

The McMinn County Board of Commissioners met in Regular Session on Monday, September 20, 2004, at 7:30 pm, in the Blue Room of the McMinn County Courthouse.

1. CALL TO ORDER

The meeting was called to order by Chairman David Crews.

2. INVOCATION

The Invocation was given by Commissioner Jack Powers.

3. PLEDGE TO THE FLAG

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

4. ROLL CALL

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

Scott Curtis - Present  
Dale Holbrook - Present  
Jack King - Present  
Roger Masingale - Present  
Gary Mason - Present  
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 August 16, 2004 were provided to the Commissioners.

MOTION made by Commissioner King, and seconded by Commissioner Bob Powers, to approve the Minutes of August 16, 2004.

Motion carried by voice vote.

6. ELECTIONS OF CHAIRMAN AND VICE CHAIRMAN

Commissioner King nominated David Crews to continue to serve as Chairman.

MOTION made by Commissioner Jack Powers, and seconded by Commissioner Vincent, to cease nominations and elect Commissioner Crews as Chairman by acclamation.

Motion carried by voice vote.

Commissioner Mason nominated Commissioner Jack King to continue to serve as Vice Chairman.

MOTION made by Commissioner Mason, and seconded by Commissioner Bob Powers, to elect Commissioner King as Vice Chairman by acclamation.

Motion carried by voice vote.

7. APPROVAL OF BIDS AND PURCHASES

A. A Resolution to Approve and Award the Annual Bid for Crushed Stone.

Mr. Luallen presented the following resolution to approve and award the annual bid for crushed stone, along with the bid summary sheet as well as the recommendation from the Highway Commissioner to award the bid to both vendors based on the low bid plus the haul charged to the center of the job and taking into consideration the \$15 severance tax.

RESOLUTION NO. 04-144

A RESOLUTION TO APPROVE AND AWARD THE ANNUAL BID FOR CRUSHED STONE

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 purchase of crushed stone for the period of October 1, 2004 through September 30, 2005, 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, Randall Moss, McMinn County Highway Commissioner has recommended the bid be awarded to the low bidders meeting specifications of each grade plus a haul charge to the center of each job site based on location of plant to Vulcan Materials Company and Starr Mountain Stone, LLC.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20TH DAY OF SEPTEMBER 2004, 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 Vincent and seconded by Commissioner King, to approve this resolution.

Motion carried by voice vote.

B. A Resolution to Approve and Award the Semi-Annual Bid of Motor Oil.

Mr. Luallen presented the following resolution to approve and award the semi-annual bid of motor oil, along with the bid summary sheet and letters of recommendation from the various departments.

RESOLUTION NO. 04-145

A RESOLUTION TO APPROVE AND AWARD THE SEMI-ANNUAL BID OF MOTOR OIL

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

WHEREAS, the McMinn County Purchasing Department requests the purchase of Motor Oil, fluids and grease for October 1, 2004, through March 31, 2005 to the low bidder for each item from Parrnan Lubricants through Sweetwater Valley Oil and Hunter Oil, in order to properly carry out the functions of each department; and

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

WHEREAS, Randall Moss, Highway Commissioner, recommends bid be awarded to low bidder of each item meeting specifications determined by the time of delivery, the remaining department heads (Arnold Sledge Board of Education Supervisor, Stan Moses Landfill Supervisor and Steve Frisbie Sheriff) recommends the bid be awarded to the low bidder for each item.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20TH DAY OF SEPTEMBER 2004, that this Commission does hereby approve the recommendation of the McMinn County Supervisors and Department Heads.

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

Attest:

(Orig signed by Evonne Jones)  
County Clerk

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

Motion carried by voice vote.

