

The McMinn County Board of Commissioners met in Regular Session on Monday, August 18, 2003, 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 J. W. McPhail.

2. INVOCATION

The Invocation was given by Director of Finance Jason Luallen.

3. PLEDGE TO THE FLAG

The Pledge to the Flag was led by Commissioner Jack Powers.

4. ROLL CALL

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

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

5. APPROVAL OF MINUTES

Copies of the Minutes of the Regular Session on July 21,2003 were provided to the Commissioners.

MOTION made by Commissioner King, and seconded by Commissioner Holbrook, to approve the Minutes of July 21,2003.

Motion carried by voice vote.

6. APPROVAL OF BIDS AND PURCHASES

A. A Resolution to Approve and Award the McMinn County Health Center Addition.

Mr. Luallen presented the following resolution to approve and award the McMinn County Health Center Addition to ISI Contractors of Cleveland, TN for \$133,384.00, subject to additional funding from the State of Tennessee for the balance. The State has already funded \$100,000.00.

Resolution No. 03431

A RESOLUTION TO APPROVE AND AWARD THE MCMINN COUNTY  
HEALTH CENTER ADDITION

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

(Cont'd)

WHEREAS, McMinn County requested the construction of the addition to the McMinn County Health Center 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, Architects Weeks, Ambrose and McDonald, Inc. has recommended the bid be awarded to the low bidder meeting specifications, ISI General Contracts, of Cleveland, TN for \$133,384; and

WHEREAS, the State of Tennessee has provided \$100,000 for said project; and

WHEREAS, supplemental funding to cover the additional costs has been requested from the State of Tennessee; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 18TH DAY OF AUGUST 2003, that this Commission does hereby approve the recommendation of the architect, Brian E. McDonald, subject to additional funding be secured from the State of Tennessee to cover the costs of the project, and further authorize the County Executive to execute all documents essential to fulfilling said project.

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

Attest:

(Orig signed by Evonne Jones)  
County Clerk

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

In response to a question from Commissioner Crews, Mr. Gentry said that if State funding is not provided, the bid will be rejected.

Motion carried by voice vote.

B. A Resolution to Reject McMinn County Courthouse Elevator Circuitry Bid.

Mr. Luallen presented and explained the following resolution to reject the McMinn Courthouse Elevator Circuitry Bid, as well as a letter of recommendation from the County Engineer and the sole bid summary sheet.

Resolution No. 03-132

A RESOLUTION TO REJECT MCMINN COUNTY COURTHOUSE  
ELEVATOR CIRCUITRY BID

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

WHEREAS, Fire Marshall requirements mandate the existing elevator in the McMinn County Courthouse be updated to meet existing fire codes; and

WHEREAS, Robert Beene, McMinn County Engineer has requested elevator renovation in the McMinn County Courthouse; and

WHEREAS, Mr. Robert Beene, County Engineer, recommends to reject the only bid from Kone, Inc. for the purpose of clarification and possible changes in the specifications regarding the scope of the work.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMLNN COUNTY, TENNESSEE, MEETING iN REGULAR SESSION THIS THE 18TH DAY OF AUGUST 2003, that this Commission does hereby approve this recommendation of Robert Beene, County Engineer to reject the elevator renovation bid.

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

Attest:

(Orig signed by Evonne Jones)  
County Clerk

MOTION made by Commissioner Crews, and seconded by Commissioner Mason, to approve this resolution to reject this bid.

In response to questions from Chairman McPhail and Commissioner Jack Powers, Mr. Beene, the County Engineer, stated that clarification in scope of this project and possible changes in the specifications would be made before it is re-bid.

Motion carried by voice vote.

C. A Resolution to Approve and Award the Annual Bid of In-Place Asphalt.

Mr. Luallen presented the following resolution to approve and award the annual bid of in-place asphalt, as well as a letter of recommendation from the Highway Commissioner and the bid summary sheet. In addition, Mr. Luallen provided the Commissioners with a memorandum from the State Department of Transportation regarding the monthly bituminous price index.

Resolution No. 03-133

A RESOLUTION TO APPROVE AND AWARD THE ANNUAL BID OF N-PLACE ASPHALT

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 requested the purchase of In-Place Asphalt from the three bidders meeting specifications for the period of September 1,2003 through August 31,2004, m order 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, Randall Moss, McMinn County Highway Commission has recommended the bid be awarded to the low bidder meeting specifications per location of plant and job site.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 18TH DAY OF AUGUST 2003, that this Commission does hereby approve the recommendation of the Highway Commissioner.

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

Attest:

(Orig signed by Evonne Jones)  
County Clerk

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

In response to a question from Commissioner Crews, Mr. Luallen said that in addition to the low bid price, the haul charges must be considered for each job, and Commissioner Crews also noted that one of the bidders may be in some financial difficulty.

Motion carried by voice vote.

