

The McMinn County Board of Commissioners met in Regular Session on Monday, November 21, 2005, 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 County Clerk Evonne Jones, as recorded:

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

Chairman Crews welcomed his son and his future daughter-in-law who were in the audience.

5. APPROVAL OF MINUTES

Copies of the Minutes of the Regular Session on October 17, 2005 were provided to the Commissioners.

MOTION made by Commissioner Vincent, and seconded by Commissioner Masingale, to approve the Minutes of October 17, 2005.

Motion carried by voice vote.

6. APPROVAL OF BIDS AND PURCHASES

A. A Resolution to Approve and Award Semi-Annual Requirements Bid for Paper-Plastics Products.

Mr. Luallen presented the following resolution to approve and award semi-annual requirements bid for paper and plastic products, along with letters of recommendation from the various departments. Mr. Luallen said that some vendors would not honor their bid for the entire period so the next lower bid was selected; however, Mr. Luallen said that overall, the bids were recommended to be awarded to the lowest bid meeting specifications.

RESOLUTION NO. 05-135

A RESOLUTION TO APPROVE AND AWARD SEMI-ANNUAL REQUIREMENTS BID FOR  
PAPER-PLASTICS PRODUCTS

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

WHEREAS, the Courthouse Maintenance Department and Sheriffs Department requests the purchase of Paper and Plastic Products from January 1, 2006 to June 30, 2006, to properly carry out the functions of the department; and

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

WHEREAS, Benny Bivens, Courthouse Maintenance Supervisor and Steve Frisbie, Sheriff recommend the bid be awarded to the vendors with lowest bid price meeting specifications provided they keep the bid price for the entire period.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21<sup>ST</sup> DAY OF NOVEMBER 2005, that this Commission does hereby approve the recommendation of the Sheriff and Maintenance Supervisor.

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

Attest:

(Orig signed by Evonne Jones)  
County Clerk

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

Motion carried by voice vote.

B. A Resolution to Approve and Award the Bid of One Four-Wheel Drive Heavy Duty Patrol Vehicle.

Mr. Luallen presented the following resolution to approve and award the bid of one four-wheel drive heavy duty patrol vehicle, along with a letter of recommendation from Sheriff Frisbie and the bid summary sheet.

RESOLUTION NO. 05-136

A RESOLUTION TO APPROVE AND AWARD THE BID OF ONE FOUR-WHEEL DRIVE  
HEAVY DUTY PATROL VEHICLE

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

WHEREAS, the Sheriffs Department requests the purchase of a 2006 heavy duty four-wheel drive patrol vehicle, 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, Steve Frisbie, McMinn County Sheriff has recommended the bid be awarded to Prater Ford Mercury, Inc. of Calhoun, GA, for \$26,773.80, 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 21 DAY OF NOVEMBER, 2005, that this Commission does hereby approve the recommendation of the Sheriff.

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

Attest:

(Orig signed by Evonne Jones)

County Clerk

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

In response to a question from Commissioner Jack Powers, Sheriff Frisbie said that they are exempt from paying taxes even if they purchase the vehicle out of state.

C. A Resolution to Approve and Award Courthouse Video Surveillance System.

Mr. Luallen presented the following resolution to approve and award the courthouse video surveillance system, along with the bid summary sheet and a letter of recommendation from Joe Guy, Special Projects Director, recommending award to the low bidder meeting specifications.

RESOLUTION NO. 05-137

A RESOLUTION TO APPROVE AND AWARD COURTHOUSE VIDEO SURVEILLANCE SYSTEM

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 become aware of the need to make the duties and operation of the McMinn County Courthouse & Annex more secure for employees and patrons of such facility; and

WHEREAS, Joe Guy Assistant to County Mayor and Safety Officer requests the purchase of a video surveillance system for the courthouse and annex; and

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

WHEREAS, Joe Guy, recommends the bid be awarded to Wheeler Electronics, Inc. of Cleveland, TN in the amount of \$19,686 the lowest bidder meeting specifications; and

WHEREAS, the funds shall be taken from litigation tax fee for Courthouse/Justice Center improvements.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21ST DAY OF NOVEMBER, 2005, that this Commission does hereby approve the recommendation of Joe Guy.

