

The McMinn County Board of Commissioners met in Regular Session on Monday, October 21,2002, 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 Commissioner Jack Powers.

3. PLEDGE TO THE FLAG

The Pledge to the Flag was led by Commissioner Masingale.

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
J. W. McPhail - Present
Bob Powers - Present
Jack Powers - Present
Owen Vincent - Present

5. APPROVAL OF MINUTES

Copies of the Minutes of the Regular Session on September 19,2002 were provided to the Commissioners.

MOTION made by Commissioner King, and seconded by Commissioner Mason, to approve the Minutes of September 19,2002.

Motion carried by voice vote.

6. APPROVAL OF BIDS AND PURCHASES

A. Resolution to Approve and Award the Semi-Annual Bid of Liquid Asphalt.

Mr. Luallen presented the following resolution for approval and referred to a letter of recommendation from the Highway Commissioner, as well as the bid summary sheet, which were also provided to the Commission:

Resolution No. 02-28

A RESOLUTION TO APPROVE AND AWARD THE SEMI-ANNUAL BID OF LIQUID ASPHALT

WHEREAS, the Highway Department has requested the purchase of liquid asphalt RS-2 and AE-P from the low bidder Marathon Ashland Petroleum in the amount of \$.665 1 per gallon and liquid asphalt AE-3 from the low bidder Vulcan Construction Materials in the amount of \$.7349 per gallon 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 for each item.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION, THIS THE 21ST DAY OF OCTOBER, 2002, 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 Bob Powers, to approve this resolution.

Motion carried by voice vote.

B. A Resolution to Approve and Award the Bid of a Diesel Tractor to C&W Farm Equipment.

Mr. Luallen presented the following resolution to approve and award the bid of a diesel tractor to C & W Farm Equipment. He also referred to a letter of recommendation from the Highway Commissioner recommending that the bid from C & W Farm Equipment for the amount of \$28,3 19,73 for the Diesel Tractor with Cab be approved. C & W Farm Equipment's bid is the lowest bid that meets all specifications. Mr. Luallen also referred to the bid summary which was also provided to the Commissioners.

Resolution No. 02-29

A RESOLUTION TO APPROVE AND AWARD THE BID OF A DIESEL
TRACTOR TO C & W FARM EQUIPMENT

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

WHEREAS, the Highway Department has requested the purchase of a Diesel Mowing Tractor in the amount of \$28,319.73 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, Randall Moss, McMinn County Highway Commissioner has recommended the bid be awarded to C & W Farm Equipment.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21ST DAY OF OCTOBER, 2002, that this Commission does hereby approve awarding the bid of a Diesel Mowing Tractor in the amount of \$28,319.73 to C & W Farm Equipment.

(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.

In response to a question from Commissioner Curtis regarding other lower bids, Mr. Moss said the bid from C & W Farm Equipment is the low bid meeting all specifications.

In response to a question from Commissioner Jack Powers, the Highway Commissioner reviewed some of the specifications that were not met. Mr. Moss said that one of the bids had a transmission which does not meet specifications. Also, they requested a highway yellow tractor and they said that they couldn't furnish a tractor in highway yellow color. There was also a discussion concerning which Brands have provided the best service for the type of work the Highway Department does; i.e., the Massey Ferguson tractors have oil clutches, and they haven't had any trouble with them.

Motion carried by voice vote.

C. Resolution to Approve and Award the Bid of Rotary Mower to C&W Farm Equipment.

Mr. Luallen presented the following resolution and referred to a letter of recommendation from the Highway Commissioner and a bid summary which was provided to the Commission:

Resolution No. 02-30

A RESOLUTION TO APPROVE AND AWARD THE BID OF ROTARY MOWER
TO C & W FARM EQUIPMENT

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

WHEREAS, the Highway Department has requested the purchase of 60" Rotary Mower in the amount of \$14,300.00 in order to properly carry out the functions of their department; and

WHEREAS, Randall Moss, McMinn County Highway Commissioner, has recommended the bid be awarded to C & W Farm Equipment.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21ST DAY OF OCTOBER, 2002, that this Commission does hereby approve awarding the bid of Rotary Mower in the amount of \$14,300.00 to C & W Farm Equipment.

