

The McMinn County Board of Commissioners met in Regular Session on Monday, October 18, 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 Gary Mason.

3. PLEDGE TO THE FLAG

The Pledge to the Flag was led by Commissioner Roger Masingale.

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 September 20, 2004 and the Special Called Session on October 4, 2004 were provided to the Commissioners.

MOTION made by Commissioner King, and seconded by Commissioner Bob Powers, to approve the Minutes of September 20, 2004.

Motion carried by voice vote.

MOTION made by Commissioner Holbrook, and seconded by Commissioner King, to approve the Minutes of October 4, 2004.

Motion carried by voice vote.

6. APPROVAL OF BIDS AND PURCHASES

A.

A Resolution to Approve the Purchase of Vehicle from State Government Surplus.

Mr. Luallen presented the following resolution to approve the purchase of two vehicles for the Highway Department from the State Government Surplus:

RESOLUTION NO. 04-159

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

WHEREAS, the purchase of two (2) Pick Up Trucks - a 1997 Dodge Ram 4 x 4 and a 1997 Ford F 150 was made by the McMinn County Highway Department from the State Government Surplus; and

WHEREAS, the amount of the purchase for both vehicles was \$16,000.00; and

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

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS of McMinn County, Tennessee, meeting in regular session on this the 18th day of October 2004, that the above purchase for the Highway Department in the amount of \$16,000.00 be hereby approved.

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

Attest:

(Orig signed by Evonne Jones)
County Clerk

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

Motion carried by voice vote.

B. A Resolution to Approve the Purchase of Vehicle from TVA Surplus.

Mr. Luallen presented the following resolution to approve the purchase of a vehicle for the Landfill from TVA Surplus:

RESOLUTION NO. 04-160

A RESOLUTION TO APPROVE THE PURCHASE OF VEHICLE FROM TVA SURPLUS

WHEREAS, the purchase of a 1994 Chevrolet 250 2wd Truck was made by the McMinn County Landfill from the TVA Surplus; and

WHEREAS, the amount of the purchase was \$ 5,467.00; and

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

(Cont'd)

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS of McMinn County, Tennessee, meeting in regular session on this the 18th day of October 2004, that the purchase of the 1994 Chevrolet 250 2wd Truck in the amount of \$ 5,467.00 be hereby approved.

(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 Vincent, to approve this resolution.

Motion carried by voice vote.

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

Mr. Luallen presented the following resolution to approve and award the semi-annual bid of liquid asphalt, along with a letter of recommendation from the Commissioner of Highways and the Bid Summary Sheet.

RESOLUTION NO. 04-161

A RESOLUTION TO APPROVE AND AWARD THE SEMI-ANNUAL BID OF LIQUID 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 Highway Department has requested the purchase of liquid asphalt RS-2 at \$.7405 per gallon, RS-2 Polymer at \$.9405 per gallon, AE-P at \$.7405 per gallon, and PASS at \$1.65 per gallon from the low bidder Vulcan Construction Materials, AE-3 at \$.7704 and ENVIROPATCH at \$ 1.2104 per gallon from the low bidder Marathon Ashland Petroleum 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 for each item for the bid period of November 1, 2004 through April 30, 2005.
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 18TH DAY 'OF OCTOBER 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.

Motion carried by voice vote.

7. REVIEW AND APPROVAL OF CONTRACTS None.

8. APPROVAL OF BUDGET AMENDMENTS

Mr. Luallen requested approval of one budget amendment involving the General Fund # 101 and a copy was provided to the Commissioners:

Fund: General Fund #101			Date: October 14,2004	
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Reserve	Undesignated Fund	39000	55,700.00	
	Balance			
Ambulance Service	Other Equipment	55 130-790		55,700.00

JOURNAL ENTRY REQUIRED				
Reserve	Ambulance Reserve	34990	55,700.00	
Reserve	Undesignated Fund	39000		55,700.00
	Balance			

EXPLANATION: To budget funds from Ambulance Designated Reserve to purchase additional ambulance not purchased last fiscal year. Commission approval 09/20/04.

