

The McMinn County Board of Commissioners met in Regular Session on Monday, November 19, 2007, at 7:30 pm, in the Blue Room of the McMinn County Courthouse.

1. CALL TO ORDER

The meeting was called to order by Chairman David Crews.

2. INVOCATION

The Invocation was given by Commissioner Jack Powers.

3. PLEDGE TO THE FLAG

The Pledge to the Flag was led by Commissioner Scott Curtis.

4. ROLL CALL

Roll Call was taken by County Clerk Evonne Hoback, as recorded:

Scott Curtis – Present
Dale Holbrook – Present
Jeannie King – Present
Roger Masingale – Present
Gary Mason – Present
Jerry Millsaps – Present
Bob Powers – Present
Jack Powers – Present
Tad Simpson – Present
Chairman David Crews – Present

5. APPROVAL OF MINUTES

Copies of the Minutes of the Regular Session on October 15, 2007 were provided to the McMinn County Commissioners.

MOTION made by Commissioner Holbrook, and seconded by Commissioner Mason, to approve the Minutes of October 15, 2007.

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-plastics products, along with the bid summary sheet and letters of recommendation from the Maintenance Supervisor and the Sheriff.

RESOLUTION NO. 07-147

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

(Cont'd)

Resolution No. 07-147 (Cont'd)

WHEREAS, the Courthouse Maintenance Department and Sheriff's Department request the purchase of Paper and Plastic Products from January 1, 2008 to June 30, 2008, 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 recommends the bid be awarded to the vendors with lowest bid price meeting specifications; and

WHEREAS, Sheriff Steve Frisbie, recommends the bid be awarded to the vendors with lowest bid price per item meeting specifications.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 19TH DAY OF NOVEMBER, 2007, that this Commission does hereby approve the recommendation of the Maintenance Supervisor and the Sheriff.

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

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 Payment of Hazmat ID Command System.

Mr. Luallen presented the following resolution to approve payment for the HazMat ID Command System, along with a copy of the requisition as a sole-source purchase and a letter of recommendation from Betty Hamby, Emergency Management supervisor. Mr. Luallen apologized for failing to address this at the recent Emergency Services Committee meeting, but added that Homeland Security funds will reimburse this.

RESOLUTION NO. 07-148

A RESOLUTION TO APPROVE PAYMENT OF HAZMAT ID
COMMAND SYSTEM

WHEREAS, McMinn County has been designated by the Regional Homeland Security Council to provide support for this region; and

WHEREAS, Betty Hamby, EMA Director request payment approval for HazMat ID Command System from Smith's Detection a sole source provider; and

WHEREAS, the cost of this purchase is \$ 65,825.00; and

WHEREAS, the costs of this shall be reimbursed to the County with funds from Homeland Security Grant; and

WHEREAS, according to Financial Management Committee Policies & Procedures, purchases over \$10,000 require County Commission approval.

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE MEETING IN REGULAR SESSION ON THIS THE 19TH DAY OF NOVEMBER 2007, that this Commission does hereby approve this request from Betty Hamby.

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

Attest:

(Orig signed by Evonne Hoback)

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

Motion carried by voice vote.

C. A Resolution to Approve Advance Payment of 2007 Inservice/Supplemental Pay to Eligible Officers of the McMinn County Sheriff's Department.

Mr. Luallen presented the following resolution to approve advance payment of 2007 inservice/supplemental pay from the State of Tennessee Peace Officer Standards and Training Commission to eligible officers of the McMinn County Sheriff's Department.

RESOLUTION NO. 07-149

A RESOLUTION TO APPROVE ADVANCE PAYMENT OF 2007 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 \$600.00 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 19TH DAY OF NOVEMBER 2007, 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 Hoback)
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 Child Safety Fund Grant from Tennessee Department of Health.

Mr. Luallen presented the following resolution to approve child safety fund grant from the Tennessee Department of Health, along with a brief summary of this grant program.

RESOLUTION NO. 07-150

A RESOLUTION TO APPROVE CHILD SAFETY FUND GRANT
FROM TENNESSEE DEPARTMENT OF HEALTH

WHEREAS, the Tennessee General Assembly enacted the Child Safety Act of 1989, establishing the Child Safety Fund as a source of funds to purchase child passenger safety seats, and

WHEREAS, the money in the fund is collected through fines imposed on violators of the child passenger safety law, and

WHEREAS, the money from the fines goes to the Tennessee Department of Health and is disbursed to designated entities to purchase child restraint systems for low income families with children ages birth through eight years old and measuring less than five feet in height; and

WHEREAS, McMinn County Health Department Director Jeannie Bentley has applied to participate in the Child Safety Fund Grant; and

WHEREAS, McMinn County Health Department has been approved to participate in the program.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 19TH DAY OF NOVEMBER, 2007 that this Commission does hereby agree to give authority to the County Mayor or his designee to sign any and all documents necessary for receipt of said funds to fulfill the intent of the program and this resolution.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

B. A Resolution to Approve the Tobacco Endowment Grant with Tennessee Department of Health.

Mr. Luallen presented the following resolution to approve the Tobacco Endowment Grant with Tennessee Department of Health, along with a copy of the grant application.

RESOLUTION NO. 07-151

A RESOLUTION TO APPROVE THE TOBACCO ENDOWMENT GRANT WITH TENNESSEE DEPARTMENT OF
HEALTH

WHEREAS, Tennessee Department of Health has established an endowment grant to be used to assist in the prevention of tobacco use among young people and reduce secondhand smoke exposure for all citizens; and

(Cont'd)

Resolution No. 07-151 (Cont'd)

WHEREAS, McMinn County Health Department Director Jeannie Bentley has applied for the tobacco endowment grant to be used to educate McMinn County students in grades six through eight on tobacco related issues; and

WHEREAS, contract amount of \$15,783 and requires no county match; and

WHEREAS, Jeannie Bentley requests approval.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 19TH DAY OF NOVEMBER, 2007, that this Commission does hereby approve said contract.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

C. Resolution to Approve Computer Grant for McMinn County Election Commission.

Mr. Luallen presented the following resolution to approve computer grant for McMinn County Election Commission, along with a copy of a portion of the grant contract.