D. A Resolution to Approve and Award the Bid of Hardware and Software Upgrade for McMinn County Clerk's Office.

Mr. Luallen presented the following resolution to approve and award the bid of hardware and software upgrade for the McMinn County Clerk's Office as well as the letter of recommendation from the County Clerk Evonne Jones:

Resolution No. 03-134

A RESOLUTION TO APPROVE AND AWARD THE BID OF HARDWARE AND SOFTWARE UPGRADE  
FOR MCMINN COUNTY CLERK'S OFFICE

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 Clerk Evonne Jones requests approval of purchase from Business Information Systems in the amount of \$18,447.50 for hardware and software upgrade to meet all legal and state requirements 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

(Cont'd)

WHEREAS, upon the recommendation of Evonne Jones, County Clerk, has recommended the bid be awarded to Business Information Systems.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 18TH DAY OF AUGUST 2003, that this Commission does hereby approve this recommendation of Evonne Jones, County Clerk.

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

Attest:

(Orig signed by Evonne Jones)  
County Clerk

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

In response to a question from Commissioner Vincent, Ms. Jones said this is an upgrade of the existing Business Information Systems program, and she added that Mr. Richardson from Business Information Systems is in the audience to answer any questions.

Motion carried by voice vote.

E. A Resolution to Approve an Emergency Purchase of Two Five-Ton Rooftop Gas Units for the Justice Center.

Mr. Luallen presented the following resolution to approve an emergency purchase of two five-ton rooftop gas air conditioning units for the Justice Center as recommended by the Maintenance Supervisor Benny Bivens.

Resolution No. 03-135

A RESOLUTION TO APPROVE AN EMERGENCY PURCHASE OF TWO FIVE-TON ROOFTOP GAS UNITS FOR THE JUSTICE CENTER

WHEREAS, the McMinn County Maintenance Supervisor, Benny Bivens, requests approval of emergency purchase to Webb Plumbing and Heating for a total of \$9,605 for installation of two 5 ton rooftop gas units for the McMinn County Justice Center; and

WHEREAS, existing units have had numerous repairs and are in danger of complete failure; and

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

(Cont'd)

NOW, BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 18TH DAY OF AUGUST 2003, that this Commission does hereby approve this emergency purchase to Webb Plumbing & Heating.

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

Attest:

(Orig signed by Evonne Jones)  
County Clerk

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

Mr. Gentry added his recommendation because he said one unit was down and the other one almost down and explained that by replacing two together, they were able to save a considerable amount of money on crane costs. In response to questions from several Commissioners, Mr. Gentry said that these two units cool the nurses station and the front lobby and added that there are a total of approximately 30 units covering the entire Justice Center. Mr. Gentry said they will be looking at more improvements.

Motion carried by voice vote.

F. A Resolution to Approve the Purchase of a Used Tractor for the McMinn County Sanitary Landfill.

Mr. Luallen presented the following resolution to approve the purchase of a used tractor for the McMinn County Sanitary Landfill as well as a memorandum from the Landfill Supervisor recommending this purchase.

Resolution No. 03-136

A RESOLUTION TO APPROVE THE PURCHASE OF A USED TRACTOR FOR THE  
MCMINN COUNTY SANITARY LANDFILL

WHEREAS, the McMinn County Sanitary Landfill and Cooke Memorial Park being well over 200 acres in size, requires regular mowing for proper maintenance, and

WHEREAS, the Landfill Supervisor has requested the authorization to purchase a used tractor not to exceed \$11,000.00 from Sloan-Webb Tractor; and

WHEREAS, the McMinn County Financial Management Policies and Procedures provides for purchases to be made in excess of \$5,000.00 without bids if it is deemed to be in the financial best interest of the county and competitive quotes can be obtained; and

WHEREAS, the Landfill Supervisor has obtained competitive quotes and recommends the purchase to more efficiently maintain the grounds of the landfill and park.

(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 AUGUST 2003 that this Commission does hereby authorize the Landfill Supervisor to purchase a used tractor from Sloan-Webb Tractor not to exceed \$11,000.00.

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

Attest:

(Orig signed by Evonne Jones)  
County Clerk

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

Motion carried by voice vote.

G. McMinn County. Tennessee Intent to Make Appropriations to Non.Profit But Not Charitable Organizations.

Mr. Luallen presented the following Legal Notices for final approval to appropriate funds during FY 2003-2004 to non-profit but not charitable organizations which were published in the *Daily Post Athenian* as required by T.C.A. 5-9-109.

July 2,2003

LEGAL NOTICE

MCMINN COUNTY, TENNESSEE INTENT TO MAKE APPROPRIATIONS TO  
NON-PROFIT BUT NOT CHARITABLE ORGANIZATIONS

Per the requirements of T.C.A. 5-9-109, notice is hereby given that McMinn County intends to appropriate funds during FY 2003 -2004 to the following non-profit but not charitable organizations for the purpose listed:

ORGANIZATION: McMinn County Economic Development Authority  
AMOUNT: \$60,000.00  
PURPOSE: Increase employment by promoting and recruiting industry to locate in or remain in County.