C. A Resolution to Approve and Award Bridge Replacement Bid - Rogers Creek Road Bridge Over Rock Creek.

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

RESOLUTION NO. 04-146

A RESOLUTION TO APPROVE AND AWARD BRIDGE REPLACEMENT BID - ROGERS CREEK ROAD  
BRIDGE OVER ROCK CREEK

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, the McMinn County Highway Department requests the replacement of a county bridge, Rogers Creek Road Over Rock Creek, 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, Randall Moss, McMinn County Highway Commissioner has recommended the bid be awarded to the low bidder meeting specifications, Simpson Bridge Company, Inc. for a total of \$158,902.83.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20TH DAY OF SEPTEMBER 2004, 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 King, and seconded by Commissioner Bob Powers, to approve this resolution.

In response to a question from Commissioner Vincent, the Highway Commissioner said that this will be a concrete span bridge. In response to a question from Chairman Crews, Highway Commissioner Moss said that the two bidders were not related although one is Simpson Bridge Co., Inc. and the other is Simpson Construction Co., Inc.

Motion carried by voice vote.

D. A Resolution to Approve and Award the Bid for a Zero-Radius Commercial Type Mower.

Mr. Luallen presented the following resolution to approve and award the bid for a zero-radius commercial type mower, along with the bid summary sheet and the letter of recommendation from the Landfill Supervisor.

RESOLUTION NO. 04-147

A RESOLUTION TO APPROVE AND AWARD THE BID FOR A ZERO-RADIUS COMMERCIAL TYPE MOWER

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

WHEREAS, Stan Moses McMinn County Landfill Supervisor, requests the purchase of a Zero-Radius Commercial Type Mower, for use by the Recreational Park from Athens Lawn & Garden in the amount of \$8,880.60, 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, Stan Moses, McMinn County Landfill Supervisor has recommended the bid be awarded to the low bidder meeting specifications.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20TH DAY OF SEPTEMBER 2004, 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 King, and seconded by Commissioner Masingale, to approve this resolution.

In response to a question from Commissioner Bob Powers, Mr. Luallen said that the bid specs are sent out to potential bidders.

E. A Resolution to Approve and Award the Bid for Two Ambulances for McMinn County Ambulance Service.

Mr. Luallen presented the following resolution to approve and award the bid for two ambulances for McMinn County Ambulance Service. Mr. Luallen referred to the bid that was awarded last month contingent upon receipt of a letter from Medix Ambulance Service stating that they do not remount and added that this did not happen. Therefore, they had to rebid and this will rescind that award and take the place of last month's action.

RESOLUTION NO. 04-148

A RESOLUTION TO APPROVE AND AWARD THE BID FOR TWO AMBULANCES FOR MCMINN COUNTY AMBULANCE SERVICE

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

WHEREAS, Earl Ericsson Director, McMinn County Ambulance Service, requests to bid a new ambulance; and

WHEREAS, Earl Ericsson Director, McMinn County Ambulance Service, recommends the bid be awarded to the low bidder meeting specifications Medix Specialty Vehicles, Inc. for \$63,350 each delivered, with a \$500 discount per unit if more than one unit is purchased, making a total price for two ambulances \$125,700.

(Cont'd)

September 20, 2004

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20~ DAY OF SEPTEMBER, 2004, that this Commission does hereby approve the recommendation of the ambulance director.

(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.

In response to a question from Commissioner Vincent, Mr. Luallen said that Peach State Ambulance Inc. got the other bid. In response to a question from Commissioner Jack Powers, Mr. Luallen stated one additional vendor submitted a bid along with the vendors from the first. Bid was over \$3,000.00 less than previous bid.

Motion carried by voice vote.

F. A Resolution to Approve Invoice Without Requisition.

Mr. Luallen presented the following resolution to approve the Sheriffs Department request for payment of invoice for purchase made without a requisition.

RESOLUTION NO. 04-149

A RESOLUTION TO APPROVE INVOICE WITHOUT REQUISITION

WHEREAS, the McMinn County Sheriffs Office requests payment of invoice for purchase made without a requisition to Cleveland Tire Center on August 30, 2004 for the total of \$197.92; and

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

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20TH DAY OF SEPTEMBER, 2004, that this Commission does hereby approve this payment of above invoice.