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

Attest:

(Orig signed by Evonne Jones)
County Clerk

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

In response to a question from Commissioner Bob Powers, the Highway Commissioner said that C & W Farm Equipment was the only bidder that met all of the specifications and he explained some of problems with the others bids, i.e., some of the mowers don't have stump jumpers, some of them have longer and smaller spindles that bend, and some with the side mount mower won't interchange with a boom mower.

Motion carried by voice vote.

D. A Resolution to Approve and Award the Bid of Loader Attachment to Chattanooga Dozer Parts.

Mr. Luallen presented the following resolution to approve and award the bid of loader rake with Paddle Attachment for the McMinn County Landfill. Bids were opened on October 15,2002, with two vendors bidding. Mr. Luallen also referred to a letter of recommendation from the Landfill Supervisor recommending the low bid, as well as the bid summary, which were provided to the Commissioners for their information.

Resolution No. 02-31

A RESOLUTION TO APPROVE AND AWARD THE BID OF LOADER
ATTACHMENT TO CHATTANOOGA DOZER PARTS

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

WHEREAS, the Landfill has requested the purchase of Loader Rack with Paddle Attachment in the amount of \$8,475.00 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, Stan Moses, Landfill Supervisor has recommended the bid be awarded to Chattanooga Dozer Parts.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21ST DAY OF OCTOBER2002, that this Commission does hereby approve awarding the bid of Loader Attachment in the amount of \$8,475.00 to Chattanooga Dozer Parts.

(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.

Motion carried by voice vote.

E. Purchase of Vehicle From State of Tennessee Surplus - McMinn County Landfill.

Mr. Luallen presented the following resolution approving the purchase of a vehicle from State of Tennessee Surplus. Mr. Luallen also referred to backup documentation including a purchase order and invoice.
Resolution No. 02-32

A RESOLUTION TO APPROVE THE PURCHASE OF VEHICLE FROM
STATE OF TENNESSEE SURPLUS

WHEREAS, the purchase of a 1994 Chevrolet 4X4 pickup was made by the McMinn County Landfill from State of Tennessee Surplus; and

WHEREAS, the amount of the purchase was \$8,800.00; and

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

NOW, BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS of McMinn County, Tennessee, meeting in regular session on this the 21st day of October 2002, that the purchase of the 1994 Chevrolet 4 X 4 pickup in the amount of \$8,800.00 be hereby approved.

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

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

In response to a comment by Commissioner King that this price seems high, Mr. Gentry said this is due to low mileage of 60,000 miles. Mr. Gentry added that this truck will replace a vehicle.

Motion carried by voice vote.

F. A Resolution to Approve the Purchase of Vehicle from State of Tennessee Surplus - McMinn County Highway Department.

Mr. Luallen presented the following resolution as well as backup documentation from the Highway Commissioner to approve the purchase of a 1995 Ford Pickup from State Surplus for \$7,300.00.

Resolution No. 02-33

A RESOLUTION TO APPROVE THE PURCHASE OF VEHICLE FROM
STATE OF TENNESSEE SURPLUS

WHEREAS, the purchase of a 1995 Ford Pickup was made by the McMinn County Highway Department from State of Tennessee Surplus; and

WHEREAS, the amount of the purchase was \$7,300.00; and

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

NOW, BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS of McMinn County, Tennessee meeting in regular session on this the 21st day of October 2002, that the purchase of the 1995 Ford Pickup in the amount of \$7,300.00 be hereby approved.

(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 Jack Powers, to approve this resolution.

In response to a question from Commissioner Crews, the Highway Commissioner said this truck is a 2 wheel drive truck with 28,000 miles.

G. Request to Approve Payment of Inmate Medical Expenses to Woods Memorial Hospital.

Mr. Luallen presented a resolution to approve payment of inmate medical expenses to Woods Memorial Hospital for an inmate who experienced an acute case of pancreatitis and incurred a hospital bill in the amount of \$14,932.87. Mr. Luallen also referred to a memorandum from the Jail Administrator, LT Coleman, explaining the background of this case involving the inmate's medical furlough and Tenn Care's refusal to pay any of the expenses.

MOTION was made by Commissioner King, and seconded by Commissioner Jack Powers, to approve the payment of this bill.

Following a lengthy discussion concerning the medical furlough policy for misdemeanor inmates, the billing of Tenn Care, or the billing of the individual, LT Coleman requested that this situation be looked into further before the County agrees to pay this bill.

There was some discussion concerning a similar situation in Bradley County as well as CTAS' opinion concerning the County's liability.

MOTION made by Commissioner Crews, and seconded by Commissioner Holbrook, to table the earlier motion until this can be researched.

Motion carried by voice vote.

7. REVIEW AND APPROVAL OF CONTRACTS

A. A Resolution to Approve Addendum 11 to the Communication Agreement Between McMinn County and the City of Athens for Budget Year 2002-03.

Mr. Luallen presented and recommended approval of the following resolution to approve an addendum to the Communications Agreement between McMinn County and the City of Athens. At Commissioner Holbrook's request, the resolution was amended to clearly state that this was an annual fee payable in quarterly payments.

Resolution No. 02-34

A RESOLUTION TO APPROVE ADDENDUM 11 TO THE COMMUNICATION AGREEMENT
BETWEEN MCMINN COUNTY AND THE CITY OF ATHENS FOR BUDGET YEAR 2002-03

WHEREAS, in order to provide an adequate communications system for emergency ambulance services, county law enforcement, county fire and rescue operations, public works, administration and schools, McMinn County has entered into an agreement with the City of Athens to provide said services; and

WHEREAS, according to Addendum 11, the City of Athens has agreed to provide said services for the annual fee of \$293,715.00 payable quarterly; and

WHEREAS, \$24,776.00 is for capital improvements and \$268,939.00 covers operational costs for a total annual expense of \$293,715.00; and

WHEREAS, the McMinn County Executive recommends paying the annual operational costs of \$268,939.00 in quarterly payments due to provisions of the 2002-03 budget, and recommends payment of capital costs upon completion to be taken from the Capital Improvements Fund,

(Con't)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE MEETING IN REGULAR SESSION THIS THE 21ST DAY OF OCTOBER 2002, that this Commission hereby approves to the addendum to the Agreement subject to the County Executive's recommendation. -

(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 this contract

In response to a question from Commissioner Vincent regarding the \$24,776.00 for capital improvements, Mr. Gentry explained that this was for a new recorder, upgrades to existing computers and server upgrade for the tape backup systems.

Motion carried by voice vote.

8. APPROVAL OF BUDGET AMENDMENTS

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

Fund: GeneralFund#101

Date: October 15,2002

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Revenue - State of Community Development Tennessee		47180	87,165.00	
Other Sources	Operating Tfr (Water Match)	49800	25,458.00	
Other Econ & Community Dcv (Water Line Grant)	Contracts W/O Public Agenc.	58190-3 10		5,000.00
	Engineering Services	58190-321		688.00
	Legal Services	58190-331	604.00	
	Other Construction	58190-791		106,862.00
Reserve	Undesignated Fund	39000		677.00
	Balance			

EXPLANATION: To budget balance of revenue and expenditures applicable to CDBG Waterline Grant applicable to Etowah, Athens and Niota for FY 2001 (\$500,000 CDBG, \$167,400 County match)
 Z-01-003 17680(8/7/00-6/30/05)

MOTION made by Commissioner Mason, and seconded by Commissioner Bob 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. McPbail - Aye

Fund: General Purpose School # 141			Date: October 8,2002	
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Regular Instruction Teachers Program		71100-116		20,720.00
AlternativeInstruc- lion Program	Teachers	71150-116		180.00
Special Education Teachers Program		71200-116		1,920.00
Vocational Educa- lion Program	Teachers	71300-116		1,800.00
Other Student Support	Guidance Personnel	72 130-123		600.00
Reg. Instruction Librarians Program Support		722 10-129		600.00
	Instruc. Computer Personnel	72210-138		60.00
Special Ed. Program Support	Psychological Personnel	72220-124		60.00
Office of the Superintendent	Administrative Office	72320-10 1		60.00
Other Student	“Dare Officer” Other	72130-399	15,000.00	
Reg. Instruc. Program Support	“Art and Music“ Temp P-T Pers	72210-168	11,000	

(Cont'd)

EXPLANATION: To revise original budget to reflect additional professional salary increase as ratified.

Fund: General Purpose School # 141

Date: October 9,2002

DEPART	ACCOUNT	FOLIO	DEBIT	CREDIT
Other State Revenue	Other State Grants	46980	16,076.00	
Other Federal	Other Federal through	47590	24,114.00	
Revenue .	State			
Community Svcs	Teacher	73300-116		32,152.00
	Social Security	73300-201		2,037.00
	State Retirement	73300-204		1,118.00
	Life Insurance	73300-206		103.00
	Medical Insurance	73300-207		4,137.00
	Unemployment	73300-210		21.00
	Compensation			
	Employer Medicare	73300-212		477.00
	Other Fringe Benefits	73300-299		20.00
	Other Charges	73300-599		125.00

EXPLANATION: To budget revenue and expenditures related to the early Childhood Education Grant approved by the state August 20,2002.

MOTION made by Commissioner King, and seconded by Commissioner Jack 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. McPbail - Aye

Federal Projects # 142 - Title 11,02.01 #280

Date: September 25,2002

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Regular Instruction Substitute Teachers Program		71100-195		3,395.39
Reg. Instruc. Program Spt	Travel	72210-355		5,390.59
	In-Service/Staff Development	72210-524		18,957.00
Reserve Revenue	Other Federal Projects	34440	962:01	
	Eisen. Prog. Dcv. St. Grants	47189	26,781.00	

EXPLANATION: To enter the Title II, 02.01 carryover budget.

Fund: Federal Projects # 142 Idea-B 02.01 # 291

Date: September 24,2002

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Special Education Teachers Program		71200-116		2,001.52
	Educational Assistants	7 1200-163		24,854.55
	Other Salaries and Wages	71200-189		1,775.00
	Social Security	71200-201		1,774.66
	State Retirement	7 1200-204		1,679.74
	Life Insurance	7 1200-206		369.36
	Medical Insurance	71200-207		12,941.27
- "	Unemployment Compensation	71200-210		75.23
	Employer Medicare	71200-212		415.24
	Other Fringe Benefits	71200-299		93.61
	Contracts with Private Agen.	71200-3 12		41,799.03
	Instruct. Supplies & Materials	71200-429		67,631.53
	Other Supplies and	71200499		2,318.71
	Special Education Equipment	70200-725		33,329.21

Fund: Federal Projects # 142 Idea-B 02.01 # 291 Cont'd

Special Ed. Program Support	Psychological Personnel --	72220-124		8,423.98
	Other Salaries and Wages	72220-189		3,153.87
	Social Security	72220-201		1,118.04
	State Retirement	72220-204		627.00
	Life Insurance	72220-206		36.78
	Medical Insurance	72220-207		417.95
	Unemployment Compensation	72220-2 10	7.59	
	Employee Medicare	72220-2 12		261.83
	Other Fringe Benefits	72220-299		6.69
	Maint. & Repair Serv. Equip	72220-336		5,000.00
	Travel	72220-355	998.57	
	Other Contracted Services	72220-399		19,956.16
	In Service/Staff Development	72220-524		4,045.90
	Other Charges	72220-599		882.11
Transportation	Bus Drivers	72710-146		3,919.56
	Social Security	72710-201		396.49
	State Retirement	72710-204		290.50
	Life Insurance	72710-206		186.72
	Medical Insurance	727 10-207		2,196.28
	Unemployment Compensation	72710-210	10.06	
	Employer Medicare	72710-212		92.63
	Other Fringe Benefits	72710-299		35.11
	Contracts with Parents	72710-313		2,000.00
	Transportation Equipment	72710-729		578.00
Revenue (Con't)	Special Ed. Grants to	47143	241,903.82	

EXPLANATION: To enter the Idea-B 02.01 carryover budget.

Fund: Federal Projects # 142 Idea-B 02.21 #293

Date: September 25,2002

DEPARTMENT	ACCOUNT	FOLIO -	DEBIT	CREDIT
Special Education Program	Instruc. Supplies & Materials	71200429		10,070.02
	Other Supplies and Materials	71200-499		11,575.43
	Equipment	7 1200-725	-	40,000.00
Special Ed. Program Support	Travel	72220-355		392.64
	Other Contracted Services	72220-399		6,102.00
Reserve	Reserved for Special Ed. Grant	34430	55,391.00	
Revenue	Special Ed. Grants to States	47143	12,749.00	

EXPLANATION: To enter the Idea-B 02.21 carryover budget.

Fund: Federal Projects # 142 Vocational Ed. Program

Date: September 24,2002

Improvement 02.01 # 252

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Vocational Educa- tion	Travel	7 1300-355		2,645.93
	Instruc. Supplies & Materials	71300429		689.55
	Equipment	71300-730		35,558.40
Reserve	Other Federal Projects	34440	38,893.88	

EXPLANATION: To enter the Vocational Education Program Improvement 02.01 carryover budget.

Fund: Federal Projects # 142 Drug-Free Schools-02.01 # 285 Date: September 24,2002

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Regular Instruction Program	Instruc. Supplies & Materials	71100-429		4,795.99
	Equipment	71100-722		572.85
keg. Instruc.	Travel	72210-355	479.69	
Program Support				
Central and Other	Operating Lease Payments	72810-330	45.00	
Reserve	Other Federal Projects	34440	66.15	
Revenue	Other Federal Through State	47590	4,868.00	

EXPLANATION: To enter the Drug-Free Schools Project 02.01 carryover budget.

Fund: Federal Projects # 142 Preschool 02.01 # 290 Date: September 24,2002

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Special Education Program	Contracts with Private Agen.	71200-3 12		4,931.37
Special Ed. Program Spt	Other Salaries and Wages	72220-189	523.75	
	Social Security	72220-201		63.56
	State Retirement	72220-204	3.61	
	Life Insurance	72220-206		18.00
	Medical Insurance	72220-207		2,224.13
	Employer Medicare	72220-2 12		15.22
	Other Fringe Benefits	72220-299		3.34
Reserve	Reserved for Special	34430	6,728.26	

EXPLANATION: To enter the PreSchool Project 02.01 carryover budget.

Fund: Federal Projects #142 Title VI-02.O1 # 276

Date: September 20,2002

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Regular Instruction Program	Instruc. Supplies & Materials	71100429	402.26	
	Equipment	71100-722		4,407.38
Reg. Instruct.	In Seivicc/Staff	722 10-524		1,000.00
Program Support	Development			
Reserve	Res. For Innovative Ed. Prog.	34420	1,005.12	
Revenue	Innovative Ed. Prog. Strategies	47142	4,000.00	

EXPLANATION: To enter the Title VI 02.01 carryover budget including Amendment No. 1 approved by the State on July 17,2002.

Mr. Luallen said that these were all approved by the School Board on October 10,2002.

MOTION made by Commissioner King, and seconded by Commissioner Jack 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: Correctional Capital Project Fund # 174

Date: October 15,2002

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Reserve	Undesignated Fund	39000	69,329.00	
	Balance			
Public Safety Project	Building Construction	91130-706		58,126.00
	Furniture&Fixtures	91130-711		11,203.00

EXPLANATION: To budget carry-over Correctional Capital Project Fund from FY 2001-2002.

MOTION made by Commissioner King, and seconded by Commissioner Vincent, 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 I. W. McPhail - Aye

Fund: Miscellaneous Capital Project Fund # 189			Date: October 15,2002	
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Reserve	Undesignatcd Fund	39000	1,797,784.00	
	Balance			
General Admin. Project	Airport Improvement	91110-702		40,988.00
	BuildingConst(Ag. Center/Rcc.)	91110-706		5,113.00
	Communication Equip- ment	91110-708		34,029.00
	DataProcessingEquip- merit (GIS)	91110-709		11,418.00
	Land(Economic Development)	91110-715		1,250.00
	Building Purehas (C. H. Imp)	91110-932		227,906.00
	OtherCapitalOutlay (Old Jail Ren)	91110-799		150,000.00
Public Health Projects	Other Capital Outlay (Water)	91140-799		344,300.00
Highway Capital Projects	Highway Construction	91200-7 13		298,780.00
	Building Construction	9 1300-706		684,000.00

EXPLANTION: To budget Miscellaneous Capital Project Fund carry-over from FY 2001-2002.

Fund: Miscellaneous Capital Project Fund # 189

Date: October 15,2002

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Reserve	Undesignated Fund Balance	39000	37,300.00	
General Admin.	Building Purchases (Cotffthouse Improvement)	91110-732		37,300.00

EXPLANATION: To recognize fimsd received from BB&T rent as part of expenditures paid on Madison Park Lease.

MOTION made by Commissioner Bob Powers, and seconded by Commissioner Mason, 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 I. W. McPhail - Aye

9. WOODS HOSPITAL REPORT - MR. SOUTHERLAND

Mr. David Southerland, CEO of Woods Memorial Hospital District, updated the Commissioners on the current financial state of the hospital and provided to each Commissioner a written summary of actions and decisions by the Board of Trustees, as well as several statistical reports concerning the financial position of the hospital. Mr. Southerland reviewed this report in depth and told the Commission although they have significantly reduced the expenses at the hospital during this past year, the Board of Trustees is very concerned about the hospital's financial condition. Mr. Southerland said that the average daily census for the month of August was twelve patients and added that it is difficult to make money with twelve patients in a 72-bed acute care hospital. Mr. Southerland referred to a graph showing a 20% drop in surgery cases from the previous year and expressed his concern over the current negative cash flow position of the hospital. Mr. Southerland said that the hospital is working on additional plans to cut expenses, and ways to generate revenue and improve reimbursement, but he is very concerned about the drop off in surgery volume, a drop in admissions, and a drop in outpatient activity from the previous year. Following his presentation, Mr. Southerland answered several questions from Commissioners regarding Woods Hospital laboratory use, competition with the Athens Surgery Center this past year, current obligations, benchmarks for immediate action, recruitment of doctors, addition of MRI and sleep study capabilities, other options to increase cash flow, and the need for the hospital to improve its patient volume, stretch its dollars, increase its revenue and improve its collections. Chairman McPhail thanked Mr. Southerland for his informative presentation.

10. COMMENTS FROM THE AUDIENCE

A. Comments by Dr. Charles Cox. Staff Surgeon at Woods Memorial Hospital. Athens Regional Medical Center and the Surgery Center of Athens.

As a member of the medical staff at Woods Memorial Hospital for the past fourteen years, Dr. Cox said he is pleased to see the wonderful turn-around that the Baptist system has made in the hospital and said he thinks the Athens Surgery Center has reached an equilibrium where the numbers of procedures performed there and the two hospitals would likely remain unchanged. Dr. Cox added that he believes Woods is in the midst of a turn-around that would have the hospital profitable by next spring or summer. He said that many of the cases that the Surgery Center is doing were cases that the hospital lost money on and added that he is doing less surgery everywhere because of a decrease in referrals. He also said that he doesn't feel that the Athens Surgery Center has any impact on in-patient days. Dr. Cox discussed the opposition to the Surgery Center and believes that the Baptist Hospital system specifically opposed them because they are building a hospital in West Knoxville and we have competing areas of patient influence. Dr. Cox said that the Surgery Center wants to be part of a health care delivery team. Dr. Cox concluded by inviting debate with the Commission and County Executive concerning continued legal action.

In response to a question from Commissioner Crews as to why the Surgery Center can make money on cases the hospital loses money on, Dr. Cox said that an ambulatory surgery center is designed to do those more marginal cases profitably.

Chairman McPhail thanked Dr. Cox for his presentation.

B. Complaint of County Resident Concerning Proximity of Motorcross Track to Her Property. (Note: Mrs. Burns actually spoke to the Commission prior to the Woods Hospital report.)

Mrs. Marvel Burns, a resident on County Road 750 in the Claxton community, addressed the County Commission. She referred to her son's plea for County Planning Regulations in the *Daily Post Athenian* on October 17,2002. Her family has lived on their farm for over one hundred years but in August, the farm next door sold and a Monster Motorcross Track has been located there. Mrs. Burns said the noise is very loud for animals and humans and they have had some dust problems. Mrs. Burns is also concerned about the possibility of accidents and requested the Commission for any help they can give. The County Attorney explained that this is a private right of action between individuals to abate a noise nuisance that must be filed in Chancery Court. The County has no authority.

11. RESOLUTIONS

A. Proposed Resolution to Approve the Proposed 5-Year Capital Improvement Plan as Submitted by the McMinn County Board of Education

Mr. Gentry referred to the McMinn County Board of Education's Proposed Five-Year Capital Improvement Plan which was submitted to the Commission last month.

Mr. Gentry said that Mr. Beene, the County Engineer, is absent tonight due to the death of his Mother, but referred to a memorandum from him, dated October 17,2002, recommending approval of this 5-year Capital Improvement Plan.

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

There was some discussion concerning the Fire Marshal Required Modifications and Mr. Gentry suggested that they may wish to invite the Director of Schools to answer questions

Mr. Gentry also stated that it may be appropriate to state in the Minutes that it is not the intention of the County Commission for these Capital Improvement funds to substitute the Board of Education's current Capital Outlay fund, i.e. the County Commission would like to see a maintenance of effort on their part within their own budget to make capital improvement plans. Mr. Gentry suggested that this could be added to the above motion.

Commissioner Crews requested that the Director of Schools be invited to come before the Commission and suggested that this resolution be tabled.

Commissioners Vinèent and Jack Powers agreed to withdraw their motions until further information can

be obtained.

B. A Resolution to Add County Roads 6,349 and 721 to the Capital Improvement Road List.

Chairman McPbail presented the following resolution on behalf of the Highway Conimissioner

Resolution No. 02-35

A RESOLUTION TO ADD COUNTY ROADS 6,349 AND 721 TO THE CAPITAL IMPROVEMENT ROAD LIST

WHEREAS, McMinn County adopted a Capital Improvement Road List to aid in the planning and funding of capital road improvements; and

WHEREAS, Commissioner of Highways, Randall Moss, recommends County Roads 6,349 and 721 be added to the McMinn County Capital Improvement Road List for resurfacing in the 2002-03 budget year; and

WHEREAS, fimds were made available to add the roads to the list due to the lower than anticipated bid for asphalt,

NOW, THEREFORE, BE if RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE MEETING IN REGULAR SESSION THIS THE 21ST DAY OF OCTOBER 2002,
that this Commission hereby approves the Highway Commissioner's recommendation.

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

ttest:

(Orig signed by Evonnc Jones)
County Clerk

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

In response to a question from Commissioner Crews, the Highway Commissioner explained he added to the road list due to the lower than anticipated bid for asphalt, and the roads were near other roads on the list being approved.

C. A Resolution to Approve Repairs at the McMinn County Living Heritage Museum. Mr. Gentry presented the following resolution and requested approval:

Resolution No. 02-36

A RESOLUTION TO APPROVE REPAIRS AT THE MCMINN COUNTY LIVING HERITAGE MUSEUM

WHEREAS, McMinn County levies a 5% hotel/motel tax for the purpose of funding industrial development and tourism projects; and

WHEREAS, the Living Heritage Museum plays a vital role in McMinn County's tourism industry drawing over 22,000 visitors a year; and

WHEREAS, in addition to tourism, the museum serves as an educational instrument illustrating McMinn County's proud heritage to its visitors, citizens and school children; and

WHEREAS, the Living Heritage Museum Board of Directors has requested a \$5,926.41 to aid in the repair of damage to the bottom floor and patio areas caused by a drainage problem and also in the purchase and installation of blinds to alleviate the damage to exhibits caused by sunlight,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE MEETING IN REGULAR SESSION THIS THE 21ST DAY OF OCTOBER 2002, that this Commission approves to fund the improvements to the Living Heritage Museum at a cost of \$5,926.41.