MOTION made by Commissioner King, and seconded by Commissioner Bob Powers, 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
- I. W. McPhail .Aye
- Bob Powers .Aye
- Jack Powers .Aye
- Owen Vincent .aye
- Chairman David Crews .Aye

9. BOWATER RECOGNITION

Mr. Gentry presented the following resolution to Mr. Roger Loney, Plant Manager of Bowater Southern, and added his personal appreciation for the benefit he received because his father has been with Bowater for thirty-five years. Mr. Gentry further stated that Bowater paid \$2.7 million dollars in property taxes this year. This amount alone was the equivalent of the entire operation of all the Sheriffs patrols and operations at the jail. This resolution was approved in July but their fiftieth anniversary was only recently celebrated.

Resolution No. 04-112

A RESOLUTION TO HONOR AND COMMEND BOWATER SOUTHERN AS THE
COMPANY CELEBRATES FIFTY YEARS IN MCMINN COUNTY

WHEREAS, Bowater opened their present Calhoun facility in 1954 in McMinn County; and

WHEREAS, Bowater newsprint has remained a strong and viable industry in McMinn County through five decades, and is the largest and one of the most productive newsprint mills in North America, producing 756,000 tons of paper per year; and

WHEREAS, Bowater is one of the world's largest consumers of recycled newspapers and magazines and with 875 employees, many of whom are McMinn County citizens, continues to stimulate growth in the local economy; and

WHEREAS, Bowater has been a worldwide leader in the newsprint industry, but has remained dedicated to its Calhoun plant and to McMinn County as a whole.

WHEREAS, the McMinn County Board of Commissioners joins Bowater in its celebration of fifty years in McMinn County, and further honors and commends Bowater Southern on its leadership, its high industry standards, and its dedication to its local employees; and

WHEREAS, McMinn County wishes Bowater many more years of success in McMinn County and the world.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 19TH DAY OF JULY 2004, THAT THIS COMMISSION DOES HONOR AND COMMEND BOWATER SOUTHERN FOR ITS CELEBRATION FOR FIFTY YEARS IN MCMINN COUNTY.

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

Attest:

(Orig signed by Evonne Jones)
County Clerk

Mr. Loney expressed his appreciation for this recognition and stated that their anniversary celebration was a great event. He said that there were 1,600 people attending the open house at the plant to celebrate their long history. Mr. Loney said that there are 900 people employed, over 900 retirees and \$500 million dollars in sales a year coming out of that plant and added that there are a lot of challenges and complex issues at a site like this

Chairman Crews expressed his appreciation to Bowater and everything they have done for this community.

10. WOODS MEMORIAL HOSPITAL FINANCIAL REPORT MR. SOUTHERLAND

Mr. David Southerland, Administrator of Woods Memorial Hospital, presented the Commission with a brief executive summary concerning Woods Hospital financial performance in the past two months which resulted in the hospital taking action to reduce expenses. After the Commission had time to review this summary, Mr. Southerland explained each item in more detail.

Mr. Southerland said that the last time he met with the County Commissioners was in August 2004 and the hospital had just completed its FY 2004 year with very favorable results. He said that July 2004 was an average month but in August 2004, their volume dropped dramatically to a daily census often. In September their daily census was ten and a half.

In anticipation that the financials would not look favorable in September or October, Mr. Southerland said that the hospital needed to act immediately and develop a plan to reduce expenses as quickly as possible. This plan was presented to the Board of Trustees last Thursday for approval. Mr. Southerland said they have laid off 17.5 positions, but said that some people transferred into other open positions and that 11 people were actually displaced. Mr. Southerland said that it was unfortunate that the hospital had to move so drastically to reduce expenses in this manner but added that this will provide the most rapid way of reducing expenses. Mr. Southerland said that these reductions in administrative staffing will not stop any services currently being offered at the hospital.

Mr. Southerland said that at this point, going into the fall of this year, they are somewhere between \$320,000 and \$400,000 behind their budget. Mr. Southerland said Woods Hospital cannot operate and be successful by having ten or eleven inpatients in the hospital every day. They have to meet their budget and it is set to operate at an average daily census of fifteen inpatients per day. They also need a higher surgical volume and added that they are losing money with a surgical volume of 111. Mr. Southerland said that prior to the Athens Surgery Center opening, they averaged about 230 to 240 a month and added that he believes it was an unfortunate decision hurting the health care at Woods Hospital and the Athens Regional Medical Center.

On a positive note, the hospital census has increased to above twenty for the last five days and their surgical volume is coming back. In the meantime, Mr. Southerland said they would operate "lean and mean."