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

Attest:

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

There was some discussion concerning the wide range of bids and Mr. Guy indicated that they wanted a quality camera without a lot of bells and whistles that would most likely never be used. There was also a discussion concerning warranty exclusions, location of the cameras, including the Courthouse Annex, as well as the length of filming time.

Motion carried by voice vote.

D. A Resolution to Approve the Purchase from State Contract One Ford XLF 150 Truck.

Mr. Luallen presented the following resolution to approve the purchase from State contract one Ford XLF 150 Truck for the Landfill.

RESOLUTION NO. 05-138

A RESOLUTION TO APPROVE THE PURCHASE FROM STATE CONTRACT ONE FORD XLF 150 TRUCK

WHEREAS, Stan Moses, Landfill Supervisor, requests approval for the purchase of a Ford XLF 150 4 x 4 extended cab truck from state contract to carry out the duties of the McMinn County Landfill; and

WHEREAS, the amount of the purchase is \$18,939.00; and

WHEREAS, according to Financial Management Committee Policies & Procedures, purchases over \$5,000 require approval by the County Commission; and

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE MEETING IN REGULAR SESSION ON THIS THE 21ST DAY OF NOVEMBER, 2005, that the purchase of the Ford XLF 150 in the amount of \$18,939.00 be hereby approved.

(Orig signed by John M. Gentry)

McMinn County Mayor

Attest:

(Orig signed by Evonne Jones)  
County Clerk

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

In response to a question from Commissioner Curtis, Commissioner Mason said that this is a replacement truck and that the old truck is being passed to the Parks & Recreation staff.

Motion carried by voice vote.

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

Mr. Luallen presented the following resolution to approve required annual pump testing, service and maintenance for McMinn County Fire Trucks and Equipment. Mr. Luallen added that Smokey Mountain Fire Apparatus is the name of the new business that branched off from Rural Metro Fleet Service.

RESOLUTION NO. 05-139

A RESOLUTION TO APPROVE REQUIRED ANNUAL PUMP TESTING, SERVICE AND MAINTENANCE FOR

MCMINN COUNTY FIRE TRUCKS AND EQUIPMENT

WHEREAS, McMinn County Rural Fire Chief, Scott Thompson, requests approval of a blanket requisition to Smokey Mountain Fire Apparatus (the only source provider) for annual pump testing, service and maintenance to county fire trucks and equipment at \$20,000; and

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

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY TENNESSEE, MEETING IN REGULAR SESSION THIS 21ST DAY OF NOVEMBER, 2005, the payment of invoices for pump testing, service and maintenance to county fire trucks and equipment to Smokey Mountain Fire Apparatus of \$20,000 be hereby approved.

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

Attest:

(Orig signed by Evonne Jones)  
County Clerk

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

In response to questions from Commissioner Jack Powers, there was a discussion concerning what this maintenance involves.

Motion carried by voice vote.

F. A Resolution to Approve Advance Payment of 2005 Inservice/Supplemental Pay to Eligible Officers of the McMinn County Sheriffs Department.

Mr. Luallen presented the following resolution to approve advance payment of 2005 Inservice/Supplemental Pay to eligible officers of the Sheriffs Department, along with a letter from Sheriff Frisbie and a list of eligible officers.

RESOLUTION NO. 05-140

A RESOLUTION TO APPROVE ADVANCE PAYMENT OF 2005 INSERVICE/SUPPLEMENTAL PAY TO ELIGIBLE OFFICERS OF THE MCMINN COUNTY SHERIFF'S DEPARTMENT

WHEREAS, McMinn County receives payment of in-service supplemental pay from the State of Tennessee Peace Officer Standards and Training Commission for eligible officers as defined in Tennessee Code Annotated Title 38 Chapter 8; and

WHEREAS, the amount of the supplemental pay is \$518.70 per officer, and is received in the month of June; and

WHEREAS, McMinn County Sheriff Steve Frisbie requests this money be paid in the month of December.

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE MEETING IN REGULAR SESSION ON THIS THE 21st DAY OF NOVEMBER 2005, that this Commission does hereby approve the request of Sheriff Frisbie.

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

Attest:

(Orig signed by Evonne Jones)  
County Clerk

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

Motion carried by voice vote.