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

Attest:

(Orig signed by Evonne Jones)  
County Clerk

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

In response to a question from Chairman Crews, Mr. Luallen explained that this was an administrative oversight. In response to a question from Commissioner Jack Powers, Mr. Luallen said that they purchase most of their tires from Cleveland Tire because of a State contract pricing, but added that blanket purchase orders are difficult to do because most purchases would be over \$200.00; therefore, disallowing the use of blanket purchase orders.

Motion carried by voice vote.

8. REVIEW AND APPROVAL OF CONTRACTS

A. A Resolution to Renew Airport Maintenance Contract with State of Tennessee Department of Transportation.

Mr. Luallen presented the following resolution to renew the Airport maintenance contract and added that this is the standard contract -- we spend \$18,000.00 and receive \$9,000.00 from the State.

RESOLUTION No. 04-150

A RESOLUTION TO RENEW AIRPORT MAINTENANCE CONTRACT WITH STATE OF TENNESSEE  
DEPARTMENT OF TRANSPORTATION

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

WHEREAS, McMinn County desires to renew their Airport Maintenance Contract # Z-05-023843-00 with the State of Tennessee, Department of Transportation; and

WHEREAS, the term of this grant is July 1, 2004 through June 30, 2005, with the state portion not exceeding \$9,000.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF  
MCMINNSI COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20TH DAY OF SEPTEMBER, 2004,  
that this Commission does hereby agree to renew this Airport Maintenance Contract with the State of Tennessee,

AND FURTHERMORE RESOLVES to give authority to the County Mayor or his designee to execute and administer the duties of said contract.

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

Attest:

(Orig signed by Evonne Jones)  
County Clerk

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

Motion carried by voice vote.

9. APPROVAL OF BUDGET AMENDMENTS

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

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Reserve	Undesignated Fund	39000	1,240.00	
	Balance			
State of Tennessee	Community Development	47180	27,000.00	
Other Econ. & Corn. Contracts w/o Public Development	Agencies	58190-310		4,000.00
	Other Construction	58190-791		24,240.00

EXPLANATION: To budget revenue and expenditures related to State of Tennessee Housing Development Agency Grant for Flood Disaster Relief-- Carryover from FY 2003-04.

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

Motion carried by roll call vote, as recorded:

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

Fund: General Purpose School #141

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Other Student Support	Evaluation and Testing	72 130-322		6,772.00
	Other Supplies & Materials	72130-499		9,228.00
	Staff Development	72130-524		4,000.00
Federal Through State	Other Vocational	47 1-39	20,000.00	

EXPLANATION: To enter the budget for the Career-Technical Education Professional Develop. Incentive Grant. School Board approval 9/9/04.

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

Motion carried by roll call vote, as recorded:

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

10. RESOLUTIONS REGARDING SURPLUS PROPERTY

A. A Resolution to Approve the Sale of Surplus Property.

Mr. Luallen presented the following resolution to approve the sale of surplus property, along with the list of surplus property. Mr. Luallen added that this would give authority to the County Mayor or the Finance Director to add items inadvertently left off of the surplus list.

Resolution No. 04-151

A RESOLUTION TO APPROVE THE SALE OF SURPLUS PROPERTY

WHEREAS, McMinn County has authority to declare items as surplus that are no longer deemed necessary or adequate to properly perform the duties of county government as prescribed by law; and

WHEREAS, McMinn County desires to declare the attached list of items as surplus property and provide them for sale by public auction.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN SPECIAL SESSION THIS THE 20~ DAY OF SEPTEMBER, 2004, that this Commission hereby approves the sale of the attached list of surplus property and any other items which may have been inadvertently omitted and declared surplus by agreed collective consent of the respective department head, director of finance and the county mayor, and furthermore sets the county surplus sale date for Saturday, October 16, 2004.

(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 King, to approve this resolution.

Motion earned by voice vote.

B. A Resolution to Approve the Transfer of Surplus Property from McMinn County Juvenile Services to the McMinn County Board of Education.