ORGANIZATION: Etowah Arts Council  
AMOUNT: \$2,500.00  
PURPOSE: To provide artistic and cultural resources to the students and residents of McMinn County.

(Cont'd)

ORGANIZATION: Athens Area Council for the Arts  
AMOUNT: \$2,500.00  
PURPOSE: To provide artistic and cultural resources to the students and residents of McMinn County.

ORGANIZATION: McMinn Regional Humane Society  
AMOUNT: \$ 750.00  
PURPOSE: Support of County-side Spay/Neuter Program

ORGANIZATION: Tennessee Overhill Heritage Tourism Project  
AMOUNT: \$12,000.00  
PURPOSE: Heritage Tourism Development and its relationship to Rural Economic Development issues.

ORGANIZATION: Sweetwater Creek Watershed District  
AMOUNT: \$ 600.00  
PURPOSE: To improve Water Management within the District.

ORGANIZATION: Mouse Creek/Spring Creek Watershed District  
AMOUNT: \$ 1,000.00  
PURPOSE: To improve water management within the District.

ORGANIZATION: Junior Achievement of McMinn and Bradley County  
AMOUNT: \$ 300.00  
PURPOSE: To provide Business Related Experiences and Education in McMinn County Schools

ORGANIZATION: Contact of McMinn, Meigs and Monroe Counties  
AMOUNT: \$ 1,200.00  
PURPOSE: To provide a 24-hour Help-Line for the Troubled, Lonely and Suicidal Citizens of the County.

ORGANIZATION: McMinn Historial Society  
AMOUNT: \$ 1,073.00  
PURPOSE: Partial Support of Telephone and Internet Services

As required by TCA 5-9-109, this appropriation will be considered by the McMinn County Commission at their regular meeting on July 21,2003.

July 23, 2003

LEGAL NOTICE

MCMINN COUNTY, TENNESSEE INTENT TO MAKE APPROPRIATIONS TO NONPROFIT BUT NOT CHARITABLE ORGANIZATIONS

Per the requirements of T.C.A. 5-9-109, notice is hereby given that McMinn County intends to appropriate funds during FY 2003-2004 to the following non-profit but not charitable organizations for the purpose listed:

ORGANIZATION: Community Action Group of Englewood  
AMOUNT: \$5,000.00  
PURPOSE: To assist in renovation of Englewood's "Little White House" which is on the National Register of Historic Places

(Cont'd)

As required by TCA 5-9-109 this appropriation will be considered by the McMinn County Commission at their regular meeting on August 18,2003.

MOTION made by Commissioner Mason, and seconded by Commissioner Masingale, to approve these appropriations.

Motion carried by voice vote.

7. REVIEW AND APPROVAL OF CONTRACTS

A. A Resolution to Approve the Dean Howard & Daughters Auction Company Contract.

Mr. Luallen presented the following resolution to approve the Dean Howard & Daughters Auction Company Contract:

Resolution No. 03-137

A RESOLUTION TO APPROVE THE DEAN HOWARD & DAUGHTERS AUCTION COMPANY  
CONTRACT

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 counties; and

WHEREAS, McMinn County desires to enter into contract with Dean Howard & Daughters Auction Company for the professional services of the sale of surplus property at McMinn County's annual surplus sale according to the terms therein; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 18TH DAY OF AUGUST 2003 that this Commission does hereby agree to enter into contract with Dean Howard & Daughters Auction Company to sell at public auction personal property belonging to McMinn County and their entities properly declared as surplus items.

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

(Orig signed by Evonne Jones)  
County Clerk

MOTION made by Commissioner Vincent, and seconded by Commissioner Crews, to approve this contract.

In response to a question from Commissioner King, Mr. Gentry said that this service could be bid but it is a professional service and it is not required to be bid. Mr. Gentry added that using Dean Howard & Daughters Auction Company is a benefit to the county because of their experience with the emergency vehicle auctions and also the ten percent buyers premium is paid by the buyer instead of the County. In response to questions from Commissioner King and Commissioner Holbrook, Mr. Gentry said that advertising fees are prorated among all the departments of County government and usually run about \$1,500.00. There was also a discussion concerning bidding this service but Mr. Gentry said that this sale is a lot of work for not much return.

Motion carried by roll call vote, as recorded:

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

B. A Resolution to Approve an Amendment to the Contract Between the State of Tennessee, Department of Military, Tennessee Emergency Management Agency and McMinn County.

Mr. Luallen presented the following resolution to amend the contract to provide emergency preparedness, maintenance, equipment and administration services for McMinn County and added that this is just a name change and identification number change from City of Athens/McMinn County to McMinn County.