7. REVIEW AND APPROVAL OF CONTRACTS

A. A Resolution to Approve Change Order for Improvements to Phase III, Section 2, McMinn County Landfill Contract.

Mr. Luallen presented the following resolution to approve change order for improvements to Phase III, Section 2, McMinn County Landfill contract, along with a letter of recommendation from Stan Moses, Landfill Supervisor. Mr. Luallen added that the Solid Waste Committee met earlier this evening and they recommend approval.

RESOLUTION NO. 05-141

A RESOLUTION TO APPROVE CHANGE ORDER FOR IMPROVEMENTS TO PHASE III, SECTION 2, MCMINN COUNTY LANDFILL CONTRACT

WHEREAS, McMinn County received bids for the construction of improvements to Phase III, Section 2, of the landfill; and

WHEREAS, McKinney Excavating Company, Inc. was awarded the bid and entered into contract with McMinn County for \$ 723,983.14; and

(Cont'd)

WHEREAS, McMinn County Commission approved a change order in the amount of \$93,158.88 due to additional undercutting and recompaction required; and

WHEREAS, McKinney Excavating requests change order # 2 in the amount of \$ 3,706.00 due to removal of waste and soils that had covered the liner; and

WHEREAS, this will increase the total contract amount to \$ 820,848.02.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21ST DAY OF NOVEMBER, 2005, that this Commission does hereby approve this change order in the amount of\$ 3,706.00.

(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 Jack Powers, to approve this resolution.

Motion carried by voice vote.

B. A Resolution to Approve the Contract Between McMinn County and the State of Tennessee Department of the Military and Tennessee Emergency Management Agency. for Funding of Emergency Preparedness.

Mr. Luallen presented the following resolution to approve the four-year contract between McMinn County and the State of Tennessee Department of the Military and Tennessee Emergency Management Agency for funding of emergency preparedness.

Resolution No. 05-142

A RESOLUTION TO APPROVE THE CONTRACT BETWEEN MCMINN COUNTY AND  
THE STATE OF TENNESSEE DEPARTMENT OF THE MILITARY AND TENNESSEE EMERGENCY  
MANAGEMENT AGENCY,  
FOR FUNDING OF EMERGENCY PREPAREDNESS

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 enter into contract with Tennessee Emergency Management Agency to acquire \$173,280.00 in grant funding applicable to the administrative duties of the McMinn County Director of Emergency Management; and

WHEREAS, the term of this contract is for the period commencing on October 1, 2005 and ending on September 30, 2009.

(Cont'd)

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21st DAY OF NOVEMBER 2005 that this Commission does hereby agree to enter into contract with Tennessee Emergency Management Agency to receive grant funding of \$173,280.00 for Emergency Management Assistance.

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.

In response to a question from Commissioner Vincent, Mr. Gentry explained that this grant covers the salary of the fixed nuclear facility planner for four years and a \$15,000 equipment budget for four years.

Motion carried by voice vote.

8. APPROVAL OF BUDGET AMENDMENTS

Mr. Luallen requested approval of one budget amendment and a copy was provided to the Commissioners:

Fund: General Purpose School # 141			Date: November 2, 2005	
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Other Student Support	Other Salaries & Wages	72130-189		25,000.00
	Contracts with Gov. Ag. (SRO's)	72130-309		7,000.00
	Other Supplies & Materials	72130-499		5,211.00
	In-Service Staff Development	72 130-524		3,000.00
State Revenue	Other State Education Funds	46590	31,921.00	
Reserve	Undesignated Fund Balance	39000	8,290.00	

EXPLANATION: To budget revenue and expenditures related to the funding under the Safe Schools Act of 1998 . This was approved by the state October 17,2005. School Board approval: 11/10/05

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

Motion carried by roll call vote, as recorded:

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

9. REPORT FROM COUNTY ATTORNEY CONCERNING 4TH DISTRICT VACANCY

Mr. Vance Baker, County Attorney, said he has reviewed the statutes regarding filling the vacant unexpired term of Commissioner Jack King. He said that the statutes require that, should the Commission choose to fill this vacancy, the County Clerk must publish a public notice as to the date the Commission will assemble for the purpose of filling this vacancy. He suggested that the Commission request the County Clerk to advertise this position and request interested parties submit resumes to the County Mayor's office by the County Commission's regular session on December 19, 2005. This would then give the Commission to review applications in order to make nominations at the regular session in January 2006.

MOTION made by Commissioner Jack Powers, and seconded by Commissioner Bob Powers, to fill this unexpired vacancy.

Motion carried by voice vote.

Chairman Crews directed the County Clerk, as recommended by the County Attorney, to publish a public notice announcing the vacancy and requesting that any interested parties submit their resume to the County Mayor's Office by 4:00 pm, Monday, December 19, 2005, the date of the next regular session of the County Commission. The County Attorney said that the public notice should state that the Commission intends to fill this vacancy at their regularly scheduled meeting on January 16, 2006.

MOTION made by Commissioner Jack Powers, and seconded by Commissioner Vincent, to proceed as the County Attorney has recommended.

Motion carried by voice vote.

10. ETOWAH CENTENNIAL COMMITTEE REQUEST NORMAN WILSON

Mr. Norman Wilson said that Etowah will be one hundred years old in 2006 and added that there is a lot of interest in this. Mr. Wilson said that the City of Etowah has already donated \$15,000 toward this celebration and their local utilities have bought them a new sound system for the entertainment planned. Mr. Wilson requested the County Commission for \$6,500.00 from hotel/motel funds to pay for one of the country singers in order to be able to offer this to citizens free of charge. He added that all funds will be handled through the City of Etowah, but this will be a year-long County-wide celebration.

A motion was made by Commissioner Holbrook, and seconded by Commissioner Bob Powers, to donate \$6,500.00 from hotel/motel tax, but this will be voted on later in the meeting when the resolution is presented.

In response to questions from Commissioner Jack Powers, Mr. Gentry said that the money is available and Mr. Wilson said that the celebration will be in the L&N Park.

In response to a question from Commissioner Vincent, Mr. Wilson said that the Etowah Centennial Committee is made up of about 30 members and he named a few.

11. COMMENTS FROM THE AUDIENCE None.

12. RESOLUTIONS

A. A Resolution to Approve the Purchase of the Old Proffitts Building/Courthouse Annex from Madison Park Shopping Center.

Mr. Gentry presented the following resolution to approve the purchase of the old Proffitts Building/Courthouse Annex from Madison Park Shopping Center. Mr. Gentry said that the Properties Committee met on November 17, 2005 and unanimously supported the purchase option of the current lease/purchase agreement as delineated in the following resolution.

Resolution No. 05-143

A RESOLUTION TO APPROVE  
THE PURCHASE OF THE OLD PROFFITTS BUILDING/COURTHOUSE ANNEX FROM MADISON  
PARK SHOPPING CENTER

WHEREAS, in order to properly perform the duties of county government as prescribed by law, McMinn County is authorized to purchase real estate property; and

WHEREAS, McMinn County previously entered into a lease/purchase agreement with Madison Park Shopping Center, a Tennessee General Partnership, the property known presently as the Courthouse Annex and adjacent "Old Proffitt's" building; and

WHEREAS, the terms of said lease provide for McMinn County to exercise its option to purchase the Courthouse Annex and the old Proffitt's building at the end of the fifth year of the lease, being December 2005; and

WHEREAS, the total purchase price of the combined 31,500 square feet buildings is one million, five hundred thousand dollars (\$1,500,000) or \$48.00 per square foot; and

WHEREAS, per the lease, a credit of \$213,250.20 will be applied to the purchase price leaving a balance of \$1,286,749.80; and

WHEREAS, the McMinn County Properties Committee has reviewed said agreement and believes it is in the best interest to own the buildings formerly known as the Elmore and Proffitt's building to adequately address current and future county government office and storage space requirements.

WHEREAS, the County Mayor is authorized to execute such documents as may be deemed necessary to complete this purchase.

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NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21st DAY OF NOVEMBER 2005 THAT THE COMMISSION DOES APPROVE THIS PURCHASE OF THE COURTHOUSE ANNEX/OLD PROFFITT'S BUILDING FROM MADISON PARK SHOPPING CENTER, the public welfare demanding it.

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

Attest:

(Orig signed by Evonne Jones)  
County Clerk

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

In response to a question from Commissioner Jack Powers, Mr. Gentry said that the School Board would have about 21,000 square feet, but this includes some shared space for joint use, and there is an unfinished portion that we are keeping for future growth of the County Clerk's Office or the Juvenile Services Office. Mr. Gentry added that there is a possible joint conference room which could possibly also serve as the Courthouse Election precinct because of better parking availability and handicap access.