Mr. Luallen presented the following resolution to approve the transfer of surplus property from McMinn County Juvenile Services to the McMinn County Board of Education, along with a letter of request from the Director of Schools.

Resolution No. 04-152

A RESOLUTION TO APPROVE THE TRANSFER OF SURPLUS PROPERTY FROM MCMINN COUNTY  
JUVENILE SERVICES TO THE MCMINN COUNTY BOARD OF EDUCATION

WHEREAS, McMinn County Juvenile Services has declared the following computer equipment as surplus property for FY 2003-2004:

1. (2) MacIntosh G3 Computers, Tag# 05581, 05582
2. Elite 12/600 Printer
3. Iomega Zip Drive; and

WHEREAS, the McMinn County Board of Education had properly requested this computer equipment for use in a Family Resource Center venture with Athens City Schools; and

WHEREAS, the value of these computers are intended to be applied as part of a grant funding match to support the Family Resource Center.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20th DAY OF SEPTEMBER 2004 that this Commission does hereby agree to this transfer of surplus property, the public welfare requiring it.

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

Attest:

(Orig signed by Evonne Jones).  
County Clerk

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

Motion carried by voice vote.

11. ANNUAL REPORT ON JUVENILE SERVICES - MR. LARRY RHODES

Mr. Larry Rhodes, Director of Juvenile Services, reviewed the highlights of their Annual Report for 2003-2004 which was provided to each Commissioner. Mr. Rhodes said that this is their thirtieth year of operation and he referred to the historical data at the beginning of that report. Mr. Rhodes said that last year they had 884 referrals and he referred statistics concerning ages, living arrangements, the leading reasons they receive referrals as well as the number of referrals monthly and the number of individual counseling/probation sessions. Mr. Rhodes also referred to several graphs comparing the statistics and trends for the past several years which allows them to identify the needs and future focus.

(Cont'd)

Although McMinn County's youth problems are generally not as serious as some problems in larger metropolitan areas, these cases require a lot of preventive work. This department is a proactive department and they get involved with the kids in school, and added that they provide the principal probation services for the community. Mr. Rhodes also reviewed the numbers concerning restitution paid back to the community.

In response to a question from Mr. Gentry, Mr. Rhodes discussed their trying to make a decision about a full time juvenile center or contracting with other communities for overnight stays but added that federal grant funds are not going to be available in the future to hold these juveniles and he will probably be asking for funds in next year's budget.

Mr. Rhodes concluded by telling the Commission that they have started a Truancy Task Force to deal with school attendance. The response has been excellent and their focus is to help children become successful in school.

Mr. Rhodes expressed his appreciation for the opportunity to talk to the Commission and Chairman Crews thanked him for the update.

## 12. COMMENTS FROM THE AUDIENCE

### A. Request by Ms. Betsy Dougherty, Member of McMinn County's 4H Dairy Judging Team.

Ms. Dougherty said that their team competed in Knoxville and won first place giving them the chance to compete on the State level in Nashville. They came in first in Nashville giving them the opportunity to compete on the national level in Madison, WI this weekend. She requested monetary support of their team. Ms. Dougherty said it will cost \$500.00 per participant and there are four on the team.

MOTION made by Commissioner King, and seconded by Commissioner Bob Powers, to donate \$500.00 from the Commissioners' Contingency Fund and to waive the requirement that this request be on the formal agenda.

There was also a discussion concerning whether this needed to be advertised, but since this request is school related, Mr. Luallen said that it did not need to be advertised.

Motion carried by voice vote.

## 13. RESOLUTIONS

### A. A Resolution to Request Tennessee Department of Transportation to Install Traffic Controls at the Intersection of Hi2hway 163 and Highway 11 at Bowater Southern in Calhoun.

Mr. Gentry presented the following resolution to request the Tennessee Department of Transportation to install traffic controls at the intersection of Highway 163 and Highway 11 at Bowater Southern in Calhoun.