Mr. Southerland answered several questions from Commissioners concerning the reasons for this and there was a lengthy discussion as well as comments concerning the lack of notice to affected employees. Mr. Southerland also reviewed in detail the Monthly Financial Report as of August 31, 2004. Mr. Southerland stated that the success of the hospital is dependent on volume coming back up.

In response to a question from Ms. Sheree Hutson, a member of the audience, Mr. Southerland discussed the problem of McMinn County residents seeking general health care in other locations. Mr. Southerland also explained that Woods Hospital has a multi-specialty clinic that they operate every day and they bring in physicians trained in various specialties.

At the suggestion of Commissioner Holbrook, Chairman Crews asked Mr. Southerland to update the Commission on a monthly basis until the financials improve.

11. COMMENTS FROM THE AUDIENCE None.

12. RESOLUTIONS

A. A Resolution to Request The State of Tennessee Department of the Military and Tennessee Emergency Management Agency. for a Homeland Security Grant Amendment.

Mr. Gentry presented the following resolution to request a Homeland Security Grant Amendment and referred to his comments at last month's Commission meeting regarding the HAZMAT Team's need of a truck rather than a communications interoperability system which was approved earlier.

Resolution No. 162

A RESOLUTION TO REQUEST
THE STATE OF TENNESSEE DEPARTMENT OF THE MILITARY AND TENNESSEE EMERGENCY
MANAGEMENT AGENCY,
FOR A HOMELAND SECURITY GRANT AMENDMENT

WHEREAS, a Homeland Security Grant has been approved and contracted between McMinn County and the state of Tennessee Department of the Military and the Tennessee Emergency Management Agency; and

WHEREAS, a portion of said contract approved such funds to be used for the purchase of a communications interoperability system, which has since been determined to be of no current benefit to McMinn County's 911 Dispatching System at the present time; and

WHEREAS, McMinn County has a need to fund the purchase of a truck to be used to tow the HAZMAT trailer, a multi-use mobile command and response post; and

WHEREAS, McMinn County requests an amendment to the current grant to approve the purchase of a truck to pull the HAZMAT trailer from the funds previously allocated for the purchase of the interoperability system.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 18TH DAY OF OCTOBER 2004 that this Commission does hereby requests the Tennessee Emergency Management Agency to amend the current Homeland Security Grant to allow for the purchase of a truck to tow the HAZMAT trailer.

AND FURTHERMORE RESOLVES to grant authority to the County Mayor or his designee to carry out 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 Holbrook, and seconded by Commissioner Vincent, to approve this resolution.

Motion carried by voice vote.

B. No Need for Resolution Supporting a Sewage Line Extension Project on State Highway 11 to Riceville School.

Mr. Gentry referred to a proposed resolution supporting a sewage line extension project on Highway 11 to Riceville School which was included in the Commissioners' packets. He said that this is not needed at this time but will bring it back when needed.

C. A Resolution Approving the Participation of McMinn County in the Dolly Parton Imagination Library Project.

Mr. Gentry referred to the presentation of Ms. Nancy Perdue of the McMinn County Education Foundation to the County Commission at their Regular Session on August 16, 2004 and requested approval of the following resolution approving the participation of McMinn County in the Dolly Parton Imagination Library Project. Mr. Gentry said that the Education Foundation has accepted responsibility for this and added that he confirmed with the Governor's Foundation for this project that this does not obligate McMinn County in case the Education Foundation is not able to meet the demands.

Resolution # 04-163

A RESOLUTION APPROVING THE PARTICIPATION OF
McMINN COUNTY IN
THE DOLLY PARTON IMAGINATION LIBRARY PROJECT

WHEREAS, Governor Phil Bredesen has set a goal for the State of Tennessee that every Tennessee child should be given a new book every month from their birth until they reach five years of age; and

WHEREAS, The Dollywood Foundation, a Tennessee nonprofit corporation, has created the Dolly Patton Imagination Library to promote early childhood educational development in communities across the United States that have agreed to join the Dolly Parton Imagination Library; and

WHEREAS, in those participating communities, The Dollywood Foundation mails a book each month to every child under the age of five whose parent or guardian has registered them to participate in the Dolly Parton Imagination Library; and

WHEREAS, in response to Governor Phil Bredesen's request and in furtherance of his early reading initiative that includes the expansion of the Dolly Parton Imagination Library to all counties in Tennessee, the Tennessee General Assembly appropriated \$2,000,000 in the 2004-05 fiscal year budget for the purpose of funding the initial costs associated with the expansion of the Dolly Patton Imagination Library to all counties in Tennessee; and