Resolution No. Q1.U8

A RESOLUTION TO APPROVE AN AMENDMENT TO THE CONTRACT  
BETWEEN THE STATE OF TENNESSEE, DEPARTMENT OF MILITARY,  
TENNESSEE EMERGENCY MANAGEMENT AGENCY AND MCMINN COUNTY

WHEREAS, the State of Tennessee and the County of McMinn have entered into a contractual agreement to provide emergency preparedness, maintenance, equipment and administration services for McMinn County; and

WHEREAS, the contract was previously between the State of Tennessee and the City of Athens prior to McMinn County assuming emergency management duties; and

WHEREAS, said amendment changes the name and identification number of the grantee to McMinn County.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE MEETING IN CALLED SESSION THIS THE 18TH DAY OF AUGUST 2003, that this Commission does hereby approve the amendment between the State of Tennessee and McMinn County, the public welfare requiring it.

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

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 an Amendment of Contract in Lieu of Performance Bond.

Mr. Luallen presented the following resolution to approve an amendment of contract in lieu of performance bond due to the new way of calculating financial assurance from the beginning to the end of the post closure care period at the Landfill.

Resolution No. 03-139

A RESOLUTION TO APPROVE AN AMENDMENT OF CONTRACT IN LIEU  
OF PERFORMANCE BOND

WHEREAS, McMinn County and the State of Tennessee Department of Environment and Conservation (TDEC) entered into a Contract in lieu of a Performance Bond for proper operation and closure and/or post-closure of the McMinn County Landfill, included in permits SNL 54-103-0003, SNL 54-103-0003 EXT, and 54-0098; and

WHEREAS, said contract included a provision allowing the Commissioner of Environment and Conservation to collect up to \$4,850,870.00 from any funds being disbursed or to be disbursed from the State to McMinn County Landfill as financial assurance for said proper operation, closure, and post-closure; and

WHEREAS, the State and McMinn County desire to change the amount of said financial assurance from the previous total of \$4,850,870.00 to the new total of \$2,585,246.22; and

WHEREAS, paragraph 3 of the Agreements in Lieu of Performance Bond are amended to reflect the new figures.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 18TH DAY OF AUGUST 2003, THAT THE COMMISSION DOES APPROVE THIS AMENDMENT OF CONTRACT IN LIEU OF PERFORMANCE BOND, the public welfare requiring it.

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

Attest:

(Orig signed by Evonne Jones)

County Clerk

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

Mr. Gentry explained that the State is lowering our obligation because of a lower inflation rate than previously calculated. In response to a question from Commissioner Jack Powers, Mr. Gentry explained that McMinn County budgets to have this money set aside but this agreement says that if we don't have the money, we have the County tax base to guarantee it.

8. APPROVAL OF BUDGET AMENDMENTS

Mr. Luallen requested approval of twelve budget amendments involving six different funds. Copies were provided to the Commissioners.

Fund: General Fund# 101

Date: June 30, 2003

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Reserve	Undesignated Fund Balance	39000	3,100.00	
Medical Examiner Transportation and Autopsies		546 10-354		3,100.00

EXPLANATION: To amend the budget to avoid deficit in functional category at close of FY 2002-03.

Fund: General Fund #101

Date: August 14,2003

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Other Local Revenues	Other Local Revenue	44990	500.00	
Local Health Center	Other Charges	55110-599		500.00

EXPLANATION: To budget funds donated to the McMinn County Health Department by Athens Kiwanis Club.

Fund: General Fund# 101

Date: August 14,2003

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Reserve	Undesignated Fund Balance	39000	160,019.00	
County Buildings	Other Supplies & Materials	51800499		1,200.00
Accounting and Budgeting	Data Processing Services	52100-317		200.00
	Other Equipment	52100-790		12,701.00
Circuit Court	Printing, Stationery & Forms	53100-349		54.00

(Cont'd)

Fund: General Fund # 101 (Cont'd)

Date: August 14, 2003

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Sheriff's Dept	Law Enforcement Equipment	54110-716		7,800.00
Fire Prevention & Control	Other Equipment	54310-790		16,320.00
Ambulance Service	Other Capital Outlay Other Equipment	5431 0~799 55 130-790		32,781.00 73,372.00
Other Local Health Services	Veterinary Services (Spaying Program)	55190-357		3,091.00
Waste Removal (Litter Gant)	Equipment and Machinery	55710418		12,500.00

EXPLANATION: To budget funds for items entered in reserve for encumbrance prior year. Items ordered in FY 2002-03 but not received and paid until FY 2003-04.

Fund: General Fund# 101

Date: August 14, 2003

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Reserve	Undesignated Fund Balance	39000	5,873.00	
Special Patrols	Overtime Pay (Block Grant 2001)	54120-187		1,282.00
Special Patrols	Law Enforcement Equipment (Block Grant 2001)	54120-716		4,591.00

EXPLANATION: To budget balance of US Department of Justice Block Grant (2001) for McMinn County Sheriffs Department carryover from FY 2002-03.