Resolution No. 04-153

A RESOLUTION TO REQUEST  
TENNESSEE DEPARTMENT OF TRANSPORTATION TO INSTALL TRAFFIC CONTROLS AT THE  
INTERSECTION OF HWY 163 AND HWY 11 AT BOWATER SOUTHERN IN CALHOUN

WHEREAS, the intersection of 2-lane Hwy 11 and 2-lane Hwy 163 is a highly congested intersection in McMinn County in front of Bowater Southern Paper company in Calhoun; and

(Cont'd)

WHEREAS, the intersection is burdened with large amounts of traffic, especially in the form of vehicles turning onto Hwy 163 eastbound off of Hwy 11; and

WHEREAS, the traffic at this intersection is compounded with Bowater Southern Paper Company's main gate and the Bradley County line and associated City of Charleston within a half mile of this intersection; and

WHEREAS, the large amount of traffic necessitates placing traffic controls on Hwy 11 at the intersection of Hwy 163 in the form of an eastbound center turn lane thus ensuring the safe movement of traffic at this dangerous intersection.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN SESSION ON THIS 20th DAY OF SEPTEMBER 2004, THAT THE MCMINN COUNTY COMMISSION REQUESTS THAT TENNESSEE DEPARTMENT OF TRANSPORTATION INSTALL EAST BOUND CENTER TURN LANES ON HWY 11 AT THE INTERSECTION OF HWY 163, the public welfare requiring it.

(Orig signed by John M. Gentry)

McMinn County Mayor

Attest:

(Orig signed by Evonne Jones)  
County Clerk

In response to a question from Commissioners, there was some discussion concerning the exact location of this proposed turn lane.

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

Motion carried by voice vote.

B. A Resolution to Approve the Purchase of Industrial Property Located on State Route 305.. in Cooperation with the City of Athens and the McMinn County Economic Development Authority.

Mr. Gentry presented the following resolution to approve the purchase of industrial property located on State Route 305 in cooperation with the City of Athens and the McMinn County Economic Development Authority. He also presented a copy of a letter from Mr. Jack Hammontree concerning this purchase as well as a map of the property, and Mr. Gentry referred to Mr. Hammontree's earlier recommendation that this property be purchased.

Resolution No. 04-154

A RESOLUTION TO APPROVE THE PURCHASE OF INDUSTRIAL PROPERTY LOCATED ON STATE ROUTE 305, IN COOPERATION WITH THE CITY OF ATHENS ANT) THE McMINN COUNTY ECONOMIC DEVELOPMENT AUTHORITY

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

(Cont'd)

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

WHEREAS, McMinn County, in cooperation with the City of Athens and the McMinn County Economic Development Authority has the opportunity to purchase an additional 83 acres more or less, adjacent to the 140 acres previously purchased at Exit 52 to be utilized as a future industrial park; and

WHEREAS, this property is located strategically on State Route 305 in close proximity to Interstate 75, a major United States North — South transportation corridor; and

WHEREAS, an option agreement is in effect establishing the price of the property for 73 acres at \$6,500.00 per acre and a certain 10 acres at \$7,500.00 per acre, with McMinn County's obligation being one-half of the total price of \$549,500.00, or \$274,750.00, for an average of \$3,310.00 per acre.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMLNN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS 20~ DAY OF SEPTEMBER, 2004, that this board does approve the purchase of 83 acres more or less for the one-half portion price of \$274,750.00 in cooperation with the City of Athens and the McMinn County Economic Development Authority, the public welfare requiring it;

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 McPhail, to approve this resolution.

Motion carried by voice vote.

C. A Resolution to Support the Widening and Improvement of State Highway 307.

Mr. Gentry presented the following resolution to support the widening and improvement of State Highway 307.