WHEREAS, the Governor's Books from Birth Foundation (the "Governor's Foundation") has been organized as a private nonprofit corporation under the laws of the State of Tennessee for the purpose of the promotion and encouragement of reading by the children of the State of Tennessee; and

WHEREAS, the Governor's Foundation intends to seek grants from the State of Tennessee and donations from the citizens of Tennessee for the purpose of partnering with local sponsoring organizations in each McMinn County to offer the benefits of the Dolly Patton Imagination Library to all of the children of the State of Tennessee that are under the age of five; and

WHEREAS, prior to the award of such grants to the Governor's Foundation, the Tennessee Department of Education will manage the funds appropriated by the State of Tennessee for the purpose of funding the initial costs associated with the expansion of the Dolly Parton Imagination Library to all counties in Tennessee; and

WHEREAS, Board of County Commissioners of McMinn County would like to promote the early childhood educational development of all children in McMinn County by participating in the Dolly Patton Imagination Library; and

WHEREAS, the Governor's Foundation, the State of Tennessee and McMinn County desire to set forth the terms under which the eligible children of McMinn County will receive the benefits of the Dolly Patton Imagination Library.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of McMinn County meeting in regular session, this the day 18th day of October 2004, that:

SECTION 1. The Board of Commissioners of McMinn County hereby approves of the participation of McMinn County in the Dolly Patton Imagination Library on the following terms and conditions:

1. Description of the Program. Every child that resides in McMinn County and that is under the age of five shall be eligible to receive a new book each month from the Dolly Patton Imagination Library (the "Imagination Library") after such child has been registered to participate in the Imagination Library so long as the requirements set forth herein are satisfied.

2. Local Sponsoring Organizations. McMinn County will arrange for the funding of one-half (1/2) of the costs of implementing the Imagination Library in McMinn County by contacting civic organizations, local businesses and governments, and other potential sources of funding within the McMinn County ("Sponsoring Organizations").

3. Shared Payment Responsibilities. The Dollywood Foundation will charge a fixed amount per child, per month for each child participating in the Imagination Library. The Governor's Foundation will be responsible for funding one-half (1/2) of the total monthly amount payable to The Dollywood Foundation for the monthly cost of providing books to the eligible and registered children of McMinn County. The Sponsoring Organizations will be responsible for funding the remaining one-half (1/2) of the total amount payable to The Dollywood Foundation for the monthly cost of providing books to the eligible and registered children of McMinn County. Notwithstanding the foregoing, prior to the Governor's Foundation receiving grants from the State of Tennessee, the Tennessee Department of Education will fund the one-half (1/2) amount otherwise payable by the Governor's Foundation.

4. Invoicing. Prior to the Governor's Foundation receiving grants from the State of Tennessee, The Dollywood Foundation will invoice the Sponsoring Organizations for their one-half (1/2) share of the monthly cost of McMinn County participating in the Imagination Library and will invoice the Tennessee Department of Education for the remaining one-half (1/2) share of such cost. Once the Governor's Foundation has received grants from the State of Tennessee, The Dollywood Foundation will invoice the Governor's Foundation for one hundred percent (100%) of the monthly cost of McMinn County's participation in the Imagination Library and the Governor's Foundation will invoice the Sponsoring Organizations in McMinn County for their one-half (1/2) share of such costs.

5. Payment. The Sponsoring Organizations shall remit payment to The Dollywood Foundation or the Governor's Foundation, as the case may be, by electronic funds transfer no later than the 25th day of each month.

6. Registration of Participants. The Sponsoring Organizations will be responsible for organizing and coordinating the registration of the eligible children of McMinn County to participate in the Imagination Library. The Sponsoring Organizations also will be responsible for arranging for the establishment and maintenance of a database that includes the name and address of each child in McMinn County that is registered to participate in the Imagination Library and for monitoring the eligibility of registered participants in McMinn County.

7. Delivery of Books. Prior to the 25th day of each month, the Sponsoring Organizations will provide The Dollywood Foundation with a written list of the names and addresses of all eligible children that are registered to participate in the Imagination Library for the following month. The Dollywood Foundation will arrange for the delivery of one book to each child so identified.