In response to another question from Commissioner Jack Powers, Mr. Gentry said that the School Board's contract with the Federal Government for their present building stays in their hands for at least 17 more years and they have intended use for their building and they will maintain it.

Motion carried by voice vote.

B. A Resolution to Approve the Construction of Six Methane Gas Vents at the McMinn County Landfill.

Mr. Gentry presented the following resolution to approve the construction of six methane gas vents at the McMinn County Landfill. This was approved at the Solid Waste Committee meeting earlier this evening.

Resolution No. 05-144

A RESOLUTION TO APPROVE THE CONSTRUCTION OF SIX METHANE GAS VENTS AT THE  
MCMINN COUNTY LANDFILL

WHEREAS, the McMinn County Landfill produces a certain amount of methane gas due to anaerobic bacteria present in the decomposition of biological waste; and

WHEREAS, it is common practice to vent off methane gas from underground cells to prevent such gas from contaminating ground water; and

WHEREAS, CTI has procured quotes for the construction of six gas vents at the McMinn County Landfill, the most reasonable from American Environmental Group (AEG) that is an all-inclusive quote for mobilization, drilling, completion of vents, heavy equipment, gravel, and concrete; and

(Cont'd)

WHEREAS, the quote by AEG is \$21,860, and is recommended by CTI and the Landfill Director, with an option to reduce the price to \$7,580 if McMinn County provides the heavy equipment and stone.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21st DAY OF NOVEMBER 2005, THAT THE COMMISSION DOES APPROVE THE QUOTE BY AEG FOR THE CONSTRUCTION OF SIX METHANE GAS VENTS, the public welfare demanding it.

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

Attest:

(Orig signed by Evonne Jones)  
County Clerk

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

Commissioner Holbrook said that this methane gas that we're venting is really a strong greenhouse type gas that contributes to global warming.

Motion carried by voice vote.

C. Resolution to Utilize the Old Election Commission Office for the McMinn County Archives.

Mr. Gentry presented the following resolution to utilize the old Election Commission Office for the McMinn County Archives and added that this was approved by the Properties Committee meeting on November 17, 2005. Mr. Gentry added that Joe Guy has been able to secure grant funding for some shelving.

Resolution No. 05-145

RESOLUTION TO UTILIZE THE OLD ELECTION COMMISSION OFFICE FOR  
THE MCMINN COUNTY ARCHIVES

WHEREAS, *Tennessee Code Annotated*, Title 10, Chapter 7, requires that records of permanent value be preserved and made available for public inspection; and,

WHEREAS, the Secretary of the State of Tennessee, through the Tennessee State Library and Archives, advises that the most effective and economical means of achieving this public benefit with respect to the keeping of older local records is through the administration of a local government archives;

WHEREAS, the McMinn County Commission established the McMinn County Archives in January, 2005, to be operated under the authority of the County Archivist with support from the McMinn County Historical Society, as directed by the McMinn County Public Records Commission; and

WHEREAS, the old Election Commission Office on the Courthouse ground floor is already being used for storage space for the records of the Court Clerk; and

WHEREAS, it is the recommendation of the County Archivist, with support from the McMinn County Historical Society, the County Clerk and the Court Clerk, to utilize the old Election Commission office as the official room for archiving historic public records according to the regulations set forth by the State Library and Archives; and

(Cont'd)

WHEREAS, the County Archivist has surveyed the above room space as well as the cubic feet of records currently in need of storage, and estimates the old Election Commission office will hold the current records as well as provide room for additional records in the future; and

WHEREAS, the shelving necessary for this archives room will be funded through grants already awarded from the State Library and Archives.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21st DAY OF NOVEMBER 2005 THAT THE COMMISSION DOES APPROVE THE UTILIZATION OF THE OLD ELECTION COMMISSION OFFICE ON THE COURTHOUSE GROUND FLOOR AS THE McMINN COUNTY ARCHIVES ROOM, pending such approval of the Properties Committee, the public welfare demanding it.

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

Attest:

(Orig signed by Evonne Jones)  
County Clerk

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

Motion carried by voice vote.