RESOLUTION NO. 07-152

RESOLUTION TO APPROVE COMPUTER GRANT FOR MCMINN COUNTY ELECTION COMMISSION

WHEREAS, State of Tennessee Department of Elections has made available to McMinn County reimbursement monies up to a maximum of \$1,773.08 for purchase of computer, printer, and software; and

WHEREAS; the grant limits reimbursement to specific items listed in grant; and

WHEREAS; Loretta Sliger, McMinn County Administrator of Elections requests approval of said grant for items listed in grant in an amount not to exceed \$1,773.08

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 19TH DAY OF NOVEMBER 2007, that this Commission does hereby approve the grant for an amount up to \$1,773.08

AND FURTHERMORE, AUTHORIZES THE COUNTY MAYOR OR HIS DESIGNEE TO SIGN ANY AND ALL DOCUMENTS NECESSARY TO EXECUTE SAID CONTRACT.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

D. A Resolution to Approve Application for the Tennessee Emergency Management Agency 2007 Homeland Security Grant.

Mr. Luallen presented the following resolution to approve the application for the Tennessee Emergency Management Agency 2007 Homeland Security Grant and added that this was approved by the Emergency Services Committee.

RESOLUTION NO. 07-153

A RESOLUTION TO APPROVE APPLICATION FOR THE TENNESSEE EMERGENCY MANAGEMENT AGENCY
2007 HOMELAND SECURITY GRANT

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 the State of Tennessee Emergency Management Agency which is providing a Homeland Security Grant to strengthen interoperable communications capabilities; and

WHEREAS, the Emergency Services Committee has approved and recommends the grant application in the amount of \$187,647.33

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 19TH DAY OF NOVEMBER, 2007 that this Commission does hereby agree to apply with State of Tennessee, Tennessee Emergency Management for its 2007 Homeland Security Grant in the amount of \$ 187,647.33,

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

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

8. APPROVAL OF BUDGET AMENDMENTS

Mr. Luallen requested approval of nine budget amendments in five different funds, a copy of which was provided to each Commissioner.

Fund: General # 101

Date: November 15, 2007

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
State of Tennessee	Child Restraint Program	46130	5,000.00	
Local Health Center	Other Equipment (child restraint seats)	55110-790		5,000.00

EXPLANATION: To budget revenue and expenditures related to Child Safety Fund from State of Tennessee for FY 07-08.

Fund: General # 101

Date: November 15, 2007

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
State of Tennessee	Other Health & Welfare Grants	46390	15,783.00	
Local Health Center	Instructional Supplies & Materials	55110-429		15,783.00

EXPLANATION: To budget revenue and expenditures related to State of Tennessee Department of Health Tobacco Grant.

Fund: General # 101

Date: November 15, 2007

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Fines, Forfeitures, & Penalties	Courtroom Security Fee	42391	2,630.00	
"	Courtroom Security Fee (Chancery)	42591	370.00	
Courtroom Security	Other Supplies & Materials	53920-499		3,000.00

EXPLANATION: To budget revenue & expenditures related to courtroom security fees.

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

Motion carried by roll call vote, as recorded:

Scott Curtis – Aye
 Dale Holbrook – Aye
 Jeannie King – Aye
 Roger Masingale – Aye
 Gary Mason – Aye
 Jerry Millsaps – Aye
 Bob Powers – Aye
 Jack Powers – Aye
 Tad Simpson – Aye
 Chairman David Crews – Aye

Fund: General Purpose School # 141

Date: October 29, 2007

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Other Student Support	School Resource Officer	72130-170		7,000.00
“	Other Salaries & Wages	72130-189		22,000.00
“	Other Salaries & Materials	72130-499		5,253.00
“	Staff Development	72130-524		4,000.00
State Revenue	Other State Education Funds	46590	29,900.00	
Reserve	Undesignated Fund	39000	8,353.00	

EXPLANATION: To budget revenue and expenditures related to the funding under the Safe School Act of 1998. This was approved by the state on October 10, 2007. School Board approval date: 11/8/07.

Fund: General Purpose School # 141

Date: October 30, 2007

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Regular Instruction Program	Teachers	71100-116-IDEA		157,000.00
“	Social Security	71100-201-IDEA		7,749.00
“	Employer Medicare	71100-212-IDEA		2,000.00
“	Instruc. Supplies & Materials	71100-429-IDEA		20,000.00
Other Student Support	Evaluation & Testing	72130-322-IDEA		10,000.00
Other Sources	Transfers In	49800	196,749.00	

EXPLANATION: To enter the approved budget for the funds transferred into the General Purpose School Fund from the IDEA-B, Part B 08.01 Grant Budget for Early Intervening Services due to disproportionality. School Board approval: 11/8/07.

Fund: General Purpose School # 141

Date: November 7, 2007

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Special Education Program	Other Contracted Services	71200-399		24,278.00
Special Education Program	Instruc. Supplies & Materials	71200-429		14,735.00
Special Ed. Program Support	Travel	72220-355		15,000.00
“	Other Contracted Services	72220-399		15,000.00
Revenue	Special Ed. Grants to States	47143	69,013.00	

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

EXPLANATION: To budget additional funds received from the State for special education high cost students. School Board approval: 11/8/07.

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

Motion carried by roll call vote, as recorded:

- Scott Curtis – Aye
- Dale Holbrook – Aye
- Jeannie King – Aye
- Roger Masingale – Aye
- Gary Mason – Aye
- Jerry Millsaps – Aye
- Bob Powers – Aye
- Jack Powers – Aye
- Tad Simpson – Aye
- Chairman David Crews – Aye

Fund: Federal Projects # 142, IDEA-B 08.01 # 908

Date: October 30, 2007

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Special Education Program	Teachers	71200-116	44,560.00	
“	Educational Assistants	71200-163	196,749.00	
“	Speech Pathologist	71200-171		44,560.00
“	Transfer Out of Funds	99100-590		196,749.00

EXPLANATION: To enter the revised IDEA, Part B 08.01 Grant Budget that reflects the changes required due to disproportionality. Approved by the State October 9, 2007. School Board approval: 11/8/07.

MOTION made by Commissioner Simpson, 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
- Jeannie King – Aye
- Roger Masingale – Aye
- Gary Mason – Aye
- Jerry Millsaps – Aye
- Bob Powers – Aye
- Jack Powers – Aye
- Tad Simpson – Aye
- Chairman David Crews – Aye

Fund: Education Capital Project Fund # 177

Date: November 7, 2007

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Education Capital Projects	Building Construction (RGCK)	91300-706		16,897.00
“	Building Improvements (CTRL)	91300-707		38,401.00
“	Site Development (EGWD)	91300-724	26,139.00	
“	Other Construction (MCVS)	91300-791		55,769.00
“	Other Capital Outlay (CALH)	91300-799		501,475.00
Other Services (Non-Reserve)	Transfers In	49800	592,095.00	
Reserve	Undesignated Fund Balance	39000		5,692.00

EXPLANATION: To enter Education Capital Projects carry-over balances from FY 2006-07. School Board approval: 11/8/07.

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

Motion carried by roll call vote, as recorded:

- Scott Curtis – Aye
- Dale Holbrook – Aye
- Jeannie King – Aye
- Roger Masingale – Aye
- Gary Mason – Aye
- Jerry Millsaps – Aye
- Bob Powers – Aye
- Jack Powers – Aye
- Tad Simpson – Aye
- Chairman David Crews – Aye

Fund: # 189 Other Capital Projects

Date: November 15, 2007

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Reserve	Undesignated Fund Balance	39000	7,103,678.00	
State of Tennessee	Airport Maintenance Program	46120	187,181.00	

(Cont'd)

Fund: # 189 Other Capital Projects (Cont'd)

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
General Admin. Projects	Airport Improvements	91110-702		498,068.00
“	Bldg. Const. (Expo Center/Rec)	91110-706		276,368.00
“	Bldg Improvements (Juv. Ctr. Upgrade)	91110-707		100,000.00
“	Communication Equipment	91110-708		83,651.00
“	Data Processing Equipment	91110-709		2,245.00
“	Land/Economic Development	91110-715		1,215,654.00
“	Other Equip. – Rural Fire	91110-790		812,271.00
“	Other Const. (Senior Center)	91110-791		100,000.00
“	Other Capital Outlay (Old Jail Renov)	91110-799		250,000.00
Admin of Justice Projects	Building Improvements	91120-707		1,619,217.00
Public Health Projects	Other Capital Outlay (Water)	91140-799		1,076,888.00
Highway Capital Projects	Highway Construction	91200-713		93.00
“	Other Const. (SAFETEA-LU)	91200-791		100,000.00
Education Capital Projects	Building Construction	91300-706		1,156,404.00

EXPLANATION: To budget Other Capital Projects carry over balances from FY 06-07.

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

Motion carried by roll call vote, as recorded:

- Scott Curtis – Aye
- Dale Holbrook – Aye
- Jeannie King – Aye
- Roger Masingale – Aye
- Gary Mason – Aye
- Jerry Millsaps – Aye
- Bob Powers – Aye
- Jack Powers – Aye
- Tad Simpson – Aye
- Chairman David Crews – Aye

9. WOODS MEMORIAL HOSPITAL – DECOSIMO ASSET PURCHASE AGREEMENT

Mr. Ken Conner of Jos. Decosimo & Co. referred to his discussion earlier this evening at the Woods Hospital Board meeting regarding the Asset Purchase Agreement and asked the Commission if there were any questions. In response to a question from Commissioner Mason regarding whether there is anything we don't see, Mr. Conner said that everyone of these has little quirks in it, but he feels from the hospital side, he said the transaction has moved along well. Mr. Conner said the buyer has provided commitment on the financing and he said that assuming all the documents can be done in the next couple of weeks, we should be moving toward the scheduled closing. In response to a question from Mr. Gentry regarding indigent care policy, Mr. Conner said that they have a standard indigent care policy based on poverty guidelines which will be easily administered and fair to the parties concerned.

In response to another question from Mr. Gentry regarding the actual transition period, Mr. Conner said that the goal is to get it closed on November 30, 2007 and he explained the arrangements made to have just one payroll. Mr. Conner said that it's the same employees, the same computer system and the same medical staff and at 12:01am on December 1, 2007, the goal is that no one notices the transition from a patient care standpoint.

Mr. Gentry read the following resolution:

Resolution No. 07-154

**A RESOLUTION TO APPROVE THE ASSET PURCHASE AGREEMENT ENTERED INTO
BETWEEN DOCTOR'S HOSPITAL OF McMINN
COUNTY, LLC AND THE WOODS MEMORIAL HOSPITAL DISTRICT**

WHEREAS, Woods Memorial Hospital District (WMHD) is a private act hospital organized under the laws of the State of Tennessee at the request of McMinn County, for the benefit of the citizens of McMinn County; and

WHEREAS, Doctor's Hospital of McMinn County, LLC (DHMC) is a limited liability company organized under the laws of the State of Tennessee; and

WHEREAS, WMHD consists of an acute care hospital, nursing home, home health agency, dialysis center and various related businesses and services; and

WHEREAS, WMHD and McMinn County desires to sell to DHMC, and DHMC desires to purchase all the assets and lines of businesses and services of WMHD; and

WHEREAS, per the laws of the State of Tennessee and the Asset Purchase Agreement, the McMinn County Commission must approve the Asset Purchase Agreement entered into between WMHD and DHMC on November 19, 2007 for the sale to be considered lawful and otherwise valid,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 19TH DAY OF NOVEMBER 2007, that this Commission does hereby approve the Asset Purchase Agreement entered into between Woods Memorial Hospital District and Doctor's Hospital of McMinn County, LLC and further authorizes the County Mayor to execute any and all documents necessary to fulfill the requirements of the successful transfer of ownership of the WMHD to DHMC.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by roll call vote, as recorded:

Scott Curtis – Aye
Dale Holbrook – Aye
Jeannie King – Aye
Roger Masingale – Aye
Gary Mason – Aye
Jerry Millsaps – Aye
Bob Powers – Aye
Jack Powers – Aye
Tad Simpson – Aye
Chairman David Crews – Aye

Mr. Conner requested a copy of this resolution so that he can forward it to the Attorney General's Office.

10. WOODS MEMORIAL HOSPITAL EXCESS PROCEEDS PROPOSAL

Chairman Crews presented the following resolution to approve the excess proceeds plan required from the sale of Woods Memorial Hospital District to Doctor's Hospital of McMinn County, LLC.

Resolution No. 07-155

**A RESOLUTION TO APPROVE THE EXCESS PROCEEDS PLAN REQUIRED FROM THE SALE
OF WOODS MEMORIAL HOSPITAL DISTRICT
TO DOCTOR'S HOSPITAL OF McMINN COUNTY, LLC**

WHEREAS, Woods Memorial Hospital District (WMHD) is a private act hospital organized under the laws of the State of Tennessee at the request of McMinn County, for the benefit of the citizens of McMinn County; and

WHEREAS, Doctor's Hospital of McMinn County, LLC (DHMC) is a limited liability company organized under the laws of the State of Tennessee; and

WHEREAS, WMHD consists of an acute care hospital, nursing home, home health agency, dialysis center and various related businesses and services; and

WHEREAS, WMHD and McMinn County desires to sell to DHMC, and DHMC desires to purchase all the assets and lines of businesses and services of WMHD; and

WHEREAS, per the laws of the State of Tennessee, a plan must be developed for the proper use of any excess proceeds resulting from the sell of the WMHD to DHMC and submitted to the Tennessee Attorney General for approval; and

WHEREAS, McMinn County and the Woods Memorial Hospital District Board of Trustees have developed an Excess Proceeds Plan to govern the future utilization of proceeds resulting from the transfer of ownership to DHMC to ultimately improve the quality, access and delivery of healthcare to the citizens of McMinn County; and

WHEREAS, the WMHD Board of Trustees have approved said plan at their called meeting on November 19, 2007; and

WHEREAS, the McMinn County Commission likewise, desires to approve the Excess Proceeds Plan and submit it to the Tennessee Attorney General for approval.

(Cont'd)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 19TH DAY OF NOVEMBER 2007, that this Commission does hereby approve the Excess Proceeds Plan attached hereto to govern the future utilization of the proceeds generated from the sale of the Woods Memorial Hospital District for the ultimate use of improving the healthcare of McMinn County citizens, and further authorizes the County Mayor to execute any and all documents necessary to fulfill the intentions of this resolution.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Mr. Gentry said that the 25% interest income eligible to be used went to 35% and the McMinn County Service Area and the definition of healthcare, and the super majority of extraordinary circumstances were defined in the adopted plan.

Motion carried by roll call vote, as recorded:

Scott Curtis – Aye
Dale Holbrook – Aye
Jeannie King – Aye
Roger Masingale – Aye
Gary Mason – Aye
Jerry Millsaps – Aye
Bob Powers – Aye
Jack Powers – Aye
Tad Simpson – Aye
Chairman David Crews – Aye

Chairman Crews expressed his appreciation to the employees of the hospital, as well as the Board, for their service to the hospital and their role in seeing this move forward in a positive way.

11. COMMENTS FROM THE AUDIENCE

None.

12. RESOLUTIONS

A. A Resolution Approving a Memorandum of Understanding with the McMinn County Emergency Communications District.

Mr. Gentry explained the following resolution which addresses the management and operations of the nearly completed backup 911 Center/East EMS Station Building, and added that this was approved by the Emergency Services Committee last week.

Resolution No. 07-156

A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE McMINN COUNTY
EMERGENCY COMMUNICATIONS DISTRICT

WHEREAS, McMinn County and McMinn County Emergency Communications Board (E-911 Board) have cooperatively constructed a back-up 911 Dispatch Center/East EMS Station on Highway 411 north of Etowah, with McMinn County contributing \$200,000.00 to the project; and

WHEREAS, both McMinn County and the E-911 Board wish to enter into a memorandum of agreement regarding the operations and management of the back-up 911 Center/East EMS Station; and

WHEREAS, the agreement shall stand that the overall management of the EMS service bays and living quarters shall be the responsibility of McMinn County; with McMinn County setting all lease terms to EMS contractors, collecting all lease payments, and otherwise acting as landlord; and

WHEREAS, McMinn County shall place all collected lease payments from the building rental in a designated account, and such funds shall only be used for overall maintenance, expansion, and care of the building and grounds unless otherwise agreed upon by both the McMinn County Commission and E-911 Board; and

WHEREAS, no expenditure in excess of \$10,000 for any specific project may be made except with the joint approval of both the McMinn County Board of Commissioners and the McMinn County E-911 Board; and

WHEREAS, the designated fund shall reach and maintain at least a thirty thousand dollar (\$30,000) balance prior to any funds being expended for purposes unrelated to the stated purposes of the designated maintenance account; and

WHEREAS, McMinn County will only utilize excess lease revenues for the enhancement of emergency services as determined by Emergency Services Committee with excess revenues being defined as any revenue in the dedicated maintenance fund in excess of the required thirty thousand dollar (\$30,000.00) balance; and

WHEREAS, McMinn County E-911 shall provide insurance coverage for the building and grounds, and shall have unencumbered access to the 911 communications center portion of the building for maintenance, training, operations, and any other use specified by the McMinn County E-911 Board.

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 19th DAY OF NOVEMBER 2007, that this board does authorize McMinn County to enter into a Memorandum of Agreement with McMinn E-911 regarding the management and operations of the back-up 911 Center/East EMS Station Building; 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 Hoback)
County Clerk

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

Motion carried by voice vote.

B. A Resolution to Approve the Ambulance Station Sublease Agreement Between McMinn County and Med-Trans of Tennessee, Inc.

Mr. Gentry presented the following resolution to approve the Ambulance Station Sublease Agreement between McMinn County and Med-Trans of Tennessee, Inc., along with a copy of the lease.

RESOLUTION No. 07-157

A RESOLUTION TO APPROVE THE AMBULANCE STATION
SUBLEASE AGREEMENT BETWEEN McMINN COUNTY
AND MED-TRANS OF TENNESSEE, INC.

WHEREAS, McMinn County has entered into an Ambulance Service Contract with Med-Trans of Tennessee, Inc. to provide emergency ambulance services to the citizens of McMinn County; and

WHEREAS, McMinn County, in cooperation with the McMinn County Emergency Communications Board, has constructed a backup dispatch center/ambulance station on the eastside of McMinn County between Englewood and Etowah to better serve the citizens; and

WHEREAS, the ambulance service contract with Med-Trans requires the provider to utilize the county-provided ambulance station at a fair rate of compensation; and

WHEREAS, McMinn County and Med-Trans have negotiated a lease agreement for the use of the facility; and

WHEREAS, the McMinn County Emergency Services Committee recommends approval of the said sublease establishing the monthly lease rate at nine hundred dollars (\$900.00) for an initial term of fifty-four months.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE MEETING IN REGULAR SESSION ON THIS 19TH DAY OF NOVEMBER, 2007, THAT THIS COMMISSION DOES HEREBY RESOLVE to approve said sublease between McMinn County and Med-Trans of Tennessee, Inc. for the utilization of the new Eastside Ambulance Station.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

MOTION made by Commissioner Curtis, and seconded by Commissioner Simpson, to approve this resolution.

Motion carried by voice vote.

C. A Resolution Approving an Out-of-County Rate Reduction for C&D Transfer Waste.

Mr. Gentry explained the following resolution approving an out-of-county rate reduction for C&D Transfer Waste and added that this was approved by the Solid Waste (Landfill) Committee. Mr. Gentry said that the Landfill Supervisor was in attendance if there were any questions.

Resolution No. 07-158

A RESOLUTION APPROVING AN OUT-OF-COUNTY RATE REDUCTION
FOR C&D TRANSFER WASTE

WHEREAS, McMinn County Board of Commissioners has the authority to set tonnage rates at the McMinn County Landfill and may set out-of-county rates on a contract by contract basis; and

WHEREAS, McMinn County has been requested by Fay Innovative Waste Solutions (Fay) for a reduced out-of-county rate for demolition waste from its anticipated Crossville, TN transfer station; and

WHEREAS, Fay estimates the waste to be fifty (50) tons per day or the equivalency of twenty (20) cubic yards of airspace in our Class III/IV site; and

WHEREAS, McMinn County desires for its solid waste facility to be self-sufficient in as much as the future waste capacity is not significantly jeopardized; and

WHEREAS, the as posted out-of-county rate is cost prohibitive for Fay to transfer the waste to the McMinn County Landfill; and

WHEREAS, Landfill Supervisor Stan Moses recommends McMinn County accept the waste at \$18.00 per ton to generate an estimated \$225,000 in annual revenue; and

WHEREAS, the McMinn County Solid Waste Committee recommends the out-of-county rate reduction be granted subject to the following stipulations:

- 1) the rate of waste accepted shall not exceed 250 tons per week,
- 2) the contract shall be reevaluated at the end of the second year to monitor airspace impact,
- 3) the contract shall not be transferrable should Fay be sold, merged or otherwise dissolved,
- 4) the contract shall be immediately dissolved should Fay be found in noncompliance;

WHEREAS, the rate for general out-of-county waste shall remain at the current posted rate for all other out-of-county waste not addressed by separate contract.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 19TH DAY OF NOVEMBER 2007 that this Commission does accept the recommendation of Landfill Supervisor Stan Moses to set the rate for out-of-county waste from Fay at \$18.00 per ton rate subject to the above stated conditions, and authorizes the County Mayor to execute any and all legal documents required to fulfill the intention of this resolution.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

D. A Resolution Authorizing McMinn County to Participate in the Water Line Extension Projects on County roads 119, 194, 602, 180, 255, 254, 127 and Highway 30 West.

Mr. Gentry presented the following resolution authorizing McMinn County to participate in water line extension projects on County Roads 119, 194, 602, 180, 255, 254, 127 and Highway 30 West. Mr. Gentry added that the County's 20% should not exceed \$69,760 and referred to a memorandum from the Athens Utilities Board which was provided to the Commissioners. He also said that although the letter stated that they were in the processing of designing and installing water mains, they are not in the process yet and were informed of McMinn County's policy of no after-the-fact funding. The Commissioners were also provided a copy of a letter of recommendation from the Development District.

RESOLUTION NO. 07-159

A RESOLUTION AUTHORIZING McMINN COUNTY TO PARTICIPATE IN THE WATER LINE EXTENSION PROJECTS
ON COUNTY ROADS 119, 194, 602, 180, 255, 254, 127 AND HWY 30 West

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 lines on County Roads 119, 194, 602, 180, 255, 254, 127 and Hwy 30 West ; and

WHEREAS, the total cost of these projects with the 20% portion to be funded by McMinn County is outlined below:

	<u>Total Cost</u>	<u>20% Co Match</u>
10,340' of 6" line at \$10.00/foot:	\$103,400	\$20,680
3,840' of 12" main at \$60.00/foot	\$230,400	\$46,080
Pump station at CR 194, 180	\$15,000	\$3,000
Total:	\$348,800	\$69,760

; and

WHEREAS, approval of this project is pending its compliance with the McMinn County Water Program Policy.

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 19th DAY OF NOVEMBER 2007, that this board does authorize McMinn County to participate in the water line extension project at 20% of construction costs on County Roads 119, 194, 602, 180, 255, 254, 127 AND HWY 30 West; 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 Hoback)
County Clerk

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

Motion carried by voice vote.

E. A Resolution to Authorize the Application for a Local Parks and Recreation Fund Grant.

Mr. Gentry presented the following resolution to authorize the application for a Local Parks and Recreation Fund Grant which was approved earlier this evening by the Recreation Committee.

Resolution No. 07-160

A RESOLUTION TO AUTHORIZE THE APPLICATION FOR A LOCAL PARKS AND RECREATION FUND GRANT

WHEREAS, McMinn County was previously awarded a Local Parks and Recreation Fund Grant (LPRF) in 2002 for improvements to the Cooke Park facility; and

WHEREAS, the grant was not sufficient to cover the expenses of the total project scope and the paving of the parking lot and installation of new ball field lighting was not performed; and

WHEREAS, a new cycle of LPRF applications will be accepted in March of 2008; and

WHEREAS, the McMinn County Mayor requests authorization to apply for a LPRF grant in the amount not to exceed \$100,000 to make improvements at Cooke Park, with those improvements primarily being the paving of the parking lots, refurbishing of the ball field lights and installation of a lighting system for the new field, with the priority being new lighting system; and

WHEREAS, LPRF grants require a fifty thousand dollar match (\$50,000.00); and

WHEREAS, McMinn County has the required match in its Capital Outlay Fund.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 19TH DAY OF NOVEMBER, 2007, that this Commission grants the County Mayor authority to apply for the LPRF grant to help secure future improvements to the Cooke Park facility, located adjacent to the McMinn County Sanitary Landfill.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

F. A Resolution to Rescind Stipulations Involved in the Transfer of Property from McMinn County Government to the McMinn County Board of Education.

Mr. Gentry explained the following resolution, which was also approved by the Recreation Committee earlier this evening, to rescind two of the three stipulations involved in the transfer of property from McMinn County Government to the McMinn County Board of Education, which was approved last month.

RESOLUTION NO. 07-161

A RESOLUTION TO RESCIND STIPULATIONS INVOLVED IN THE TRANSFER OF PROPERTY FROM
McMINN COUNTY GOVERNMENT TO THE MCMINN COUNTY BOARD OF EDUCATION

WHEREAS, McMinn County currently owns the old McMinn High School Football and Baseball Complex on McMinn Avenue in Athens; and

WHEREAS, the McMinn County School Board has expressed interest in acquiring the property and utilizing it for soccer and other athletic and education uses; and

WHEREAS, in the County Commission meeting of October 15, 2007, said Commission adopted a resolution transferring the Old McMinn High School Football and Baseball complex to the Board of Education, subject to the following stipulations:: 1) the crown of the old football field may not be removed, 2) the water sprinkler system may not be removed, and 3) should the property become of no use to the Board of Education for athletic or educational purposes, said property shall revert back to McMinn County; and

WHEREAS, McMinn County Commission wishes to rescind stipulations 1 and 2, but maintain stipulation 3, in order for the McMinn County Board of Education to own, operate, and manage said property without encumbrance; and

WHEREAS, the Board of Education shall become sole owners and operators of said property, and responsible for all liabilities, insurance, maintenance and any ancillary responsibilities and costs associated with said property; and

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 19th DAY OF NOVEMBER 2007, that this Commission does hereby rescind stipulations one (1) and two (2) on the transfer of ownership of the Old McMinn High Football and Baseball Complex on McMinn Ave between McMinn County Government and the McMinn County Board of Education; and further authorizes the County Mayor to execute all documents and duties necessary for the proper completion of said transfer of real property, the public welfare requiring it.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

G. A Resolution to Approve Matching Funding for a 2007-2008 Survey and Planning Historic Preservation Fund Grant for McMinn County.

Mr. Gentry presented the following resolution to approve matching funding for a 2007-2008 survey and planning historic preservation fund grant for McMinn County, along with a letter from Mr. Joe Guy, the

(Cont'd)

McMinn County Historian, explaining the proposal. Mr. Gentry mentioned that during the recent airport expansion project, an archeologist was hired to insure that historic properties were not disturbed and added that having these mapped out in the future will hopefully assist the County on future projects.

Resolution No. 07-162

A RESOLUTION TO APPROVE MATCHING FUNDING FOR A 2007-2008 SURVEY AND PLANNING HISTORIC PRESERVATION FUND GRANT FOR MCMINN COUNTY

WHEREAS, The Southeast Tennessee Development District has proposed a 2007-2008 Survey and Planning Historic Preservation Fund Grant in McMinn County that would be partially funded (60%) by the National Park Service through the Tennessee Historical Commission. The total project cost for the survey and planning grant will be \$20,000 with a local match (40%) of \$8,000; and

WHEREAS, this Grant would fund a project begun in the late 1980s which was halted due to the untimely death of the gentleman who was conducting the survey and subsequent loss of some of the mapping ; and

WHEREAS, the proposed work will include the reassessment of approximately 500 historic properties and mapping the properties with GPS equipment in McMinn County, with in-kind funding by the Southeast TN Development District (SETDD) for \$6,000 and by McMinn County for \$2,000; and

WHEREAS, this project benefits McMinn County by:

- Providing McMinn County with a current inventory of their historical assets and identify potential National Register of Historic Places properties.
Note: McMinn County presently has 13 individual properties and one historic district on the National Register of Historic Places.
- Promoting additional tourism to the area. Heritage tourism is a growing industry in Southeast Tennessee, as cities and counties have seen an increase in their local economy from tourism dollars. Heritage tourists enjoy visiting places that are “real” and those that have historical significance. They stay an average of 2 days longer than the average tourist and will spend more money at the local retail shops, restaurants, hotels, and gas stations.
- Providing new historical information to produce walking/driving tour brochures and additional McMinn County history books.
- Assisting the City of Athens Historic Preservation Commission with their survey of historic properties for potential historic district/historic landmark designation within the city limits.
- Will expedite the Section 106 Review process more efficiently. If any National Register eligible properties are identified in the area of potential effect (for example: the McMinn County Airport), they may be properly assessed and the project may be mitigated at an earlier stage. This may save future dollars for the county if there are in fact National Register properties located in the area; and

WHEREAS, County Historian Joe Guy has recommended that McMinn County participate in this Survey and Planning Historic Preservation Fund Grant, and to provide the local match of \$2000.00 from tourism funds.

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 19TH DAY OF NOVEMBER 2007, that this board does authorize McMinn County to fund and participate in the Survey and Planning Historic Preservation Fund Grant, 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 Gentry)
County Mayor

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

H. A Resolution to Support Tennessee House Bill 9 Creating a K-12 Lottery Capital Outlay Special Account.

Mr. Gentry presented the following resolution to support Tennessee House Bill 9 creating a K-12 Lottery Capital Outlay Special Account. Mr. Gentry explained that this bill was sponsored by State Representative Mike Bell and one of the purposes of the lottery's excess funds was to help out with local capital improvements.

Resolution No. 07-163

A RESOLUTION TO SUPPORT TENNESSEE HOUSE BILL 9 CREATING A K-12 LOTTERY CAPITAL OUTLAY SPECIAL ACCOUNT

WHEREAS, HB 9, having failed to pass the Tennessee General Assembly, would have created a "K- 12 lottery capital outlay special account" and required the comptroller to develop and administer a grant program for capital projects for K-12 educational facilities using funds from the special account; and

WHEREAS, HB 9 would require any funds that remain in the lottery account at the end of each fiscal year in excess of \$250 million to be deemed excess lottery funds and be transferred to the special account; and

WHEREAS, the funds in the special account would supplement, not replace, other resources for capital projects in schools; and

WHEREAS, this bill would require any funds in the special account each year be available as capital outlay grants to each school district based on the ratio of each district's average daily membership to the state's overall average daily membership; and

WHEREAS, if a school district is not awarded a grant in a given year, the funds would be credited to the district and included in the district's grant availability in subsequent years until awarded; and

WHEREAS, the bill authorizes the comptroller to audit any school district that accepts a grant for compliance purposes, establish matching dollar requirements based on need and the bill authorizes administrative expenses incurred by the comptroller in administering the grant program to be paid from the special account; and

WHEREAS, McMinn County operates a school system with seven elementary schools, two high schools, and other administrative facilities and is desirous of lottery surplus funds being available for education capital projects.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 19TH DAY OF NOVEMBER, 2007 that this Commission does hereby approve this resolution supporting Tennessee House Bill 9 and requests a copy with all signatures affixed be sent to our State Legislators and Tennessee Governor Phil Bredesen.

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

November 19, 2007

(Signed by Evonne Hoback)

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

motion carried by voice vote.

ACTIONS, APPOINTMENTS AND CONFIRMATIONS

A. A Resolution to Confirm the Appointment of Jim Danuel to the Riceville Utility District Board of Directors.

Mr. Gentry presented the following resolution to confirm the appointment of Jim Danuel to the Riceville Utility District Board of Directors to replace Mr. Alvin Poore who resigned because of health issues. Mr. Gentry added that utility districts have a unique law which allows them to send three names with a recommendation. After meeting with Mr. Danuel, Mr. Gentry said he found no reason not to honor the recommendation.

Resolution No. 07-164

RESOLUTION TO CONFIRM THE APPOINTMENT OF JIM DANUEL TO THE RICEVILLE UTILITY DISTRICT BOARD OF DIRECTORS

WHEREAS, Mr. Alvin Poore has decided to resign as a member of the Riceville Utility District Board of Directors due to health complications; and

WHEREAS, Tennessee Code Annotated 7-82-307 empowers utility districts to submit the names of prospective board members to the County Mayor for appointment; and

WHEREAS, based upon the recommendation of the Riceville Utility District Board of Directors, and finding no sound reason to reject the recommendation, County Mayor John Gentry does recommend Mr. Jim Danuel of the Riceville community to serve as a member of the Riceville Utility District Board of Directors for a four year term subject to County Commission confirmation.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMinn COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 19TH DAY OF NOVEMBER 2007, that this Commission does hereby confirm the appointment of Mr. Jim Danuel to the Riceville Utility District Board of Directors.

(Orig signed by John M. Gentry)

McMinn County Mayor

Attest:

(Orig signed by Evonne Hoback)

County Clerk

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

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

A. Solid Waste (Landfill) Committee – Commissioner Millsaps.

Commissioner Millsaps said that the Solid Waste (Landfill) Committee met earlier this week and approved the resolution to approve an out-of-county rate reduction for C&D transfer waste which was approved by the Commission earlier this evening.