Fund: General Fund# 101

Date: August 14, 2003

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Reserve	Undesignated Fund Balance	39000	20,769.00	
Special Patrols	Overtime Pay (Block Grant 2002)	54120-187		15,577.00

(Contd)

Fund: General Fund # 101 (Cont'd)

Date: August 14,2003

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Special Patrols	Law Enforcement Equipment (Block Grant 2002)	54120-7 16		5,192.00

EXPLANATION: To budget balance of US Department of Justice Block Grant (2002) for McMinn County Sheriffs Department carryover from FY 2002-03.

Fund: General Fund # 101

Date: August 14,2003

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Reserve	Undesignated Fund Balance	39000	29,288.00	
Industrial Development	Other Contracted Services	58120-399		29,288.00

JOURNAL ENTRY REQUIRED

Reserve	Hotel/Motel Tax Reserve 35140		29,287.88	
Reserve	Undesignated Fund Balance	39000		29,287.88

EXPLANATION: To budget balance of funds in 1999-2000 from Economic Development portion of the Hotel/Motel Tax to fund land purchase, incentives, and additional costs, for the North Etowah Industrial Park (total cost budgeted \$354,475.00 expended FY 1999-2000 \$266,185.16, expended FY 2000-01 \$45,528.38, expended FY 2001-02 \$9,072.00, expended FY 2002-03 \$4,401.38, balance \$29,287.88)

MOTION made by Commissioner King, and seconded by Commissioner Bob Powers, to approve these budget amendments.

Motion carried by roll call vote, as recorded:

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

Fund: Road&Bridge Fund# 131

Date: August 14,2003

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Reserve	Undesignated Fund Balance	39000	344,053.00	
Hwy & Bridge Maintenance	Asphalt/Cold Mix	62000403		33,546.00
	Asphalt/Hot Mix	62000404		24,171.00
	Crushed Stone	62000409		45,000.00
	Other Road Materials	62000436		63.00
Capital Outlay	Bridge Construction	68000-705		118,646.00
	Highway Construction	68000-713		70,091.00
	State Aid Projects	68000-726		24,179.00
	Other Construction	68000-79 1		28,357.00

EXPLANATION: To budget funds for items entered in reserve for encumbrance prior year. Items ordered in FY 2002-03 but not received and paid until FY 2003-04.

MOTION made by Commissioner King, and seconded by Commissioner Mason, to approve this budget amendment.

Motion carried by roll call vote, as recorded:

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

Fund: General Purpose School #141

Date: August 11,2003

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Reserve	Undesignated Fund Balance	39000	1,042,263.00	
Regular Education Program	Instruc. Supplies & Materials	71100429		4,873.00
	Equipment	71100-722		3,956.00

(Cont'd)

Fund: General Purpose School # 141 (Cont'd)

Date: August 11,2003

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Special Education Program	Instruc. Supplies & Materials	71200429		530.00
Other Student Support	Evaluation & Testing	72130-322		57.00
Regular Ed. Program Support	Other Charges	72210-599		2,000.00
Maintenance of Plant	Maintenance Repair Service-Bldg	72620-335		8,000.00
	Other Charges	72620-599		24,246.00
Capital Outlay	Building Improvements	76100-707		998,601.00

EXPLANATION: To budget funds for items entered in reserve for encumbrances--prior year. These were Purchase Orders issued in FY 02-03 that will be completed in FY 03-04.

MOTION made by Commissioner Mason, and seconded by Commissioner Masingale, to approve this budget amendment.

Motion carried by roll call vote, as recorded:

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

Fund: Correctional Capital Project Fund # 174

Date: August 14,2003

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Reserve	Undesignated Fund Balance	39000	64,754.00	
Public Safety Project	Building Construction	91130-706		53,551.00
	Furniture&Fixtures	91130-711		11,203.00

EXPLANATION: To budget Correctional Capital Project Fund carry-over balances from FY 2002-03.

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

Motion carried by roll call vote, as recorded:

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

Fund: # 189 Miscellaneous Capital Project Fund

Date: August 14,2003

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Reserve	Undesignated Fund	39000	68,500.00	
	Balance			
General Admin- istration Projects (Courthouse Improvement /Additions)	Building Purchases	91110-732		68,500.00

EXPLANATION: To budget expenditures related to Madison Park Lease for FY 2003-04.

Fund: # 189 Miscellaneous Capital Project Fund

Date: August 14,2003

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Reserve	Undesignated Fund Balance	39000	3,879,335.00	
State of Tennessee	Other State Grants	46980	142,199.00	
General Admin- istration Projects	Airport Improvement	91110-702		84,847.00
	Building Const. (Expo Center/Rec)	91110-706		227,445.00
	Building Improvements (Juv. Center Upgrade)	91110-707		100,000.00
	Communication Equipment	91110-708		110,370.00
	Land (Economic Develop- ment)	91110-715		401,250.00

Fund: # 189 Miscellaneous Capital Project Fund (Cont'd)

Date: August 14,2003

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
General Admin- stration Projects	Building Purchase (Courthouse Improve ments/Additions)	91110-732		59,975.00
	Other Capital Outlay (Old Jail Renovations)	91110-799		250,000.00
Public Health Projects	Other Capital Outlay (Water)	91140-799		703,820.00
Highway Capital Projects	Highway Construction	91200-7 13		305,010.00
Education Capital Building Construction		91300-706		1,778,817.00

EXPLANATION: To budget miscellaneous Capital Project Fund carryover balances from FY 2002-03.

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

In response to a question from Commissioner Mason, Mr. Luallen said that this is the amount for the Madison Park lease for this fiscal year, including an amendment for repaving the parking lot. In response to a question from Commissioner Jack Powers, Mr. Luallen said the expenses for the paving were spread out over the lease until expiration in December 2005.

Motion carried by roll call vote, as recorded:

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

Fund: Self Insurance # 263

Date: June 30, 2003

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Reserve	Undesignated Fund Balance	39000	950.00	
Other Charges	Medical and Dental Services	58400-340		850.00
Other Charges	Medical and Dental Services	65000-340		100.00

EXPIANATION: To amend the budget to avoid deficit in functional category at close of FY 2002-2003.

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

Motion carried by roll call vote, as recorded:

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

9. WOODS MEMORIAL HOSPITAL FINANCIAL REPORT - MR. SOUTHERLAND

Mr. David Southerland, Administrator of Woods Memorial Hospital District, updated the Commissioners on their Monthly Financial Report as of June 30, 2003 and provided to each Commissioner a written summary. Mr. Southerland reviewed the highlights of statistics for June and year-to date as compared to last year and specifically commented on several figures. The overall average length of stay was 3.5 year to date as compared to the previous year of 3.8 and commented that this is significant because when you drop your length of stay you are lowering your expenses per admission. Emergency room visits were down slightly from the previous year, but emergency room admissions were up significantly and added that outpatient visits are continuing to do well. Mr. Southerland commented that total surgeries were down significantly from the previous year which he said is the impact of the Athens Surgery Center, but added that Rehabilitation Services, Laboratory, CT Scans, MRI, and emergency medical services continue to do well.

Mr. Southerland also presented the Commissioners with a consolidated financial statement and reviewed the figures. Mr. Southerland said that the good news is on the year-to-date side they had income from operations of \$193,205 and with some additional investment income and contributions, it brought the excess revenues over expenses to \$215,789. This is the first time in four or five years that the hospital has made money. Mr. Southerland also presented Revenue and Expense Statements for the hospital, which is still a challenge, and the nursing home, which is the revenue-generating arm of the organization.

Mr. Southerland presented Mr. Gentry two checks from the EMS service, one for the month of July 2003 for approximately \$7,900.00 and one as a catch-up payment from May 2000 for approximately \$7,800.00.

Chairman McPhail congratulated Mr. Southerland and his staff for their efforts and Mr. Southerland said that the restructuring of the EMS company, which allows them to capture a better reimbursement, is helping the cash flow significantly and added that hopefully in a year they will be very close to making all the back payments current.

10. COMMENTS FROM THE AUDIENCE

A. Comments by Mr. Dan Tummins. Resident on County Road 484.

Mr. Dan Tummins, who lives on County Road 484, about three miles east of Etowah on Mecca Pike, addressed the Commission concerning flooding problems on his road and he presented the Commissioners with

(Cont'd)

photos of the flooding and the damage caused by the flooding. Mr. Tummins said they miss about 25 to 30 mail deliveries a year because of flooding and he presented a topographic map of Big Branch Road and explained the problems. Mr. Tummins said that there are a lot of things that this road needs to bring it up to standard but he said he doesn't expect the County to bring it up to standard. He was concerned, after reading an article in the newspaper, that the County Commission was considering taking in substandard roads when official County roads needed repair. Chairman McPhail said that there are specific guidelines that must be met before the County would take a road into their system, and Mr. Tummins apologized if he misunderstood the situation. The Highway Commissioner did say that he would look at the road Mr. Tummins is speaking of to see if there is anything that the Highway Dept can do improve the situation.