8. Returned Books. From time to time, a book addressed to a registered Imagination Library participant may be undeliverable due to an unknown addressee, or other reasons. The Sponsoring Organizations are responsible for ensuring that all Imagination Library books that are returned to a U.S. Post Office in McMinn County as undeliverable are picked up on a regular basis, not less than monthly, and arranging for the delivery of such books to the appropriate Imagination Library participant, or if all delivery efforts have proved unsuccessful, taking possession of such undeliverable books and disposing of such books in a charitable manner that furthers early childhood development.

9. Default by Sponsoring Organizations. If the Sponsoring Organizations fail to provide a written list to The Dollywood Foundation prior to the 9th day of any month, the children of McMinn County otherwise eligible to receive a book from the Imagination Library will not receive a book for the month following such failure. If the Sponsoring Organizations fail to remit the payment required of them by the 25th day of any month, the children of McMinn County otherwise eligible to receive a book from the Imagination Library will not receive a book for the month following such failure. If any payment required of the Sponsoring Organizations has not been timely made for any month, the Governor's Foundation may, in its sole and absolute discretion, terminate the participation of McMinn county in the Imagination Library. If the Sponsoring Organizations fail to fulfill their payment obligations as specified herein, McMinn county will use its best efforts to arrange for payment from other Sponsoring Organizations.

SECTION 2. BE IT FURTHER RESOLVED, that all resolutions of the McMinn County legislative body of McMinn County, Tennessee that are in conflict with this resolution are hereby repealed.

SECTION 3. BE IT FURTHER RESOLVED, that this Resolution takes effect from and after its passage, the public welfare requiring it. This resolution shall be spread upon the minutes of the McMinn County legislative body.

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

Attest:

(Orig signed by Evonne Jones)
McMinn County Clerk

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

Motion carried by voice vote.

D. A Resolution Authorizing McMinn CounW to Participate in the Water Line Extension Project on County Roads 252 and 253.

Mr. Gentry presented the following resolution, which he received today from Athens Utilities Board, authorizing McMinn County to participate in the water line extension project on County Roads 252 and 253 and Mr. Gentry requested approval pending approval of the Development District. Mr. Gentry said he should have within the week.

RESOLUTION NO. 04-164

A RESOLUTION AUTHORIZING McMINN COUNTY TO PARTICIPATE IN THE WATER LINE
EXTENSION PROJECT
ON COUNTY ROADS 252 AND 253

WHEREAS, McMinn County desires for all of its citizens to have access to safe and potable water; and

WHEREAS, Athens Utilities Board desires to participate in McMinn County's program for the installation of 6" water line on County Roads 252 and 253; and

WHEREAS, the total cost of this project is \$46,320.00, the 20% portion to be funded by McMinn County being approximately \$9,264.00; and

WHEREAS, approval of this project is pending the favorable review and recommendation of the SE TN Development District, administrator of the McMinn County Water Program.

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS. THE 18th DAY OF OCTOBER 2004, that this board does authorize McMinn County to participate in the water line extension project at 20% of construction costs on County Roads 252 and 253, and authorizes the County Mayor to execute all documents and duties necessary for the proper completion of said project, 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 Vincent, to approve this resolution.

In response to a question from Commissioner Jack Powers, Mr. Gentry said these roads are off of Mt. Verd Road.

Motion carried by voice vote.

F. A Resolution to Honor and Commend McMinn County Soil Conservation District for Fifty Years in McMinn County.

Mr. Gentry presented the following resolution to honor and commend McMinn County Soil Conservation District for fifty years in McMinn County:

Resolution No. 04-165

A RESOLUTION TO HONOR AND COMMEND
MCMINN SOIL CONSERVATION DISTRICT
FOR FIFTY YEARS IN MCMINN COUNTY

WHEREAS, the McMinn Soil Conservation District was organized in 1954 in McMinn County; and

WHEREAS, the McMinn Soil Conservation remained a strong and viable advocate of good farming and land use practices in McMinn County through five decades; and

WHEREAS, the McMinn County Soil Conservation District has been instrumental in obtaining and tracking soil properties in McMinn County, as well as promoting the McMinn County Soil Survey; and

WHEREAS, the work of the McMinn County Soil Conservation District towards water quality and watershed concerns have truly been an asset to the health and well being of the citizens of McMinn County; and

WHEREAS, the McMinn County Board of Commissioners honors and commends the McMinn County Soil Conservation District for fifty years of service in McMinn County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 18th DAY OF OCTOBER 2004, THAT THIS COMMISSION DOES HONOR AND COMMEND THE MCMINN COUNTY SOIL CONSERVATION DISTRICT FOR FIFTY YEARS OF SERVICE IN MCMINN COUNTY.