D. A Resolution Authorizing a Contribution to the Etowah Centennial Celebration Committee.

Mr. Gentry presented the following resolution authorizing a contribution to the Etowah Centennial Celebration Committee as discussed earlier by Mr. Norman Wilson.

Resolution No. 05-146

A RESOLUTION AUTHORIZING A CONTRIBUTION TO THE ETOWAH CENTENNIAL  
CELEBRATION COMMITTEE

WHEREAS, the City of Etowah will celebrate its one hundredth anniversary in 2006; and

WHEREAS, the citizens of Etowah, in conjunction with their city government, have formed the Etowah Centennial Celebration Committee to better organize and plan for this momentous occasion; and

WHEREAS, the Centennial Celebration Committee, led by Chairman Norman Wilson respectfully requests funds from McMinn County's Hotel/Motel Tax Fund to help defray the cost of the numerous events planned throughout the year; and

WHEREAS, the Centennial Celebration Committee wishes all Etowah and McMinn County residents, past, present and future to come to Etowah and enjoy the celebrations; and

WHEREAS, the McMinn County Commission, desiring to celebrate this momentous occasion with the citizens of Etowah does approve allocating \$6,500.00 to the City of Etowah's Centennial Celebration Committee,

(Cont'd)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS 21<sup>ST</sup> DAY OF NOVEMBER, 2005, that \$6,500.00 dollars be allocated to the Etowah Centennial Celebration Committee, through the financial accounting of the City of Etowah, from McMinn County's Hotel/Motel Tax Fund.

(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.

E. A Resolution to Accept Property Acquisition Proposals from the Tennessee Department of Transportation Due to the State Route 30 Four-Laning Project.

Mr. Gentry presented the following resolution to accept property acquisition proposals from the Tennessee Department of Transportation Due to the State Route 30 Four-Laning Project. Mr. Gentry said that this was approved earlier this evening by the Airport Committee. Mr. Gentry said that this involves approximately two and 1/2 acres of land and added that under this resolution they are earmarking any proceeds that are remaining after improvements are addressed be put back in the airport's capital improvement plan to take advantage of the 90/10 and sometimes 75/25 match program so that we can leverage that money into a considerable return.

Resolution No. 05-147

A RESOLUTION TO ACCEPT PROPERTY ACQUISITION PROPOSALS FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION DUE TO THE STATE ROUTE 30 FOUR-LANING PROJECT

WHEREAS, in the course of four-laning State Route 30, the State of Tennessee has determined it needs to purchase four tracts of property from McMinn County; and

WHEREAS, the description of the four tracts and their respective offers are as follows:

<u>Tract</u>	<u>Acreage</u>	<u>Land Price</u>	<u>Damages/Impts.</u>	<u>Total</u>
204 (re do entrance to showbarn and armory)	918 sq. ft.	N/A	\$300.00	\$300.00
79 (land in front and beside Drivers Testing Center)	.881 ac.	\$10,250	\$19,450	\$29,700.00
85 (S. side of airport across Hwy. 30)	.674ac.	\$12,500	N/A	\$12,500.00
84 (S. side of airport where sign is located)	.833 ac.	\$15,000	\$15,300	\$30,300.00
			TOTAL	\$72,800.00

WHEREAS, due to Federal Aviation Association regulations any proceeds from the sale of tracts 84 and 85 must be reinvested into the airport; and

WHEREAS, due to grants being available for airport improvements with as low as a ten percent match requirement, the McMinn County Airport Committee recommends earmarking all proceeds from the sale, excluding any site improvements made necessary as a result of the four-laning project, as match for future airport grant projects; and

WHEREAS, the county engineer has reviewed all the proposals and believes the compensation is fair and just; and

WHEREAS, McMinn County Airport Committee does recommend the County Commission approve the offers presented for tracts 204, 79, 85 and 84 for a combined compensation of seventy-two thousand, eight hundred dollars (\$72,800.00),

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21<sup>ST</sup> DAY OF NOVEMBER, 2005, that this Commission does hereby approve the recommendation of the Airport Committee to accept the Tennessee Department of Transportation's offers for a total compensation of \$72,800.00 and earmarks the proceeds to match future grant awards for airport improvement, and furthermore, authorizes the County Mayor to execute all necessary documents.

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

Attest:

(Orig signed by Evonne Jones)  
County Clerk

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

Motion carried by voice vote.