11. RESOLUTIONS

A. Resolution Authorizing A Continuous Five (5) Year Reappraisal Cycle.

Mr. Gentry presented the following resolution authorizing a continuous five (5) year reappraisal cycle:

Resolution No. 03-140

RESOLUTION AUTHORIZING A CONTINUOUS FIVE (5) YEAR REAPPRAISAL CYCLE

WHEREAS, Tennessee Code Annotated Section 67-5-1601 establishes a general six (6) year reappraisal for updating and equalizing property values for every county in Tennessee for property tax purposes, and

WHEREAS, a six (6) year reappraisal program consists of an on-site review of each parcel of real property over a five-year period followed by revaluation all such property in the year following completion of the review period and includes a current value updating during the third year of the review period and includes a current value updating during the third year of the review cycle and sales ratio studies during the second and fifth years of the review cycle, and

WHEREAS, Chapter 318 of the 1997 Public Acts provides upon the approval of the assessor and upon adoption by majority approval vote of the county legislative body, the reappraisal program may be completed by a continuous five (5) year cycle comprised of an onsite review of each real property over (4) year period followed by revaluation of all such property in the year following completion of the review period, and

WHEREAS, the county legislative body of McMinn County understands that by approving such a five (5) year reappraisal cycle a sales ratio study will be conducted during the second and fourth years of the review cycle and the centrally assessed properties and commercial/industrial tangible personal property will be equalized by the sales ratio adopted by the State Board of Equalization;

NOW, THEREFORE, BE IT RESOLVED by the county legislative body of McMinn County, meeting in regular session on this the 18th day of August 2003, that:

PURSUANT to Tennessee Code Annotated Section 67-5-1601, as amended by Chapter 318 of the 1997 Public Acts, reappraisal shall be accomplished in McMinn County by a continuous five (5) year cycle beginning August 2003, comprised of an on-site review of each parcel of real property over a four (4) year period followed by revaluation of all such property for tax year 2008.

(Cont'd)

Adopted this 18th day of August 2003.

ATTEST:

(Orig signed by Evonne Jones)  
County Clerk

APPROVED:

(Orig signed by John Gentry)  
County Executive

Mr. Don Cowart, Assessor of Property, said we are on a standard five-year reappraisal cycle and added that the State has four, five and six-year programs. Mr. Cowart said they do a 25 % review each year and the State comes in the final year. Mr. Cowart indicated that they did not think they would be getting reappraisal funds this year, but at the last moment, funds were provided.

In response to a question from Commissioner Crews, each county must file a plan each period and it must be approved by the State Board of Equalization.

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

Motion carried by voice vote.

B. A Resolution to Approve the Addition of Roads to Year Two of the Five-Year Paving Plan (Capital Improvements Projects)

Mr. Gentry presented a memorandum from the Highway Commissioner, which has been put in resolution form, to approve the addition of roads to year two of the five-year paving plan:

Resolution No. 03-14 1

A RESOLUTION TO APPROVE  
THE ADDITION OF ROADS TO YEAR TWO OF THE  
FIVE YEAR PAVING PLAN (CAPITAL IMPROVEMENTS PROJECTS)

WHEREAS, a five-year paving plan has been adopted by the McMinn County Highway Department to continue the efficient maintenance of McMinn County roads; and

WHEREAS, due to the price of in-place asphalt not increasing as originally anticipated and the length of Mine Road decreasing due to the widening of Highway 30 West, additional monies are available for the paving of more roads than were originally approved by the Board of Commissioners; and

WHEREAS, it is the recommendation of the Commissioner of Highways that the following roads be added to the Five-Year Paving Plan: County Road 890, County Road 260, and County Road 153.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN SESSION ON THIS 18TH DAY OF AUGUST 2003, THAT THE MCMINN COUNTY COMMISSION APPROVES THE ADDITION OF THE ROADS TO THE FIVE-YEAR PAVING PLAN, the public welfare requiring it.

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

Attest:

(Orig signed by Evonne Jones)  
County Clerk

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

Motion carried by voice vote.

12. ELECTIONS APPOINTMENTS AND CONFIRMATIONS

A. A Resolution to Confirm the Appointment of Russ Duggan to the McMinn County 911 Board of Directors.

Mr. Gentry presented the following resolution to confirm the appointment of Russ Duggan to the McMinn County 911 Board of Directors, replacing Carl Davis due to health concerns.

Resolution No. 03-142

A RESOLUTION TO CONFIRM THE APPOINTMENT OF RUSS DUGGAN TO THE  
MCMINN COUNTY 911 BOARD OF DIRECTORS

WHEREAS, the McMinn County 911 has a Board of Directors to oversee the direction and management of its operations and service; and

WHEREAS, John M. Gentry as McMinn County Executive, nominates Russ Duggan to serve as a member of the McMinn County 911 Board of Directors for a four-year term, which will expire December 2006.

(Cont'd)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 18TH DAY OF August 2003, that this Commission does hereby confirm this appointment.

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

Attest:

(Orig signed by Evonne Jones)  
County Clerk

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

Motion carried by voice vote.

13. REPORT FROM COMMITTEES, COUNTY OFFICIALS, COMMENTS FROM COMMISSIONERS

A. Ambulance Committee - Commissioner Masingale.

Commissioner Masingale said that the Ambulance Committee met prior to this meeting but no formal action was taken, although he added that Lance McConkey will be getting back to them with equipment needs.