Resolution No. 04-155

A RESOLUTION TO SUPPORT THE WIDENING AND IMPROVEMENT OF STATE HIGHWAY 307

WHEREAS, State Highway 307 is a two lane highway in McMinn County, and is a main traffic artery from the Monroe County Line to the City of Athens; and  
(Cont'd)

WHEREAS, several industries are located along the southern portion of State Highway 307, including Johnson Controls and Mayfield Dairy Products; and

WHEREAS, due to the dangerous nature of the current unimproved portion of State Highway 307, the public welfare demands that State Highway 307 be improved throughout its entire length through McMinn and into Monroe Counties; and

WHEREAS, it is resolved that the McMinn County Board of Commissioners supports and encourages the Tennessee Department of Transportation to continue the widening and improvement of State Highway 307, and to see such a project through to its completion.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 20th DAY OF SEPTEMBER 2004, THAT THIS COMMISSION DOES SUPPORT AND ENCOURAGE TDOT TO BEGIN AND COMPLETE A WIDENING AND IMPROVEMENT PROJECT FOR STATE HIGHWAY 307.

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

Attest:

(Orig signed by Evonne Jones)  
County Clerk

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

Motion carried by voice vote.

14. ELECTIONS.. APPOINTMENTS AND CONFIRMATIONS None.

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

A. Tourism Committee - Commissioner Jack Powers.

Commissioner Jack Powers said that the Tourism Committee met and heard a presentation from the Athens Area Council for the Arts to ask for a donation to their campaign to build a new arts center for McMinn County. On behalf of the Tourism Committee, he presented the following resolution which recommends that the County Commission provide \$30,000 to be paid in three yearly installments of \$10,000 if funds are available at budget time.

Resolution No. 04-156

A RESOLUTION TO APPROVE FUNDING FOR THE NEW ATHENS AREA COUNCIL FOR THE ARTS  
PERFORMING ARTS CENTER

WHEREAS, the Athens Area Council for the Arts has embarked on a campaign to build a new arts center for McMinn County; and

WHEREAS, the center is estimated to cost approximately \$700,000.00 with over \$500,000 having been raised in private donations; and

WHEREAS, the Athens Area Council for the Arts has requested \$50,000 in funding from McMinn County tourism funds to help in the construction of the center; and

WHEREAS, the McMinn County Tourism Committee, recognizing the Arts Council twenty-five year record of providing quality community programs in not only McMinn County, but also the surrounding area unanimously recommended to the McMinn County Commission to provide \$30,000 to be paid in three yearly installments of \$10,000; and

WHEREAS, the funding is to be paid from the tourism portion of the hotel/motel tax fund and is dependant upon availability.

NOW, THEREFORE, BE IT RESOLVED BY THE McMINN COUNTY, TENNESSEE BOARD OF COMMISSIONERS, MEETING IN REGULAR SESSION THIS 20~ DAY OF SEPTEMBER, 2004, that this Commission does hereby approve the recommendation of the Tourism Committee to provide \$10,000 a year for up to three years to the Athens Area Council for the Arts to aid in the construction of a new arts center for McMinn County.

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

Attest:

(Orig signed by Evonne Jones)  
County Clerk

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

Chairman Crews said that the Director of the Arts Council was in the audience if there were any questions.

Local resident, Sheree Hutson, said that although she supports the arts, she suggested that one person's art is another person's pornography and added that if a group can raise half a million dollars, she wonders why they need to request local government for a token amount and open the county up for possible criticism.

Chairman Crews said that the County is compelled by Private Act to use one-third of hotel/motel tax for tourism and added that the Arts Center falls into that category.

Motion carried by voice vote.

B. Airport Committee - Commissioner Vincent.

Commissioner Vincent said that the Airport Committee met earlier this evening and he presented the following resolution to approve and award the bid for McMinn County Airport improvements. Commissioner Vincent explained that the bids were not as high as they thought they might be and added that they were bid out in sections as delineated in this resolution.