F. A Resolution to Authorize Compensation and Waiver of Gross Receipt Fees Regarding the McMinn County Airport Fixed Base Operator.

Mr. Gentry presented the following resolution to authorize compensation and waiver of gross receipt fees regarding the McMinn County Airport fixed base operator. Mr. Gentry explained that the airport closure was projected to be 30 days and closure is now at 60 days. This has caused undue financial hardship on the fixed base operator who derives much of his operating income from fuel sales. The following resolution authorizes a compensatory amount of \$3,500.00 in lieu of lost fuel sales and waiving his gross receipt fees up to \$1,000.00. The Airport Committee, which met earlier this evening, recommends approval.

Resolution No. 05-148

A RESOLUTION TO AUTHORIZE COMPENSATION AND WAIVER OF GROSS RECEIPT FEES  
REGARDING THE MCMINN COUNTY AIRPORT FIXED BASE OPERATOR

WHEREAS, the current McMinn County Airport expansion project has caused the temporary, although extended, closure of the McMinn County Airport; and

WHEREAS, the airport closure has caused undue financial hardship on the Fixed Base Operator, who derives much of his operating income from the sale of oil, aircraft, tie-downs, aviation fuel, T-hangar rentals, and other gross receipts; and

WHEREAS, in an effort to offset such financial hardship, McMinn County authorizes a compensatory amount of \$3500 in lieu of lost fuel sales; and

WHEREAS, McMinn County also desires to waive the gross receipts fees required under current contract not to exceed \$1000.00, and

WHEREAS, the \$3500.00 in lieu of lost fuel sales may be included as a project cost in the other capital projects fund.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21st DAY OF NOVEMBER 2005 THAT THE COMMISSION DOES APPROVE THIS COMPENSATION AND WAIVER OF GROSS RECEIPT FEES TO OFFSET LOSSES TO THE AIRPORT FIXED BASE OPERATOR DUE TO THE TEMPORARY CLOSURE OF THE MCMINN COUNTY AIRPORT, the public welfare demanding it.

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

Attest:

(Orig signed by Evonne Jones)  
County Clerk

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

Motion carried by voice vote.

13. ELECTIONS. APPOINTMENTS AND CONFIRMATIONS

None.

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

A. Public Safety Committee Commissioner McPhail.

Commissioner McPhail said that the Public Safety Committee met prior to this meeting to discuss two proposals to be presented to the Planning Commission regarding requiring engineering services on subdivisions and the second one is in lieu of metal culverts they be required to use concrete or approved plastic pipes.

B. Comments by Commissioner Masingale Concerning Mr. Gentry's Award from Lee University.

Commissioner Masingale congratulated Mr. John Gentry on receiving Lee University's Alumni of the Year Award.

C. Emergency Services Committee Commissioner Vincent.

Commissioner Vincent, Co-Chairman of the Emergency Services Committee, said that information has been received on paging systems for the County and this will be discussed by the Emergency Services Committee in early December.

15. COMMENTS FROM THE COUNTY MAYOR

A. Solid Waste, Airport and Public Safety Committee Meetings Prior to Tonight's Commission Meeting.

Mr. Gentry expressed his appreciation for the attendance by so many Commissioners at the various Committee meetings this evening and referred to a memorandum of November 16, 2005 which was included in their packets.

B. McMinn County Recognized by the National Guard.

Mr. Gentry pointed out an award on display from the National Guard which recognizes McMinn County as an employer who goes above and beyond in their personnel policies regarding their employees who are in the National Guard and Reserves.

16. APPROVAL OF NOTARY APPLICATIONS

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

Notary Applications for November 2005

Stephanie L. Berry  
Teresa L. Bishop  
Benjavan A. Byrd  
Debbie Coleman  
Dawn C. Felicidadario  
Steven R. Grubb  
Tina L. Jones  
Sandra J. Lowry  
David L. Richards  
Glenda F. Sherlin

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

Motion carried by voice vote.

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

A. Comment by Commissioner McPhail Concerning the Old Jail Building.

Commissioner McPhail said that the Properties Committee would be looking into what to do with old jail building.

18. ADJOURNMENT

There being no other business, Chairman Crews declared the meeting adjourned at 8:15 pm.

McMinn County Clerk

Attest:  
Deputy Clerk

Date