B. Rural Fire Committee - Commissioner Vincent.

(1) Resolutions to Approve Applications Regarding Funding and Placement of Rural Fire Hydrants.

Commissioner Vincent presented these resolutions to approve the applications regarding funding and placement of rural fire hydrants as follows:

Resolution No. 03-143

A RESOLUTION TO APPROVE THE APPLICATION REGARDING FUNDING AND PLACEMENT OF A  
RURAL FIRE HYDRANT

WHEREAS, in order to properly perform the essential means of fighting fires in McMinn County, it is necessary to provide fire hydrants to rural areas; and

WHEREAS, it is the policy of McMinn County to aid in the funding of the placement of 2 rural fire hydrants per year in each fire district; and

WHEREAS, the following application has been recommended for approval by the Rural Fire Committee:

Applicant: William Ratledge  
District: 1, Athens Rural Fire Dept

Hydrant location: Between CR 242 and CR 243 off Highway 305

(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 August 2003, that this Commission does hereby approve this Fire Hydrant Request.

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

Attest:

(Orig signed by Evonne Jones)  
County Clerk

Resolution No.03-144

A RESOLUTION TO APPROVE THE APPLICATION REGARDING  
FUNDING AND PLACEMENT OF A RURAL FIRE HYDRANT

WHEREAS, in order to properly perform the essential means of fighting fires in McMinn County, it is necessary to provide fire hydrants to rural areas; and

WHEREAS, it is the policy of McMinn County to aid in the funding of the placement of two rural fire hydrants per year in each fire district; and

WHEREAS, the following application has been recommended for approval of the Rural Fire Committee:

Applicant: Kenneth and Jane Tuggle  
District: 4, Etowah Rural Fire  
Hydrant location: 130 County Road 624

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 18TH DAY OF August 2003, that this Commission does hereby approve this Fire Hydrant Request.

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

Attest:

(Orig signed by Evonne Jones)  
County Clerk

MOTION made by Commissioner Vincent, and seconded by Commissioner Mason, to approve these fire hydrants.

Motion carried by voice vote.

(2) Problems with Communication Repeaters.

Commissioner Vincent said that they discussed problems with repeaters in the County for communications. The Committee instructed Chief Scott Thompson to work on specifications and put the repeaters out for bid. The current repeaters are several decades old and in danger of failing.

C. Private Road for Bruce W. Collins. 317 Lynwood Drive. Athens. TN.

Chairman McPhail referred to a memorandum from the Highway Commissioner, dated August 14, 2003, Subject: Private Road for Bruce W. Collins, 317 Lynwood Drive, Athens, TN. Chairman McPhail requested the following Highway Commissioner's recommendation be spread in the minutes:

The Private Road off County Road 321 built for Bruce W. Collins meets County Road Specifications. Mr. Collins does not want this Private Road listed as a County Road at this time, however, he wishes to have spread on the Minutes of the McMinn County Board of Commissioners that all specifications have been met for this Private Road to become a County Road. If at some time in the future, Mr. Collins presents this Private Road to become a part of the McMinn County Road System, he is aware that at this time he will be required to perform any repair that might be necessary and to furnish an 18-month maintenance bond.

D. Question by Commissioner King Regarding the Fence Around the Justice Center.

In response to a question from Commissioner King, Mr. Gentry said that the Jail Committee, chaired by Commissioner Jack Powers, will be prioritizing needs at the Justice Center within their budget. Commissioner Mason added that there are about thirty air conditioning units that also needed to be replaced.

E. Comments by Commissioner of Highways Regarding Mud Slide on County Road 100.

Commissioner of Highways Randall Moss said that they have gotten the mud slide on County Road 100 cleaned up at a cost of approximately \$40,000.00 and added that they should get County Road 50 done for about half that price.

14. COMMENTS FROM THE COUNTY EXECUTIVE

A. County Executive Title Changed to County Mayor.

Mr. Gentry said that the last Legislature, at the request of the Association of County Executives, changed the title of County Executive to County Mayor. This change was originally intended to be optional, but the law has been opined by the Attorney General to be mandatory accordingly. Mr. Gentry's title will legally be County Mayor, effective tomorrow.

B. Mid-East Tennessee Regional Fair.

Mr. Gentry said that the fair will be held September 1-6, 2003 and added that the Fair Board has requested the aid of volunteers for shuttle drivers, gate personnel, set-up and clean-up.

15. 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 August 2003

Guy E. Baker  
Curtis Mitchell Burns  
Jamie Constant  
Janice Derreberry  
Kelley Mack  
Crystal Michelle McCabe  
Teresa Sanford  
Connie J. Triplett  
Gary D. Vincent

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

Motion carried by voice vote.

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

17. ADJOURNMENT

There being no other business, Chairman McPhail declared the meeting adjourned at 8:45 pm.

McMinn County Clerk

Attest:  
Deputy Clerk

date