RESOLUTION NO. 04-157

A RESOLUTION TO APPROVE AND AWARD THE BID FOR MCMINN COUNTY AIRPORT  
IMPROVEMENTS

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

WHEREAS, McMinn County has been approved by the Tennessee Department of Transportation, Division of Aeronautics for 90/10 funding to make significant improvements to the McMinn County Airport runway and lighting system; and

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

WHEREAS, HMB Engineers and Robert Beene, McMinn County Engineer, recommends the bid be awarded for Schedule # 1 (Road Relocation) to Whaley & Sons, Inc. for \$84,577.10, Schedule # 2 (Grade & Drain For Extension) to McKinney Excavating for \$1,093,426.98, Schedule # 3 (Widening & Paving) to Rogers Group for \$1,249,005.40, and Schedule # 4 (Lighting System) to Jaco for \$348,334.10, these vendors providing the lowest and best bids meeting specifications.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20TH DAY OF SEPTEMBER 2004, that this Commission does hereby approve the recommendation of the County Engineer and HMB Professional Engineers and grants authority to the County Mayor to execute all documents necessary to fulfill the requirements of this project.

(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 with two dissenting votes by Commissioner Holbrook and Commissioner King.

C. Rural Fire Committee - Commissioner Vincent.

Commissioner Vincent said that the Rural Fire Committee met and they are looking into purchasing a truck for the Hazmat Team with funds available from Homeland Security which he said would be explained further by the County Mayor. Commissioner Vincent added that the purchase of the truck will be on hold until there is a decision about funding.

16. COMMENTS FROM THE COUNTY MAYOR

A. Homeland Security Grants.

Mr. Gentry said that in the past two years they have had five Homeland Security grants and he said that there is a local committee, made up of policy chiefs, fire chiefs, and EMA, that determines how the money is spent. They are working on freeing up some of these funds for the Hazmat truck.

B. National Committee for Employers' Support for the Guard and Reserve.

Mr. Gentry introduced Mr. Bob Gault with the Bradley County Sheriffs Department concerning a movement called the National Committee for Employers' Support for the Guard and Reserve and they are requesting McMinn County to sign a pledge of support for the Guard and Reserve. After reviewing our Personnel Policies with the Finance Director, Mr. Gentry said that McMinn County goes beyond what is required of us and he was pleased to sign the pledge.

C. Environmental Protection Agency's (EPA) Potential Non-Attainment Air Quality List.

Mr. Gentry said that we have replied to the EPA with a very detailed letter, co-written with an environmental consultant with Bowater and an environmental law firm with Wapaca. That was followed by a letter from the State making a strong case why McMinn County should not be included in non-attainment status. Mr. Gentry said he has not had any feedback as yet. Mr. Gentry said that their deadline is November 1, 2004 and added that if they haven't heard anything in another couple weeks, they will be making a trip to Atlanta.

D. Joint Meeting with the City of Athens on October 4.. 2004.

Mr. Gentry reminded the Commissioners of the joint meeting with the City Council of Athens on October 4, 2004 regarding the bypass options around Athens. Mr. Gentry said that he has a map in office for review.

E. Surplus Sale.

Mr. Gentry reminded everyone of the Surplus Sale on October 16, 2004 at the Highway Department.

F. CDBG Grant Applications.

Mr. Gentry said that he received a call from Representative Bob McKee that the Governor did approve two of our CDBG grant applications -- one was for the City of Athens for the Clayhill area and the other one went through Loudon County but quite a few roads are in northern McMinn County.

17. APPROVAL OF NOTARY APPLICATIONS

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

Notary Applications for September 2004

Connie C. Akers  
Melody M. Alexander  
Denise E. Barnes  
Allison Calfee  
Christopher E. Colloms  
Wayne Davis  
Connie R. Dillard  
Mary Ghorley  
Glenna P. Gilliam  
•Natosha Ledford  
Susan Norwood  
Janet L. Roberts  
Hamanne Thompson  
Barbara J. Ward

MOTION made by Commissioner King, and seconded by Commissioner Holbrook, to approve these notary applications.

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

19. ADJOURNMENT

There being no other business, Chairman Crews declared the meeting adjourned at 8:25 pm.

McMinn County Clerk

Attest:

Deputy Clerk

(date)