B. Emergency Services Committee – Commissioner Curtis.

Commissioner Curtis said that the Emergency Services Committee met last week and approved the emergency services resolutions approved earlier in this meeting and added they had a report from Mr. Bruce Collins, Med-Trans, concerning the operation of the ambulance service. Mr. Collins reported that everything is going well with minimal complaints, but added that they may have to add another ambulance because of increased calls.

C. Recreation Committee – Commissioner Bob Powers.

Commissioner Bob Powers said that the Recreation Committee met earlier this evening and approved the recreation resolutions passed earlier in this meeting.

D. Comments from Commissioner Masingale.

Commissioner Masingale said that the Tennessee State Park group is considering a “reservations-only” policy for the State parks and added that he is against this and will bring a resolution to the Commission next month for their consideration. He is in favor of a “first-come, first-serve” policy.

15. COMMENTS FROM THE COUNTY MAYOR

A. Update on the Jail.

Mr. Gentry asked all the Commissioners to attend a Jail Construction Committee meeting scheduled for Thursday, November 29, 2007, at 5:00 pm (in the Blue Room). Mr. Gentry said that Judges, law enforcement, and the District Attorney’s staff will be invited and he added that hopefully they will be able to give the architect a recommendation on jail and court expansion.

B. Sinkhole at the McMinn County Airport.

Mr. Gentry reported last month that the Department of Transportation Division of Aeronautics had approved a project to hire private contractors to repair the sinkhole at the airport. Mr. Gentry said that the Highway Commissioner offered to repair this and Mr. Gentry added that they did an impressive job on a project that ended up being much larger than they first thought. Mr. Gentry expressed his appreciation to all the employees and said that their skill saved the County several thousand dollars.

C. Corridor K Project (proposed Chattanooga to Ashville Highway).

Mr. Gentry referred to an invitation to the Corridor K briefing on Wednesday, November 28, 2007, at 3:00 pm at the GEM Theater. Mr. Gentry said that this is a regional issue and a few Congressmen are expected to attend, and added that this should be a good meeting for all the Commissioners to attend.

D. Courthouse Christmas Dinner.

Mr. Gentry invited all Commissioners to attend the Courthouse Employees Christmas Dinner on Thursday, December 13, 2007, from 11:30 am – 1:30 pm.

E. New Ambulance Stations in Etowah and Riceville.

Mr. Gentry said that a ribbon cutting and open house are being planned for the new ambulance stations in Etowah and Riceville.

F. A Resolution to Honor the Late Rex Moses for His Life-Long Dedication to Public Service.

Mr. Gentry presented the following resolution to honor the late Rex Moses for his life-long dedication to public service.

Resolution No. 07-165

A RESOLUTION TO HONOR THE LATE REX MOSES
FOR HIS LIFE-LONG DEDICATION TO PUBLIC SERVICE

WHEREAS, Rex Moses, public servant, advocate, and activist, passed away on Monday, October 15, 2007; and

WHEREAS, Rex Moses is a noted citizen of McMinn County, being a farmer, farm tractor dealer, 4-H Leader, Chairman of the McMinn County Soil Conservation District, Chairman of the County and State Farmers Home Administration Committees, assisted in the organization of Southeast Tennessee Resource Conservation and Development, member of local and state Counsels on Aging, Director of the McMinn Dairy Festival for 7 years, Director of both the Athens and Etowah Chambers of Commerce, assisted in the organization of Tennessee and McMinn Farmers Cooperative, Director and President of the Knoxville Dairy Council, Director of Knoxville Milk Producers Association and Tennessee Valley Milk Producers Association, President and active member of the McMinn County Historical Society, and past McMinn County Commissioner; and

WHEREAS, Rex Moses has been honored in many ways, including *Progressive Farmer's* "Master Farm Family of Tennessee" (1957), McMinn County Farmer of the Year, TVA Superior Service Award (1964), Goodyear Conservation Award (1973), Soil Conservation Service Award (1980), Gulf Oil Conservation Award (1984), and was nominated for McMinn County Man of the Year (2001); and

WHEREAS, Rex Moses has tirelessly worked for the betterment of his community, and is known by his integrity and courage to be a model citizen of McMinn County, having always had the welfare of his fellow citizens at heart; and

WHEREAS, it is resolved that all honor and recognition is placed upon Rex Moses for his faithful service to the citizens of McMinn County; for his wisdom, dedication, and compassion throughout his career as a public servant; and as a guiding member of the innumerable organizations, is hereby praised and honored for his service; and shall be sorely missed by those who knew him and by the countless numbers of citizens in East Tennessee who have benefited from his compassion and work.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 19th DAY OF NOVEMBER 2007, THAT THIS COMMISSION DOES HONOR AND COMMEND REX MOSES FOR HIS SERVICE TO MCMINN CO.

(Orig signed by John M. Gentry)
County Mayor

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

16. APPROVAL OF NOTARY APPLICATIONS

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

Notary Applications for November 2007

Guy E. Baker
Pamela K. Bragg
Rita C. Brown
Sharon L. Brogan
Kaye Jean Burton
Desiree J. Clark
Vickie L. Daugherty
Dana Harmon
John McMurray Johnson
Sharon Kennedy
Leslie McKee
Joan B. Moore
Linda Nelson
Gayle Petitt
Scarlet Poteet
Kimberely M. Riden
Phyllis J. Rue

MOTION made by Commissioner King, and seconded by Commissioner Jack Powers, 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 8:15 pm.



EVONNE HOBACK
McMinn County Clerk

Attest:

j6 12-13-07
Deputy Clerk (date)