

The McMinn County Board of Commissioners met in Regular Session on August 16, 2010, 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 Crews.

2. INVOCATION

The Invocation was given by Commissioner Millsaps.

3. PLEDGE TO THE FLAG

The Pledge to the Flag was led by Commissioner Curtis.

4. ROLL CALL

Roll Call was taken by Evonne Hoback, McMinn County Clerk, 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 July 19, 2010 were provided to the McMinn County Commissioners.

MOTION made by Commissioner Millsaps, and seconded by Commissioner Holbrook, to approve the Minutes of July 19, 2010.

Motion carried by voice vote.

6. APPROVAL OF BIDS AND PURCHASES

A. A Resolution to Reject the Bid of North EMS Station.

Mr. Luallen presented the following resolution to reject the bid of North EMS Station, along with the bid summary sheet and a letter from Russell Thress, County Planner, recommending the rejection of this bid.

RESOLUTION NO. 10-095

A RESOLUTION TO REJECT THE BID OF  
NORTH EMS STATION

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. 10-095 (Cont'd)

WHEREAS, the Emergency Services Committee requested to bid on north county EMS station, in order to properly carry out the functions of the department; and

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

WHEREAS, Russell Thress, County Planner, has recommended rejecting all bids and to redesign the project with a reduced scope of work and re-bid project for a considerably lower cost.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 16<sup>th</sup> DAY OF AUGUST, 2010, that this Commission does hereby approve the recommendation of the Russell Thress.

(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 Curtis, to approve this resolution.

Motion carried by voice vote.

B. A Resolution to Approve and Award the Bid for McMinn County Airport Security Fence.

Mr. Luallen presented the following resolution to approve and award the bid for McMinn County Airport security fence, along with a bid summary sheet and a letter of recommendation from Russell Thress, County Planner. Mr. Gentry added that this has the approval of the Airport Committee.

#### RESOLUTION NO. 10-096

#### A RESOLUTION TO APPROVE AND AWARD THE BID FOR MCMINN COUNTY AIRPORT SECURITY FENCE

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

WHEREAS, McMinn County has been approved by the Tennessee Department of Transportation, Division of Aeronautics for 90/10 funding to construct security fence at the McMinn County Airport; and

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

WHEREAS, Russell Thress, McMinn County Planner, recommends the bid be awarded to the low bid, East Tennessee Construction Services of Englewood, TN, for \$51,290.00; and

WHEREAS, the low bid is within the grant budget; and

(Cont'd)

Resolution No. 10-096 (Cont'd)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 16<sup>th</sup> DAY OF AUGUST 2010, that this Commission does hereby approve the recommendation of the County Planner and grants authority to the County Mayor to execute all documents necessary to fulfill the requirements of this project.

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

Attest:

(Orig signed by Evonne Hoback)  
County Clerk

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

Motion carried by voice vote.

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

Mr. Luallen presented the following resolution to approve and award the annual bid for crushed stone, along with the bid summary sheet and a letter of recommendation from Randall Moss, Highway Commissioner.

RESOLUTION NO. 10-097

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

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

WHEREAS, the McMinn County Highway Department requests the purchase of crushed stone for the period of October 1, 2010 through September 30, 2011, in order to properly carry out the functions of the department; and

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

WHEREAS, Randall Moss, McMinn County Highway Commissioner has recommended the bid be awarded to Vulcan Materials Company and Craighead Limestone Company, Inc., the low bidders meeting specifications of each grade plus a \$.15 haul charge to the center of each job site based on location of plant considering a \$ .15 severance tax to be charged to out of county quarries.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 16<sup>th</sup> DAY OF AUGUST 2010, that this Commission does hereby approve the recommendation of the Highway Commissioner.

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

Attest:

(Orig signed by Evonne Hoback)  
County Clerk

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

Motion carried by voice vote.

D. A Resolution to Approve Payment of a Mental Health Evaluation for a Criminal Defendant Charged with a Misdemeanor.

Mr. Luallen presented the following resolution to approve payment of a mental health evaluation for a criminal defendant charged with a misdemeanor.

RESOLUTION NO. 10-098

A RESOLUTION TO APPROVE PAYMENT OF A  
MENTAL HEALTH EVALUATION FOR A CRIMINAL DEFENDANT  
CHARGED WITH A MISDEMEANOR

WHEREAS, a criminal defendant charged with a misdemeanor has received inpatient mental health evaluation and treatment services; and

WHEREAS, these services were provided by Moccasin Bend Mental Health Institute in the amount of \$13,050.00; and

WHEREAS, in accordance with Financial Management Committee Policies and Procedures, expenses 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 THIS THE 16<sup>th</sup> DAY OF AUGUST 2010, that the payment to Moccasin Bend Mental Health Institute in the amount of \$13,050.00 be hereby approved.

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

Attest:

(Orig signed by Evonne Hoback)  
County Clerk

In response to a question from Commissioner Millsaps, Mr. Gentry said that this was a county prisoner. He also said that this type of treatment used to be covered by the State, but added that they did get the State contract rate even though it took place before the contract. Mr. Gentry also said that they have another \$9,000 invoice, but it didn't need to come before the County Commission since it wasn't over \$10,000.

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

Motion carried by voice vote.

E. A Resolution to Declare Vehicle as Surplus Property.

Mr. Luallen presented the following resolution to declare a 2001 Ford F150 pickup as surplus. This pickup was awarded to the Sheriff's Department from a DUI case and the Sheriff is requesting that it be donated to the McMinn County Rescue Squad.

RESOLUTION NO. 10-099

A RESOLUTION TO DECLARE VEHICLE AS  
SURPLUS PROPERTY

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

WHEREAS, the McMinn County Sheriff's Department desires to declare a 2001 Ford F150 pickup VIN # 1FTRW08L91KB55446 awarded to the McMinn County Sheriff's Department by the Tennessee Department of Safety through seizure court as surplus property and donate this vehicle to the McMinn County Rescue Squad; and

WHEREAS, Sheriff Steve Frisbie requests approval to declare this vehicle as surplus and transfer to McMinn County Rescue Squad; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 16<sup>th</sup> DAY OF AUGUST 2010, that this Commission does hereby declare the 2001 Ford F150 as surplus property.

(Orig signed by John M. Gentry)  
County Clerk

Attest:

(Orig signed by Evonne Hoback)  
County Clerk

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

Motion carried by voice vote.

F. A Resolution to Declare Bo-Mag as Surplus Property.

Mr. Luallen presented the following resolution to declare a Bo-Mag as surplus property and sell it to Campbell County Highway Department.

RESOLUTION NO. 10-100

A RESOLUTION TO DECLARE BO-MAG AS  
SURPLUS PROPERTY

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

(Cont'd)

Resolution No. 10-100 (Cont'd)

**WHEREAS**, the McMinn County Highway Department desires to declare a Bo-Mag BW-141 roller, SN 490/113855 as surplus property and sell to the governmental entity of Campbell County Highway Department; and

**WHEREAS**, Highway Commissioner Randall Moss requests approval to declare this Bo-Mag roller as surplus and sell it as well as previously declared surplus International Distributor SN D0525HHB38234 to Campbell County Highway Department; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 16<sup>th</sup> DAY OF AUGUST 2010, that this Commission does hereby declare the Bo-Mag as surplus property.

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

Attest:

(Orig signed by Evonne Hoback)  
County Clerk

In response to a question from Commissioner Simpson, Mr. Luallen said we were allowed to sell without it being opened to the general public because the buyer was a governmental entity.

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

Motion carried by voice vote.

7. REVIEW AND APPROVAL OF CONTRACTS

None.

8. APPROVAL OF BUDGET AMENDMENTS

Mr. Luallen presented nine budget amendments in three different funds, a copy of which was provided to each Commissioner.

Fund: General Fund # 101

Date: June 30, 2010

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBUT</u>	<u>CREDIT</u>
Sheriff	Deputies	54110-106	103,422.00	

(Cont'd)

Fund: General Fund # 101 (Cont'd)

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBUT</u>	<u>CREDIT</u>
Employee Benefits	Social Security	58600-201	6,560.00	
“	State Retirement	58600-204	5,865.00	
“	Employee Insurance	58600-205	15,583.00	
“	Life Insurance	58600-206	225.00	
“	Unemployment Comp.	58600-201	270.00	
Other Charges	Other Insurance	58400-506	2,315.00	
Courtroom Security	Other Salaries & Wages	53920-189		103,422.00
“	Social Security	53920-201		6,560.00
“	Retirement	53920-204		5,865.00
“	Health Insurance	53920-205		15,583.00
“	Life Insurance	53920-206		225.00
“	Unemployment Comp.	53920-210		270.00
“	Workers Compensation	53920-513		2,315.00

EXPLANATION: To budget expenditures to account for court officers separately for the Courtroom Security Litigation Tax

Fund: General # 101

Date: June 30, 2010

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBUT</u>	<u>CREDIT</u>
Fines, Forfeitures & Penalties	Drug Court Fees (Circuit)	42141	880.00	
“	Drug Court Fees (General Services)	42341	8,158.00	
Drug Court	Other Contracted Services	53330-399		9,038.00

EXPLANATION: To budget additional revenue & expenditures related to drug court fees passed through Bradley County.

General Fund # 101

Date: June 30, 2010

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBUT</u>	<u>CREDIT</u>
Reserve	Undesignated Fund Balance	39000	169,965.00	
County Attorney	Legal Fees	51400-331		1,260.00
County Trustee's Office	Data Processing Services	52400-317		3,410.00
Jail	Medical & Dental Services	54210-340		32,000.00
“	Food Supplies	54210-422		42,000.00
County Medical Examiner	Medical Examiner	54610-131		20,000.00
“	Autopsies	54610-354		8,500.00
Parks	Other Salaries & Wages	56700-189		1,820.00
“	Maintenance & Repair Services – Equip.	56700-336		2,600.00
“	Other Equipment	56700-790		1,800.00
“	Other Construction	56700-791		3,600.00
Tourism	Contributions	58110-316		5,000.00
“	Printing, Stationery, & Forms	58110-349		1,805.00
Airport	Utilities	58220-452		1,170.00
Employee Benefits	Employee Insurance	58600-205		45,000.00

EXPLANATION: To avoid functional category deficits at year end FY 09 – 10

MOTION made by Commissioner Mason, and seconded by Commissioner Bob Powers, 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: June 30, 2010

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBUT</u>	<u>CREDIT</u>
Direct Federal Revenue	Other Direct Federal Revenue	47990	11,976.84	
Operation of Plant	Travel	72610-355		2,613.84
“	Custodial Supplies	72610-410		8,643.00
“	Staff Development	72610-524		720.00

EXPLANATION: To budget revenue and expenditures related to the U.S. EPA Indoor Air Quality Grant for FY 09 – 10. School Board approval 8-12-2010.

Fund: General Purpose School # 141

Date: June 30, 2010

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBUT</u>	<u>CREDIT</u>
Revenue	E-Rate Funding	44146	23,355.00	
Attendance	Attendance Equipment	72110-704		23,355.00

EXPLANATION: To budget E-Rate Funding received on FY 09-10. School Board approval 8-12-2010.

Fund: General Purpose School # 141

Date: June 30, 2010

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBUT</u>	<u>CREDIT</u>
Attendance	Attendance Equipment	72110-704		3,000.00
Board of Ed. Services	Other Fringe Benefits	72310-299		55,000.00
Office of the Superintendent	Communication	72320-307		3,000.00
Regular Capital Outlay	Building Improvements	76100-707		400,000.00
Maintenance of Plant	Maint. & Repair Services - Bldg	72620-335	461,000.00	

EXPLANATION: To amend the budget to avoid end of year deficits in functional categories. School Board approval 8-12-2010.

Fund: General Purpose School # 141

Date: June 30, 2010

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBUT</u>	<u>CREDIT</u>
Other Student Support	Evaluation & Testing	72130-322	4,154.64	
Regular Instruction Prog. Support	Other Salaries & Wages	72210-189		50.00
“	Social Security	72210-201	261.38	
“	Retirement			2.75
“	Life Insurance	72210-206	47.28	
“	Medical Insurance	72210-207		2,518.62
“	Employer Medicaid	72210-212	61.42	
“	Fringe Benefits	72210-299	0.06	
“	Other Supplies & Materials	72210-499		1,953.41

EXPLANATION: To revise the original budget for the permission use of IDEA – Part B 10.01 funds for Coordinated Early Intervening Services to reflect addendum # 1. School Board approval 8-12-10.

MOTION made by Commissioner Curtis, 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: Federal Projects # 142 – Carl Perkins, 10.01, # 800

Date: June 22, 2010

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBUT</u>	<u>CREDIT</u>
Vocational Education Program	Other Supplies & Materials	71300-499		6,705.55
“	Vocational Equipment	71300-730	7,463.71	

(Cont'd)

Fund: Federal Projects # 142 – Carl Perkins, 10.01, # 800 (Cont'd)

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBUT</u>	<u>CREDIT</u>
Other Student Support	Bus Drivers	72130-146	300.00	
“	Social Security	72130-201	18.60	
“	State Retirement	72130-204	28.47	
“	Medicare	72130-212	4.35	
“	Travel	72130-355		4,278.91
“	Other Contracted Services	72130-399	2,400.00	
“	Staff Development	72130-524	648.85	
Voc. Ed. Program Support	Staff Development	72230-524		557.52
“	Other Equipment	72230-790	678.00	

EXPLANATION: To enter Amendment No. 1 to the Carl Perkins grant for FY 2009 – 2010. School Board approval 6/29/10.

Fund: Federal Projects # 142 – IDEA-B, ARRA, 10.01 # 90S

Date: August 3, 2010

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBUT</u>	<u>CREDIT</u>
Special Education Program	Instructional Supplies & Materials	71200-429	8,670.00	
Transportation	Transportation Equipment	72710-729		8,670.00

EXPLANATION: To enter Budget Amendment # 2 to the IDEA, Part B, ARRA budget. School Board approval 6/29/10.

MOTION made by Commissioner Bob Powers, and seconded by Commissioner Jack Powers, 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

9. TRUSTEE’S ANNUAL REPORT – MR. PHIL TUGGLE

Mr. Phil Tuggle, McMinn County Trustee, addressed the Commission regarding his annual financial report, a copy of which was provided to each Commissioner. Mr. Tuggle thanked outgoing Commissioners (Commissioner Jeannie King, Commissioner Jerry Millsaps, and Commissioner Jack Powers) for their service to McMinn County. Regarding the county’s financial situation, Mr. Tuggle said “it’s not a pretty picture,” and added that we are having a tough time. He said that the county is having a terrible time lending out its excess funds to investors via banks which do not want to make loans, keeping the county from earning income from interest. In the 2009-2010 fiscal year, the county received a \$284,936 return on investment, a 58 percent drop from the prior fiscal year. Mr. Tuggle also said that sales tax revenues have fallen 24% and he reviewed the amounts. Also, property tax and utility property tax collections are down, meaning more people are defaulting on their property taxes. Mr. Tuggle said he regretted the “gloom and doom” of his report, but added that the County is fortunate to be out of debt. In addition to the county’s being debt-free, Mr. Tuggle said he had another piece of good news -- his office returned \$385,000 in excess fees this year.

10. COMMENTS FROM THE AUDIENCE

A. Comments by Mr. Tim Townhill and Mr. Ross Tarver Regarding a Proposed Rock Quarry and Ready-Mix Concrete Plant.

Mr. Tim Townhill, representing a group of investors planning to build a rock quarry and ready-mix concrete plant near Calhoun, said that the quarry and ready-mix plant, plus possible additional operations, could generate approximately \$100 million in revenue within the first five years. Mr. Townhill discussed the location of the site and although the project is still undergoing environmental permitting, he said he wanted to describe the plans to the Commission because someone who opposes the quarry has distributed flyers filled with inaccurate information. Mr. Townhill said that the Tennessee Department of Environment and Conservation could issue the project’s environmental permits by October and operations could begin by spring or summer of 2011. About 45 temporary construction jobs would be created for the plants construction in addition to 20 permanent jobs.

Mr. Ross Tarver, the owner of the 500-acre site under consideration for the quarry, told the Commission he does not know who distributed the flyers. Mr. Gentry said that his office has received about five calls from people seeking information on the quarry based on the flyers and added that one call asked about a water plant the flyer mentioned. Mr. Gentry also said another citizen asked about the number of trucks that will drive the the quarry. Mr. Townhill said that there will be no water plant; instead, the operation will have a catch area for water to remove suspended solids to clean the water. Regarding the truck traffic, Mr. Townhill said that it would depend on the demand the quarry receives, but added that the quarry is in a remote area and there are not many homes in the vicinity.

Mr. Townhill answered several questions from Commissioners.

11. SPECIAL PRESENTATIONS BY COUNTY MAYOR

A. A Resolution to Honor and Commend Commissioner Jeannie King for Her Service to the Citizens of McMinn County.

Mr. Gentry presented the following resolution to Commissioner Jeannie King honoring and commending her for her service to the citizens of McMinn County.

Resolution No. 10-101

A RESOLUTION TO HONOR AND COMMEND  
COMMISSIONER JEANNIE KING FOR HER SERVICE  
TO THE CITIZENS OF MCMINN COUNTY

WHEREAS, Commissioner Jeannie King has provided the citizens of McMinn County's 4th District with compassionate service; and

WHEREAS, Jeannie King is known as a dignified and compassionate mother and public servant, and has continued the service to her citizens from the Commission seat once held by her late husband, Jack King; and

WHEREAS, the citizens of McMinn County express their appreciation for the service provided by Commissioner Jeannie King, and wish her well in her future endeavors.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY TENNESSEE, MEETING IN REGULAR SESSION THIS THE 16<sup>TH</sup> DAY OF AUGUST 2010, THAT THIS COMMISSION DOES APPROVE THIS RESOLUTION TO HONOR AND COMMEND COMMISSIONER JEANNIE KING.

(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.

Commissioner King said that it has been an honor to serve.

B. A Resolution to Honor and Commend Commissioner Jerry Millsaps for His Service to the Citizens of McMinn County.

Mr. Gentry presented the following resolution to Commissioner Millsaps honoring and commending him for his service to the citizens of McMinn County.

Resolution No. 10-102

A RESOLUTION TO HONOR AND COMMEND  
COMMISSIONER JERRY MILLSAPS FOR HIS SERVICE  
TO THE CITIZENS OF MCMINN COUNTY

WHEREAS, Commissioner Jerry Millsaps has provided the citizens of McMinn County's 2<sup>nd</sup> District with compassionate service and conservative leadership; and

(Cont'd)

Resolution No. 10-102 (Cont'd)

WHEREAS, Jerry Millsaps is known as a dignified and compassionate father, husband, and public servant, and has given his citizens quality leadership through high moral and ethical standards; and

WHEREAS, the citizens of McMinn County express their appreciation for the service provided by Commissioner Jerry Millsaps, and wish him well in his future endeavors.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY TENNESSEE, MEETING IN REGULAR SESSION THIS THE 16<sup>TH</sup> DAY OF AUGUST 2010, THAT THIS COMMISSION DOES APPROVE THIS RESOLUTION TO HONOR AND COMMEND COMMISSIONER JERRY MILLSAPS.

(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 Simpson, to approve this resolution.

Motion carried by voice vote.

Commissioner Millsaps said he doesn't envy the Commissioners serving in these tough economic times.

C. A Resolution to Honor Jack Powers for His Service to the Citizens of McMinn County as a Member of the McMinn County Commission.

Mr. Gentry presented the following resolution to Commissioner Jack Powers for his 28 years of service to the citizens of McMinn County as a member of the McMinn County Commission. Mr. Gentry said that his fingerprints are all over county policy and progress and added that he can claim a lot of the credit that McMinn County is debt free.

Resolution No. 10-103

**A RESOLUTION TO HONOR  
JACK POWERS  
FOR HIS SERVICE TO THE CITIZENS OF MCMINN COUNTY  
AS A MEMBER OF THE MCMINN COUNTY COMMISSION**

**WHEREAS, Jack Powers has served as a 3<sup>rd</sup> District Commissioner on the McMinn County Commission for 28 years from 1982 to 2010; and**

WHEREAS, a charter member of the McMinn County Commission, Jack Powers has worked diligently to provide leadership and guidance in local government, financial planning, responsible development, serving much of his tenure as chairman of numerous commission subcommittees; and

(Cont'd)

Resolution No. 10-103 (Cont'd)

WHEREAS, the service provided by Jack Powers to McMinn County's citizens has been characterized as professional, compassionate, calming and wise; and

WHEREAS, after three decades of distinguished public service, the tenure of Jack Power's service is ending with honor and dignity; and

WHEREAS, it is resolved that Jack Powers is commended for his many years of faithful service to the citizens of McMinn County, and the wisdom, dedication, and compassion displayed by him throughout his tenure will be sorely missed.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 16th DAY OF AUGUST 2010, THAT THIS COMMISSION DOES HONOR AND COMMEND JACK POWERS FOR HIS DISTINGUISHED SERVICE TO THE CITIZENS OF McMINN COUNTY.

(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.

D. A Resolution Honoring and Commending Nadean K. Cunningham for Her Fifty-four Years of Service to the Citizens of McMinn County.

Mr. Gentry requested approval of the following resolution which will be presented to Nadean K. Cunningham commending her for her fifty-four years of service to the citizens of McMinn County.

Resolution No. 10-104

A RESOLUTION HONORING AND COMMENDING  
NADEAN K. CUNNINGHAM  
FOR HER FIFTY-FOUR YEARS OF SERVICE TO THE  
CITIZENS OF McMINN COUNTY

WHEREAS, Nadean Cunningham has decided to retire as the McMinn County Register of Deeds after twenty years of service, and

WHEREAS, the proud mother of Jeff, Sara and Sandra, Nadean was first elected in 1990, and being fully satisfied with her service, the citizens of McMinn County have re-elected her to five consecutive terms in office, and

(Cont'd)

Resolution No. 10-104 (Cont'd)

WHEREAS, prior to being elected Register of Deeds, Nadean Cunningham served sixteen years in the county clerk's office, twelve years in the McMinn County Board of Education central office, and six years in the circuit court clerk's office; and

WHEREAS, Nadean's service to the citizens of McMinn County has totaled fifty-four years with said service being characterized by dedication, integrity, courtesy, professionalism and compassion; and

WHEREAS, though always a devoted and proud republican, Nadean Cunningham served everyone with impartiality and fairness.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 16<sup>TH</sup> DAY OF AUGUST 2010, THAT THIS COMMISSION DOES HEREBY APPROVE THIS RESOLUTION HONORING NADEAN CUNNINGHAM FOR HER SERVICE TO THE CITIZENS OF McMINN COUNTY.

(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.

E. A Resolution to Honor and Commend Sheriff Steve R. Frisbie for His 16 Years of Service to the Citizens of McMinn County.

Mr. Gentry requested approval of the following resolution which will be presented to Sheriff Steve R. Frisbie to honor and commend him for his 16 years of service to the citizens of McMinn County.

Resolution No. 10-105

A RESOLUTION TO HONOR AND COMMEND SHERIFF STEVE R. FRISBIE  
FOR HIS 16 YEARS OF SERVICE TO THE CITIZENS OF MCMINN COUNTY

WHEREAS, Sheriff Frisbie was elected to four consecutive terms as the McMinn County Sheriff from 1994 to 2010, serving longer than any other sheriff in the history of McMinn County; and

WHEREAS, the McMinn County Sheriff's Department made numerous improvements during Sheriff Frisbie's 16 years of service; and

WHEREAS, Steve R. Frisbie is a long-time police officer, providing a lifetime of public service in the law enforcement field; and

(Cont'd)

Resolution No. 10-105 (Cont'd)

WHEREAS, Steve R. Frisbie is known as a dignified and compassionate father, husband, and public servant; and

WHEREAS, the citizens of McMinn County express their appreciation for the sacrifices and efforts put forth by Sheriff Steve Frisbie to provide them with public safety and quality law enforcement, and wish him well in his future endeavors.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY TENNESSEE, MEETING IN REGULAR SESSION THIS THE 16<sup>TH</sup> DAY OF AUGUST, 2010, THAT THIS COMMISSION DOES APPROVE THIS RESOLUTION TO HONOR AND COMMEND SHERIFF STEVE R. FRISBIE FOR HIS FOUR TERMS AS MCMINN COUNTY SHERIFF.

(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 Mason, to approve this resolution.

Motion carried by voice vote.

12. RESOLUTIONS

A. A Resolution to Approve the Statutory Bonds for McMinn County Elected Officials.

Mr. Gentry requested approval of the following resolution to approve the statutory bonds for McMinn County Elected Officials taking office on September 1, 2010.

Resolution No. 10-106

A RESOLUTION TO APPROVE THE STATUTORY BONDS FOR MCMINN COUNTY ELECTED OFFICIALS

WHEREAS, TCA 8-19-111 requires that public officials execute a surety bond upon taking public office; and

WHEREAS, as prescribed by law, the following public officials having recently been elected and/or re-elected to office, shall execute surety bonds in the following amounts:

County Mayor	\$50,000
Sheriff	\$25,000
Highway Commissioner	\$100,000
Register of Deeds	\$25,000
Circuit Court Clerk	\$50,000 plus \$25,000 Commissioner and Receivership Bond
County Clerk	\$50,000
Trustee	\$1,524,710
Constables	\$4,000 – 8,000
; and	

(Cont'd)

Resolution 10-106 (Cont'd)

WHEREAS, public official's bonds must be approved by the county legislative body and entered into the minutes thereof.

THEREFORE, BE IT RESOLVED BY THE MCMINN COUNTY BOARD OF COMMISSIONERS MEETING THIS THE 16<sup>TH</sup> DAY OF AUGUST 2010, THAT THIS COMMISSION DOES APPROVE THESE SURETY BONDS FOR MCMINN COUNTY OFFICIALS, AND FUTHER APPROVES THE FINANCE DIRECTOR, COUNTY MAYOR AND COUNTY CLERK TO EXECUTE ALL RELATED DOCUMENTS, the public welfare requiring it.

(Orig signed by John 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.

B. A Resolution to Accept a Grant from the State Department of Health for Renovations at the McMinn County Health Department.

Mr. Gentry requested approval of the following resolution to accept a grant from the State Department of Health for renovations at the McMinn County Health Department. Mr. Gentry added that there is no financial obligation on the part of McMinn County and is being funded to enhance the W.I.C. program.

RESOLUTION NO. 10-107

A RESOLUTION TO ACCEPT A GRANT FROM  
THE STATE DEPARTMENT OF HEALTH FOR  
RENOVATIONS AT THE MCMINN COUNTY HEALTH DEPARTMENT

WHEREAS, the current McMinn County Health Department is over thirty years old and is need of some additional renovations and improvements, such as but not limited to handicap accessible restrooms and additional exam rooms; and

WHEREAS, the Tennessee Department of Health has provided McMinn County with a grant opportunity that would fund such renovations and improvements; and

WHEREAS, this \$300,000 grant is non-matching, with no financial obligation on the part of McMinn County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 16<sup>TH</sup> DAY OF AUGUST 2010, THAT THIS COMMISSION DOES ACCEPT THIS GRANT FOR HEALTH DEPARTMENT RENOVATIONS AND IMPROVEMENTS, 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 King, to approve this resolution.

Motion carried by voice vote.

C. A Resolution to Close and Remove an Obsolete Alleyway.

Mr. Gentry presented and explained the following resolution to close and remove an obsolete alleyway. The Commissioners were also provided a letter from the Highway Commissioner recommending this action, and the County Attorney agreed with the Highway Commissioner.

Resolution No. 10-108

A RESOLUTION TO CLOSE AND REMOVE AN OBSOLETE ALLEYWAY

WHEREAS, Resident James Young of 724 County Road 475, has requested that an obsolete alleyway lying between parcels 19 and 20, joining the James Young Property on east and west, County Road 908 and State Rte 310 on the north and south, be closed; and

WHEREAS, Mr. Young owns all the property that surrounds this alleyway and desires to make it a part of his property; and

WHEREAS, McMinn County Highway Commissioner Randall Moss recommends closing this alleyway, and notes that it has never been on the Highway Department Maintenance List.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 16<sup>TH</sup> DAY OF AUGUST 2010, that this Commission does hereby approve the recommendation of Highway Commissioner Moss to close this obsolete alleyway and quit claim deed the property to Mr. Young, AND FURTHERMORE, authorizes the County Mayor to execute the necessary documents 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 Holbrook, and seconded by Commissioner Millsaps, to approve this resolution.

Motion carried by voice vote.

D. A Resolution to Relieve the McMinn County Trustee of Property Tax Reporting and Collection Liability Regarding 2008 Delinquent Taxes.

Mr. Gentry requested approval of the following resolution to relieve the McMinn County Trustee of property tax reporting and collection liability regarding 2008 delinquent taxes.

Resolution No. 10-109

A RESOLUTION TO RELIEVE THE MCMINN COUNTY TRUSTEE OF  
PROPERTY TAX REPORTING AND COLLECTION LIABILITY REGARDING  
2008 DELINQUENT TAXES

WHEREAS, it appears that Phil Tuggle, Trustee of McMinn County, Tennessee, has complied with the statutes of the State of Tennessee, relative to requirements as to the filing of reports of delinquent and insolvent taxpayers for the 2008 real property taxes and 2008 personal property taxes; and

(Cont'd)

Resolution No. 10-109 (Cont'd)

WHEREAS, it further appears that proper suit has been instituted in the Chancery Court for McMinn County, Tennessee, for collection of said taxes; and

WHEREAS, Phil Tuggle, Trustee of McMinn County, Tennessee, has filed a list of delinquent taxpayers and double assessments as provided by law, and should be properly relieved from any further liability for the reporting and collection of delinquent 2008 real property and 2008 personal property taxes as properly certified and turned over to the Clerk & Master for McMinn County, Tennessee.

NOW, THEREFORE, BE IT RESOLVED BY THE MCMINN COUNTY BOARD OF COMMISSIONERS MEETING IN REGULAR SESSION THIS THE 16<sup>TH</sup> DAY OF AUGUST 2010, that the Commission does hereby relieve the McMinn County Trustee of Property Tax Reporting and Collection liability regarding the 2008 delinquent property taxes and personal property taxes as properly certified and turned over to the Clerk and Master of McMinn County.

(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.

13. ELECTIONS, APPOINTMENTS AND CONFIRMATIONS

None.

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

A. Emergency Services Committee – Commissioner Curtis.

Commissioner Curtis said that the Emergency Services Committee met prior to this meeting and approved the recommendation to reject the bid of the North EMS Station.

B. Comments by County Attorney Regarding Cox Case (Airport Condemnation).

County Attorney Vance Baker said that he filed a motion for summary judgment in the Cox case (airport condemnation). It is to be heard September 20, 2010.

15. COMMENTS FROM THE COUNTY MAYOR

A. Death of Susan Goldblatt.

Mr. Gentry offered condolences to the family of Susan Goldblatt who was with the Southeast Tennessee Development District and recently died in a car accident. She wrote and administered most our public infrastructure, historical, water, and humanity and arts grants. Mr. Gentry said she will be very missed.

B. Special Called Session of County Commission.

Mr. Gentry said that there will be a Special Called Session of the County Commission on Thursday, September 9, 2010, at 7:30 pm. The purpose of the meeting will be the first reading of the FY 2010-2011 budget and a discussion of the State Building Permit program. Mr. Gentry said that a 2/3 vote is required to opt out of the building permit program.

C. Trustee's Report.

Mr. Gentry stated that the Trustee's report gave a good synopsis of the difficulties faced with this year's budget.

D. Expression of Appreciation to Commissioners.

Mr. Gentry said he appreciates all the work done by Commissioners for little pay and added that he has enjoyed working with Commissioners Powers, King, and Millsaps.

16. APPROVAL OF NOTARY APPLICATIONS

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

Notary Applications for August 2010

Helena L. Burgess  
Kathy S. Cobble  
Pamela J. Duggan  
Tobias W. Parsons  
Valerie J. Pickel  
Wendy L. Prytherch

MOTION made by Commissioner Mason, and seconded by Commissioner Bob Powers, to approve these notary applicants.

Motion carried by voice vote.

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

None.

18. ADJOURNMENT

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

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EVONNE HOBACK  
McMinn County Clerk

Attest:

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Deputy Clerk (date)

Note for the Record: There is no audio tape of this meeting.