(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.

D. Comments Regarding Request to Approve the Funding and Placement of a Rural Fire Hydrant.

Mr. Gentry requested that the resolution, which was provided to the Commissioners in their packets, to approve the funding and placement of a Rural Fire Hydrant at 3115 Highway 39 W, Athens, be withdrawn because the line would not suffice to support that fire hydrant. No action required on this request.

12. ELECTIONS. APPOINTMENTS AND CONFIRMATIONS

A. A Resolution to Confirm the Appointment of Roger Masingale to the McMinn County Regional Planning Commission. -

Mr. Gentry presented the following resolution and requested approval to confirm the appointment of Roger Masingale to the McMinn County Regional Planning Commission:

Resolution No. 02-37

A RESOLUTION TO CONFIRM THE APPOINTMENT OF ROGER MASINGALE TO THE MCMINN COUNTY REGIONAL PLANNING COMMISSION

WHEREAS, McMinn County has a regional planning commission to provide for the review of the proposed development of property in McMinn County, subject to the rules and regulations of said regional planning commission; and

WHEREAS, state law grants authority to the County Executive to appoint members to the regional planning commission upon conformation by the county legislative body; and

WHEREAS, John M. Gentry as McMinn County Executive, nominates County Commissioner Roger Masmgale to serve coterminous as a member of the McMinn County Regional Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 21ST DAY OF OCTOBER 2002, 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 King, and seconded by Commissioner Crews, to approve this resolution.

Motion carried by voice vote.

B. Appointment to School Board's ProDerties Committee.

At the request of Dr. Forgety, Chairman McPhail announced the appointment of Commissioner David Crews to the School Board's Properties Committee as the County Commission representative.

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

A. Introduction of Mr. Roy Glass, New Administrative Assistant to the Highway Commissioner.

The Highway Commissioner introduced Mr. Roy Glass, his new Administrative Assistant.

14. COMMENTS FROM THE COUNTY EXECUTIVE

A. Announcement of Book Signing.

Mr. Gentry said former McMinn Countian, Ted Brown, an Atlanta attorney, and contributing author to a book on the Tennessee Supreme Court, will be in the Courthouse on October 27, 2001 for a book signing and all Commissioners are invited to attend.

B. Reminder of Annual Tennessee County Services Association Fall Conference.

Mr. Gentry reminded the Commissioners of the Annual Tennessee County Services Association Fall Conference, in Knoxville, October 30,2002 through November 1,2002.

C. Reminder of Flu Shots.

Mr. Gentry reminded the Commissioners that flu shots would be available on November 12,2002 in the Courthouse, at a cost of \$10.00.

D. Local Collins & Aikman Plant Named as One of North America's Top Ten Best Managed Plants.

Mr. Gentry announced that the local plant of Collins & Aikman was named by Industry Week Magazine as one of North America's top ten best managed plants. Mr. Gentry said that this is the second plant in three years in our County to get this award.

15. APPROVAL OF NOTARY APPLICATIONS AND BONDS

Copies of the following notary applications and bonds were furnished to the Commissioners as recorded:

Notary Applications and Bonds for October 2002

Linda G. St. Clair
Donna Baker
Brenda Sue Afford
Michael Todd Brown
Tina Mendenhall
Paige Layman
Mark G. Lamb
Bobby Ray Carter
Sonya D. Harper

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

A. Request to Recess for Attorney-Client Discussion Regarding Condemnation Case.

The County Attorney requested a recess for attorney-client discussion of condemnation case.

The Commission recessed at 9:45 pm and reconvened at 10:20 pm.

MOTION made by Commissioner Jack Powers, and seconded by Commissioner Vincent, to take the County Attorney's recommendation and authorize him to proceed with a negotiated settlement of the lawsuit.

Motion carried by voice vote.

17. ADJOURNMENT

There being no other business, Chairman McPhail declared the meeting adjourned at 10:22 pm.

EVONNE JONES
McMinn County Clerk

ATTEST:
Deputy Clerk

Date