(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.

13. ELECTIONS. APPOINTMENTS AND CONFIRMATIONS

A. A Resolution to Confirm the Appointment of Joy Rymer to the Board of Directors of Keep McMinn Beautiful.

Mr. Gentry presented the following resolution to confirm the appointment of Joy Rymer to the Board of Directors of Keep McMinn Beautiful.

Resolution No. 04-166

A RESOLUTION TO CONFIRM THE APPOINTMENT OF JOY RYMER TO THE BOARD OF DIRECTORS OF KEEP MCMINN BEAUTIFUL

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

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

WHEREAS, John M. Gentry as McMinn County Mayor, nominates Joy Rymer for appointment as a member of the Keep McMinn Beautiful Board of Directors for a ~jj~ year term.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 18TH DAY OF OCTOBER 2004, that this commission does hereby confirm this appointment.

(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.

14. REPORTS FROM COMMITTEES. COUNTY OFFICIALS. COMMENTS FROM COMMISSIONERS

A. Comments by Commissioner Dale Holbrook Concerning the Etowah Excursion Train and the Claxton Fire Department.

Commissioner Holbrook said that the Excursion Train is operating in Etowah and is a big success. He also said that the Claxton Fire Department and Rescue Squad have been awarded a \$22,000.00 grant from the federal government with the help of Congressman John Duncan.

B. Solid Waste Committee Commissioner Mason.

Commissioner Mason said that the Solid Waste Committee met prior to tonight's meeting and he presented the following resolution to approve and award the bid of a compactor for McMinn County Landfill. Commissioner Mason added that the Landfill Supervisor, Stan Moses, has been preparing us for this purchase for the past two years.

RESOLUTION NO. 04-167

A RESOLUTION TO APPROVE AND AWARD THE BID OF A COMPACTOR
FOR MCMINN COUNTY LANDFILL

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 Landfill Supervisor, Stan Moses has requested the purchase of a compactor in the amount of \$330,765.22, 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 the Landfill Supervisor, has recommended the bid be awarded to Nortrax, the best bidder meeting specifications.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 18~ DAY OF OCTOBER, 2004, that this Commission does hereby approve the recommendation of Stan Moses the Landfill Supervisor.

(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 McPhail, to approve this resolution.

Motion carried by voice vote.

C. Comments by Chairman Crews Regarding Approving Payment of Invoices for Purchases without Requisitions.

Chairman Crews that in the future he requests department heads appear before the Commission when requesting approval of purchases without requisitions, excluding emergency purchases. Commissioner Vincent also suggested that the procedures be reviewed and Mr. Gentry added that any change in procedures would need the approval of the Financial Management Committee.

15. COMMENTS FROM THE COUNTY MAYOR

A. Environmental Protection Agency's (EPA) Potential Non-Attainment Air quality List.

Mr. Gentry said that Congressman Duncan put together a meeting in Washington, DC on October 6, 2004 with EPA staff and added that Congressman Duncan is Chairman of the Subcommittee that has direct oversight of the EPA. Mr. Gentry said that this was a very good meeting and he felt that they listened to our new data and added that the final verdict will be on November 17th. Mr. Gentry said he feels there is a decent chance of being taken off this list and he expressed his appreciation to Congressman Duncan for putting together that meeting.

B. Governor's 3-Star Award.

Mr. Gentry said that the Governor's 3-Star Award program is being revamped and instead of one point being allowed on grant applications, that designation is worth a possible five points. Although Etowah has been a 3-star community for seventeen years, this is now a county-wide program and if we attain 3-star status, every municipality in McMinn County would be able to claim 3-star status. Mr. Gentry added that all 3-star communities must start over now and he said that a resolution will be drawn up concerning our five-year strategic plan. Mr. Gentry explained the various programs that would be effect our status and added that grant applications would be due next by February or April.

16. APPROVAL OF NOTARY APPLICATIONS

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

for October Notary Applications 2004

Jerry Lynn Brown
Panel L. Hicks
Sheila M. Holden
Cheryl Denise Leatherwood
Ronald H. Morrow
Robin Denise Sliger
Sandra J. Curie

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

Motion carried by voice vote.

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

None.

18. ADJOURNMENT

There being no other business, Chairman Crews declared the meeting adjourned at 8:45 pm.
McMinn County Clerk

Attest: