING
SERVICE AND MAINTENANCE FOR MCMINN COUNTY FIRE TRUCKS
AND EQUIPMENT

WHEREAS, McMinn County Rural Fire Chief, Scott Thompson requests approval of a blanket requisition to Smokey Mountain Fire Apparatus (the only source provider) for annual pump testing, service and maintenance to county fire trucks and equipment at \$30,000; and

WHEREAS, in accordance with Financial Management Committee Policies and Procedures, expenses over \$5,000.00 require County Commission approval.

NOW, BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17TH DAY OF JULY, 2006, the payment of invoice for pump testing, service and maintenance to county fire trucks and equipment to Smokey Mountain Fire Apparatus of \$30,000 be hereby approved.

(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 Vincent, to approve this resolution.

Motion carried by voice vote.

7. REVIEW AND APPROVAL OF CONTRACTS

A. A Resolution to Approve a Contract with the Tennessee Department of Transportation for Grading, Drainage and Surfacing to Correct Line-of-Site at the McMinn County Airport and Award the Project Construction Bid to Roger's Group.

Mr. Luallen presented the following resolution which deals with a bid as well as a contract. This resolution is to approve a contract with the Tennessee Department of Transportation for grading, drainage and surfacing to correct line-of-site at the McMinn County Airport and also award the project construction bid to Roger's Group. Mr. Luallen said that backup documentation is attached and added that this has been approved by the Airport Committee.

Resolution No. 06-097

A RESOLUTION TO APPROVE A CONTRACT WITH THE TENNESSEE DEPARTMENT OF
TRANSPORTATION FOR GRADING, DRAINAGE AND SURFACING TO CORRECT LINE-OF-SITE AT
THE MCMINN COUNTY AIRPORT AND AWARD THE PROJECT CONSTRUCTION BID TO ROGER'S
GROUP

WHEREAS, McMinn County has undergone an airport improvement project in accordance to its Airport Layout Plan which includes runway lengthening and widening, lighting system replacement, property acquisition and obstruction removal; and

(Cont'd)

Resolution No. 06-097 (Cont'd)

WHEREAS, said project construction resulted in a line-of-sight problem of such a severity as to cause portions of the runway to be unacceptable to the Federal Aviation Administration; and

WHEREAS, the State of Tennessee, Department of Transportation (TDOT) has committed to reconstruct a portion of the runway to correct the line-of-site problem; and

WHEREAS, TDOT has submitted a 97.5 percent/2.5 percent contract to McMinn County in the amount of one million, eight hundred seventy-seven thousand, nine hundred eighty-seven dollars and no cents (\$1,877,987.00) to fund said project; and

WHEREAS, the contract amount includes construction, engineering, and contingency funding and requires a local match of \$46,950.00; and

WHEREAS, this project also includes new work to provide an engineered field ready for future aprons, taxiways and hangar development that was not part of the original design; and

WHEREAS, the project has been properly advertised and let for bid according to local procedures and state law; and

WHEREAS, HMB Professional Engineers, Inc., McMinn County's engineering services provider, has provided a letter of recommendation to award the bid to Roger's Group in the amount of \$1,620,863.70.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17TH DAY OF JULY, 2006, that this Commission does hereby approve this contract between McMinn County and the Tennessee Department of Transportation for improvements at the McMinn County Airport, and

FURTHERMORE, RESOLVES, to award the construction bid to Roger's Group, per the engineers recommendation, and

FURTHERMORE, BE IT RESOLVED, that the County Mayor is authorized to perform the duties required to fulfill the requirements of said contract including the execution of documents.

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

Attest:

(Orig signed by Evonne Jones)
County Clerk

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

Motion carried by voice vote.

B. A Resolution to Approve a Contract with HMB Professional Engineers, Inc. for Professional Services Associated with the Improvements at the McMinn County Airport.

Mr. Luallen presented the following resolution to approve a contract with HMB Professional Engineers, Inc. for professional services associated with improvements at the McMinn County Airport, along with backup documentation, and added that this was also approved at the Airport Committee earlier this evening.

RESOLUTION NO. 06-098

A RESOLUTION TO APPROVE A CONTRACT WITH HMB PROFESSIONAL ENGINEERS, INC. FOR PROFESSIONAL SERVICES ASSOCIATED WITH IMPROVEMENTS AT THE McMINN COUNTY AIRPORT

WHEREAS, McMinn County maintains a Class B-II airport for the purposes of industrial transportation of goods, business travel, and other general aviation needs; and

WHEREAS, McMinn County has been approved for several safety improvements at the airport including runway re-work, hangar site preparation and apron construction; and

WHEREAS, McMinn County desires to contract the services of HMB Professional Engineers, Inc. to perform the necessary services outlined in the contract, including, but not limited to field surveying, site design, contract bid preparation, construction administration, inspection and payment application preparations; and

WHEREAS, the total fees for Part One (runway re-work and hangar site preparation) of the project are \$94,987.00 and \$42,387.00 for Part Two (t-hangar and apron paving) for a total project cost of \$137,374.00; and

WHEREAS, an independent fee review has been performed and found acceptable; and

WHEREAS, local participation for engineering fees shall be at the rate of 97.5/2.5 or \$4,750.00 for Part One and 90/10 or up to \$4,240.00 for Part Two.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE MEETING IN REGULAR SESSION THIS THE 17TH DAY OF JULY, 2006, that this Commission does hereby approve the contract for engineering services with HMB Professional Engineers, Inc. and authorizes the County Mayor to execute all documents necessary to consummate said contract.

(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 Curtis, to approve this resolution.

Motion carried by voice vote.

8. APPROVAL OF BUDGET AMENDMENTS

Mr. Luallen referred to four budget amendments involving two different funds which were set
Commissioners in their packets. He said that the School Board had not approved them and he asked
Commissioners to set them aside.

He also requested approval of seven other budget amendments involving four different funds,
out tonight.

Fund: General # 101

Date: July 17, 2006

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Reserve	Undesignated Fund Balance	39000	202,800.00	
County Commission	Board & Committee Mem. Fees	51100-191		5,100.00
County Clerk	Office Supplies	52500-435		500.00
Circuit Court Clerk	Jury & Witness Fees	53100-194		150.00
Sheriff	Gasoline	54110-425		49,000.00
Shil	Medical & Dental Services	54210-340		35,000.00
	Food Supplies	54210-422		49,000.00
	Utilities	54210-452		25,000.00
Medical Examiner	Medical Personnel & Examiner	56410-131		7,250.00
Balance	Gasoline	55130-425		5,700.00
Am	Contributions (Misc)	58110-316		21,500.00
t	Utilities	58220-452		1,100.00
Charges	Liability Ins.	58400-506		1,500.00
Charges	Trustee's Commission	58400-510		2,000.00

NOTATION: To avoid functional category deficit at end of FY 2005-06.

NOTION made by Commissioner Holbrook, and seconded by Commissioner McPhail, to approve this
amendment.

Motion carried by roll call vote, as recorded:

Scott Curtis - Aye
 Dale Holbrook - Aye
 Jeannie 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: Road & Bridge Fund # 131

Date: July 17, 2006

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Reserve	Undesignated Fund Balance	39000	25,000.00	
Highway & Bridge Maint.	Other Charges	62000-599		2,000.00
"	Other Construction	62000-791		23,000.00

EXPLANATION: To avoid functional category deficit at end of FY 2005-06.

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

Motion carried by roll call vote, as recorded:

Scott Curtis - Aye
 Dale Holbrook - Aye
 Jeannie 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: Insurance Fund - # 263

Date: July 17, 2006

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Reserve	Undesignated Fund Balance	39000	2,500.00	
Transportation	Life Insurance	72710-206		2,500.00

EXPLANATION: To avoid functional category deficit at end of FY 2005-06.

Mr. Luallen explained that this goes back to when we were self insured and added that we have one remaining life insurance policy.

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

Motion carried by roll call vote, as recorded:

- Scott Curtis - Aye
- Dale Holbrook - Aye
- Jeannie 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-Voc. Ed. 06.01# 652

Date: June 30, 2006

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Revenue	Voc. Ed Basic Grants to State	47131		1.00
Vocational Educa- tion Program	Travel	71300-355	1.00	

EXPLANATION: To adjust the Carl Perkins Federal Revenues to the actual amount received. School Board approval 7-13-06.

Fund: Federal Projects # 142- Title II, Part A, 05.21, # 583

Date: June 30, 2006

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Reserve	Other Federal Reserves	34440	10,083.40	
Revenue	Eisen. Prog. Dev. State Grants	47189	48,419.00	
Regular Instruc- tion Program	Teachers	71100-116		39,835.84
"	Social Security	71100-201		1,599.50
"	State Retirement	71100-204		1,473.28
"	Life Insurance	71100-206		115.46
"	Medical Insurance	71100-207		5,895.19

(Cont'd)

Fund: Federal Projects # 142-Title II, Part A, 05.21, # 583 (Cont'd)

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Reg Instruc- tion Program	Unemployment Compens- ation	71100-210		75.62
"	Employer Medicare	71100-212		460.47
"	Other Fringe Benefits	71100-299		19.98
Reg. Instruct. Program Spt	In Service/Staff Develop- ment	72210-524		9,027.06

EXPLANATION: To enter the Title II, Part A, 05.21 budget as it was expended in FY 05-06.
 School Board approval 7-13-06.

Fund: Federal Projects # 142-Pre-School, 06.01 # 690 Date: June 30, 2006

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Revenue	Special Ed. PreSchool Grants	47145	6.00	
Special Ed. Program Spt	Other Salaries & Wages	72220-189		6.00

EXPLANATION: To budget actual revenue and expenditures for Pre-School 06-01. The original budget was based on estimates. School Board approval: 7-13-06

Fund: Federal Projects-Voc. Ed. 05.01 # 552 Date: June 30, 2006

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Reserve	Other Federal Reserves	34440	53,512.59	
Vocational Educa- tion Program	Instructional Supplies	71300-429		169.17
"	Voc. Instructional Equipment	71300-730		53,343.42

EXPLANATION: To enter the Voc. Ed. 05.01 carryover balance that was expended in FY 05-06.
 School Board approval: 7-13-06.

MOTION made by Commissioner Mason, 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
Jeannie 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. INDUSTRIAL PROPERTY PURCHASE - MR. JACK HAMMONTREE

Mr. Jack Hammontree, Executive Vice President of the Economic Development Authority, asked the Commission to consider joining with EDA and the City of Athens in the purchase of 24.5 acres of property surrounded by the Interstate Industrial Park as depicted in a map which was provided to the Commission. Mr. Hammontree said that they have desired to purchase this land for over a decade but the owner of the property was not willing to sell. The owner is now deceased and the estate is willing to sell for \$12,500 per acre, exactly the same price we paid per acre for our most recent purchase for property adjacent to the industrial park three years ago. Mr. Hammontree presented the following resolution to approve the purchase of this property.

Resolution No. 06-099

A RESOLUTION TO APPROVE THE PURCHASE OF INDUSTRIAL PROPERTY LOCATED ADJACENT TO THE EXISTING I-75 INDUSTRIAL PARK, IN COOPERATION WITH THE CITY OF ATHENS AND THE McMINN COUNTY ECONOMIC DEVELOPMENT AUTHORITY

WHEREAS, McMinn County recognizes the importance of possessing industrial property to help attract new industry and allow existing industry to expand locally; and

WHEREAS, an expanding industrial base is critical to the stabilization and growth of the property tax base; and

WHEREAS, McMinn County, in cooperation with the City of Athens and the McMinn County Economic Development Authority has the opportunity to purchase 24.5 acres more or less to be used to enlarge and otherwise make more useful existing property located in the I-75 Industrial Park; and

WHEREAS, this property is located strategically on Interstate 75 and is bounded on three sides by the successful I-75 Industrial Park; and

WHEREAS, the Economic Development Authority has made a formal request that McMinn County join with EDA and the City of Athens in the purchase of this industrial property at \$12,500.00 per acre, with McMinn County's obligation being \$6,250.00 per acre for a total cost of \$153,125.00.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS 17TH DAY OF JULY, 2006, that this board does approve the purchase of this property at the rate of \$6,250/acre for approximately \$153,125.00 in cooperation with the City of Athens and the McMinn County Economic Development Authority, the public welfare requiring it;

(Cont'd)

AND BE IT FURTHER RESOLVED, the County Mayor is granted authority to execute any and all documents necessary to complete this transaction.

(Orig signed by John M. Gentry)
County Mayor

Attest:

(Orig signed by Evonne Jones)
County Clerk

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

In response to a question from Commissioner Jack Powers, there was a discussion concerning the various parcels of land near the industrial park owned by private owners.

Motion carried by voice vote.

Mr. Hammontree added that this request would be on the agenda of the Athens City Council meeting tomorrow night.

10. 3-STAR STRATEGIC PLAN

Mr. Jack Hammontree, Executive Vice President of the Economic Development Authority, said that last year McMinn County was designated as a three-star county and one of the requirements for being a 3-star county is for the county to prepare and adopt a five-year strategic economic plan, to be updated annually. Mr. Hammontree presented the following resolution to adopt this updated plan addressing our goals and accomplishments pertaining to promoting economic growth, a copy of which was also provided to the Commission. Mr. Hammontree added that this does not cost us any money and may help us with points needed to qualify for grants.

RESOLUTION NO. 06-100

RESOLUTION TO ADOPT THE STRATEGIC ECONOMIC DEVELOPMENT PLAN

WHEREAS, the Three-Star Program was developed to meet the needs and challenges of the evolving economic environment in urban and rural communities and to partner with communities to create opportunities for sustained economic growth; and

WHEREAS, communities seeking certification as a Three-Star community must meet certain criteria, including the adoption of a five-year strategic economic development plan; and

WHEREAS, in achieving the mission of the Three-Star Program, the Department of Economic and Community Development commits to assist communities in developing and implementing a strategic economic plan;

NOW, THEREFORE, BE IT RESOLVED by the county legislative body of McMinn County, meeting in regular session at Athens, Tennessee, that:

(Cont'd)

Resolution No. 06-100 (Cont'd)

SECTION 1. The legislative body of McMinn County declares that the county has reviewed and adopted a five-year economic development plan to be updated annually.

SECTION 2. The strategic economic development plan includes the county's economic goals in promoting economic growth, a plan to accomplish those goals and a projected timeline in achieving those goals.

SECTION 3. The strategic economic development plan addresses the county's goals pertaining to existing industry, manufacturing recruitment, workforce development, retail/service, tourism, agriculture, infrastructure assessment and educational assessment.

Adopted this 17th day of July 2006.

(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 McPhail, to approve this resolution.

In response to a question from Commissioner Holbrook concerning not finding the stated goal of maintaining our debt-free status, Mr. Hammontree said that this was not in the plan last year and therefore it was not brought forward in the update, but Mr. Hammontree and County Mayor Gentry said it could be added.

Motion carried by voice vote.

11. MCMINN COUNTY TRUSTEE'S ANNUAL REPORT - MR. PHIL TUGGLE

Mr. Phil Tuggle, McMinn County Trustee, presented the McMinn County Trustee's Annual Report, and brought the Commission up to date on excess fees, investments, sales tax revenue, and property taxes, specifically mentioning that he was pleased to report another record year for excess fees and continued improvement on our investment return, although he added that he expects interest rates to level off in the next few months. He reviewed specific figures in each of these categories as contained in the report which was provided to each Commissioner. Mr. Tuggle thanked the Commission for the job they've done and also expressed his appreciation to his staff for the outstanding work they have done this year.

12. COMMENTS FROM THE AUDIENCE

A. Comments by Ms. Sheree Hutson, Resident of Athens, TN.

Ms. Hutson, commenting on Mr. Hammontree's earlier proposal to buy more industrial property, said she never hears the County Commission or the City Council question these proposals and although she allowed that they may get information that she doesn't see, she said she would like to see a real accounting, i.e. answers to questions concerning property we already own and what the return on our investment has been. Chairman Crews said that Mr. Hammontree's job is to help bring industrial growth to this county and provide jobs and that

(Cont'd)

is the return for what we spend in buying industrial property. Mr. Hutson said we may be doing a great job but would like to see a specific accounting. Mr. Hammontree said that we have created about 1,800 jobs over the past 3 or 4 years and added that the property that they are purchasing right now is with the hope that it will be developed and will appeal to companies coming to us later. Mr. Hammontree said that we must be competitive with other counties who have industrial property available and he added that only approximately one percent of McMinn County's land area is devoted to industrial property.

B. Comments by Ms. Sherrie Crowder, Resident of Mountain View Subdivision.

Ms. Sherrie Crowder, resident of Mountain View Subdivision, located next to the McMinn County Landfill on Piney Grove Road, addressed the Commission concerning property she purchased from Mr. Carl Mashburn and the problem she is having with the road. In response to a question from Chairman Crews, Ms. Crowder said that it is not a county road. In response to a question from Commissioner Mason, the Highway Commissioner said that the plat was approved by the Athens Regional Planning Commission but said that the road has never been built to subdivision standards. The County Attorney said her only recourse is to take legal action against the contractor and added that the county is not responsible for this.

C. Comments by Mr. Allen Reedy, Real Estate Agent Representing Mr. Bob Middleton, Owner of a Farm on the Backside of County Road 566, Englewood.

Mr. Allen Reedy, a licensed real estate agent, representing Mr. Bob Middleton, owner of a farm on the backside of County Road 566, Englewood, said he can't access his property because of a gate constructed by Andrew Kimsey, County Road 566, Englewood. The Highway Commissioner said that according to the first map made after the Uniform Road Laws passed (1975), this road was .5 mile long and deadends at the railroad. Mr. Moss added that the gate has been there 22 years and is located at the .2 mile marker and it also has a lock on it. This is the only way into Mr. Middleton's property and the County Attorney agreed to write a letter to Mr. Kimsey instructing him to remove the gate.

D. Comments by Mr. David Crockett, Former Woods Hospital Board Member and One of the Founders.

Mr. David Crockett, former Woods Hospital Board member, provided a copy of his letter to the editor of the Daily Post Athenian, disagreeing with the recent County Commission decision to make a loan to the hospital with the stipulation that the hospital be sold and also prevents other assets from being sold. Mr. Crockett reviewed the history of the hospital including funds invested and spent by Woods Hospital without the County's help as well as large donations by citizens and supporters of the hospital. He told the Commission that he feels they do not have the right to tie the Hospital Board's hands in this manner. Commissioner Vincent defended the Commission's decision and said you can't keep running a hospital in financial trouble. Commissioner Vincent also defended the Private Act which established the hospital as not requiring County financial support only authorizing financial support if needed.

13. RESOLUTIONS

A. A Resolution Relieving the McMinn County Trustee of Liability for 2004 Real and Personal Property Taxes.

Mr. Gentry presented the following resolution relieving the McMinn County Trustee of liability for 2004 Real and Personal Property Taxes, and added that this is an annual resolution.

RESOLUTION NO. 06-101

A RESOLUTION RELIEVING THE MCMINN COUNTY TRUSTEE OF LIABILITY FOR 2004 REAL AND 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 2004 real property taxes and 2004 personal property taxes and further; and

WHEREAS, it appears that proper suit has been instituted in the Chancery Court of 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 2004 real property and 2004 personal property taxes as properly certified and turned over to the Clerk and Master for McMinn County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17TH DAY OF JULY, 2006, that Phil Tuggle, Trustee of McMinn County be and is hereby relieved of all further liability for reporting and collecting delinquent 2004 real property taxes and 2004 personal property as properly certified and turned over to the Clerk and Master of McMinn County, Tennessee.

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

Attest:

(Orig signed by Evonne Jones)
County Clerk

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

Motion carried by voice vote.

B. A Resolution to Approve the Grant of \$1,000.00 to Rogers Creek Youth Baseball.

Mr. Gentry said the Recreation Committee met earlier this evening and they recommend approval of the following resolution to approve the grant of \$1,000.00 to Rogers Creek Youth Baseball.

Resolution No. 06-102

A RESOLUTION TO APPROVE THE GRANT OF \$1000.00 TO
ROGERS CREEK YOUTH 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 (the applicant) is currently in need of funds to assist in the repair of baseball dugouts and fencing; and

WHEREAS, applicant has requested a FY 2006-07 recreation grant of \$1000.00 to assist in the funding of the above project; and

WHEREAS, this grant is approved by the McMinn County Board of Commissioners.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF JULY 2006, that this Commission does hereby approve this request for a McMinn County Recreation Grant, the public welfare demanding it.

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

Attest:

(Orig signed by Evonne Jones)
County Clerk

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

Motion carried by voice vote.

C. A Resolution to Approve the Appropriation of Funds from McMinn County to Community Action Group of Englewood (CAGE), A Non-Profit Private Agency.

Mr. Gentry presented the following resolution to approve the appropriation of funds from McMinn County to the Community Action Group of Englewood for two projects -- handicap accessibility in the museum annex and the other is lighting for quilt mural which is on the Appalachian Trail unveiled at the Englewood Days. This requires authority from the McMinn County Commission to advertise as a non-profit but non-charitable organization.

Resolution No. 06-103

A RESOLUTION TO APPROVE THE APPROPRIATION OF FUNDS FROM MCMINN COUNTY TO COMMUNITY ACTION GROUP OF ENGLEWOOD (CAGE), A NON-PROFIT PRIVATE AGENCY

WHEREAS, a request has been made by the COMMUNITY ACTION GROUP OF ENGLEWOOD (CAGE), a non-profit but non-charitable organization, for an appropriation of Tourism funds during FY 2006-2007; and

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

- | | |
|--|------------|
| 1. Handicap accessibility in museum annex: | \$1,000.00 |
| 2. Lighting for quilt mural: | \$3,473.00 |

Total request \$2,000.00

WHEREAS, the McMinn County Board of Commissioners approves an appropriation of \$2,000.00, to be paid from hotel/motel tax funds, upon the proper notice having been published in the Daily Post-Athenian.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF JULY 2006 that this Commission does hereby approve this appropriation of tourism funds, 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 Jack Powers, to approve this resolution.

Motion carried by voice vote.

14. ELECTIONS, APPOINTMENTS AND CONFIRMATIONS

None.

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

A. Comments by Commissioner Holbrook Regarding Woods Hospital Report.

Commissioner Holbrook requested that a representative from Woods Hospital be on the agenda each month to give a financial report.

B. Recreation Committee.

Commissioner Bob Powers said that the Recreation Committee met earlier and approved the grant request for Rogers Creek Youth Baseball. The resolution was approved by the Commission earlier in this meeting.

C. Comments by Commissioner Mason Regarding New Race Track on Highway 68.

Commissioner Mason said that he received another call from a local citizen regarding the noise levels coming from the race track on Highway 68 at 1:00 am. Commissioner Mason suggested that representatives from the County Commission meet with the new owners.

D. Airport Committee - Commissioner Vincent.

Commissioner Vincent said that the Airport Committee met earlier this evening and added that the problem at the airport is about to be solved. He referred to the two resolutions approved by the Airport Committee and the County Commission earlier this evening.

E. Emergency Services Committee - Commissioner Vincent, Co-Chairman.

Commissioner Vincent said that the Emergency Services Committee met and he referred to the resolution approved earlier this evening by the Emergency Services Committee and the County Commission for the HazMat truck to be used by the HazMat team.

F. Comments by the Highway Commissioner Regarding Asphalt Price Increase.

Mr. Randall Moss, McMinn County Highway Commissioner, said that he received a call from their asphalt company and prices have gone up 68%.

G. Comments by Commissioner King.

Commissioner King said Etowah is growing and she feels that they need the hospital.

H. McMinn County, Tennessee Budget - FY 2006-2007.

Mr. Luallen referred to McMinn County Budget for FY 2006-2007 which he handed out tonight for review as well as to reference throughout the fiscal year.

16. COMMENTS FROM THE COUNTY MAYOR

A. Highway Inventory List.

Mr. Gentry said that the Highway Commissioner has, as required by State law, submitted his inventory list for the year and he added that it is on file in the County Mayor's office for anyone who wishes to review the list.

B. Planned Visit to the Cumberland County Justice Center.

Mr. Gentry said that on Wednesday, 19 July, 2006, the Properties Committee and others will travel to Cumberland County to visit their Justice Center to view their facility. He invited any interested Commissioners to accompany them but asked them to call him so appropriate transportation could be arranged. Mr. Gentry added that the seed money (\$1.6M) to start that project is in the FY 2006-2007 budget. He also said that new office holders will need time to decide what they need for their new facility.

17. APPROVAL OF NOTARY APPLICATIONS

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

Notary Applications for July 2006

Jennifer L. Adkins
Richard A. Boyd
Amy L. Creasman
Sondra Denton
Larae Graves
Justin D. Harwell
Tracy Howell
Amy R. Maynor
Patricia A. Meredith
Lisa C. Moore
Cathy J. Morrow
Nena R. Palmer
Winona K. Pless

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

Motion carried by voice vote.

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

A. Comments by Commissioner Jack Powers Regarding Mr. David Crockett's Letter to the Editor, Referred to Earlier.


Commissioner Jack Powers, referring to Mr. David Crockett's and Mr. Basil Nunley's letter to the editor questioning the Commission's authority to change the Private Act of 1965, asked the County Attorney to look at the Private Act and see if it has any effect on the resolution passed at the last County Commission meeting.

The County Attorney said he didn't see any conflict between the Private Act and the resolution, but he said he would look into this further.

There was also some discussion concerning the County's role in the financing of the hospital and their authority to pass the resolution.

19. ADJOURNMENT

There being no other business, Chairman Crews declared the meeting adjourned at 8:50 pm.


EVONNE HOBACK
McMinn County Clerk

Attest:

jb 8/18/06
Deputy Clerk Date