

The McMinn County Board of Commissioners met in Regular Session on Thursday, May 17, 2012 (this meeting was rescheduled from Monday, May 21, 2012), 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 Charles Slack.

3. PLEDGE TO THE FLAG

The Pledge to the Flag was led by Commissioner Dale Holbrook.

4. ROLL CALL

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

Scott Curtis – Present
Dale Holbrook – Present
Tim King – Present
Roger Masingale – Present
Gary Mason – Present
J. W. McPhail – Present
Bob Powers – Present
Tad Simpson – Present
Charles Slack – Present
Chairman David Crews – Present

5. APPROVAL OF MINUTES

Copies of the Minutes of the Regular Session on April 16, 2012 were provided to the McMinn County Commissioners.

MOTION made by Commissioner Holbrook, and seconded by Commissioner Powers, to approve the Minutes of April 16, 2012.

Motion carried by voice vote.

6. APPROVAL OF BIDS AND PURCHASES

A. A Resolution to Approve and Award the Bid for the Board of Education Phase II Renovations Bids for McMinn County High School.

Mr. Luallen presented the following resolution to approve and award the bid for the Board of Education Phase II renovations bids for McMinn County High School, as well as a letter of recommendation from the Architect as well as the bid summary sheet. Mr. Luallen added that this was also approved by the School Board.

RESOLUTION NO. 12-060

A RESOLUTION TO APPROVE AND AWARD THE BID FOR THE BOARD OF EDUCATION
PHASE II RENOVATIONS BIDS FOR
MCMINN COUNTY HIGH SCHOOL

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 Board of Education has requested renovations at McMinn County High School in order to properly carry out the functions of the school; and

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

WHEREAS, architects Upland Design Group has recommended and the McMinn County School Board has approved the recommendation that the phase II renovation project bid be awarded to the low bidder meeting specifications, Wilson Construction Group, LLC of Athens, TN for \$794,000; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF MAY 2012, that this Commission does hereby approve the recommendation of the architect, Upland Design Group, and the McMinn County School Board and further authorize the County Mayor to execute all documents essential to fulfilling said project.

(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 Powers, to approve this resolution.

In response to a question from Commissioner Simpson, Mr. Luallen said this bid was without the lockers.

In response to a question from Commissioner Curtis, Mr. Luallen said that this money is in the 2011-2012 budget.

B. A Resolution to Approve the Emergency Purchase Over \$10,000 for RS-2 Oil to be Used at the Highway Department.

Mr. Luallen presented the following resolution to approve the emergency purchase over \$10,000 for RS-2 Oil to be used at the Highway Department, along with a copy of the requisition and an explanation.

RESOLUTION NO. 12-061

A RESOLUTION TO APPROVE THE EMERGENCY PURCHASE OVER \$10,000 FOR RS-2 OIL
TO BE USED AT THE HIGHWAY DEPARTMENT

WHEREAS, the McMinn County Highway Commissioner, Randall Moss, requested to purchase RS-2 oil for the Highway Department; and

WHEREAS, Marathon, who was awarded the bid for this item, could not deliver the requested amount due to unforeseen circumstances; and

WHEREAS, the McMinn County Highway Commissioner, Randall Moss, requested an emergency purchase of this RS-2 oil from Hudson who was the only vendor able to deliver at this time; and

WHEREAS, the RS-2 oil that was purchased is valued at \$62,720; and

WHEREAS, in accordance with Financial Management Committee Policies and Procedures any expense over \$ 10,000 requires Commission approval.

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 17TH DAY OF MAY, 2012, that this Commission does hereby approve the purchase of the RS-2 oil for the McMinn County Highway Department.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

In response to several questions, there was a lengthy discussion between the Highway Commissioner, the Commissioners, and the Finance Director regarding the policy and procedures in this situation. The Highway Commissioner is not recommending disqualification of the low bidder that was unable to deliver at this time.

Motion carried by voice vote.

C. A Resolution to Approve Payment of Medical Expenses for Inmate to U.T. Medical Center.

Mr. Luallen presented the following resolution to approve payment of medical expenses for inmate to U.T. Medical Center. Mr. Luallen said that McMinn County requested and was granted a discount of 45%, but added that this inmate is a state inmate, and we will eventually be reimbursed for everything over \$1,000.00.

RESOLUTION NO. 12-062

A RESOLUTION TO APPROVE PAYMENT OF MEDICAL EXPENSES FOR INMATE TO U.T. MEDICAL CENTER

WHEREAS, a state inmate of McMinn County Justice Center had a heart attack and was transferred to U.T. Medical Center for treatment and care; and

WHEREAS, the original amount charged was \$42,195.20 and McMinn County requested a discount which was granted resulting in a 45% discount bringing the charges to \$23,207.36; and

WHEREAS, if an expense occurs with a state inmate the State reimburses the County for expenses over \$1,000; 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 17th DAY OF MAY 2012, that the payment of medical expenses to U.T. Medical Center in the amount of \$23,207.36 be hereby approved.

(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 Slack, to approve this resolution.

Motion carried by voice vote.

The County Mayor expressed his appreciation to the Sheriff for negotiating the discounted rate.

D. A Resolution to Approve Purchase Over \$10,000 for In-Car Video Systems to be Used at the McMinn County Sheriff's Department.

Mr. Luallen presented the following resolution to approve purchase over \$10,000 for in-car video systems to be used at the Sheriff's Department and added that this was paid through a grant from the Governor's Highway Safety Office.

RESOLUTION NO. 12-063

A RESOLUTION TO APPROVE PURCHASE OVER \$10,000 FOR
IN-CAR VIDEO SYSTEMS TO BE USED AT THE
MCMINN CO. SHERIFF'S DEPARTMENT

WHEREAS, the McMinn County Sheriff, Joe Guy, requests to purchase twelve in-car video systems; and

WHEREAS, the video systems will be purchased from Sharp Communications, the only source, and are valued at \$20,520; and

WHEREAS, purchase will be reimbursed through the 2011 – 2012 GHSO Grant; and

WHEREAS, according to TCA 12-3-1003 and Financial Management Committee policy the purchase of used items or equipment valued over \$10,000 may be purchased from any federal, state, or local government without public advertisement or competitive bidding provided that cost is not more than 5% higher than the general range of value of the purchased item documented in a nationally recognized publication; and

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 17TH DAY OF MAY, 2012, that this Commission does hereby approve the purchase of a twelve in-car video systems for the McMinn County Sheriff's Department.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

7. REVIEW AND APPROVAL OF CONTRACTS

A. A Resolution to Approve Amendment to the Contract Between McMinn County and the Tennessee Commission on Children and Youth.

Mr. Luallen presented the following resolution to approve an amendment to the contract between McMinn County and the Tennessee Commission on Children and Youth and added that the only change is a transfer of the administrative responsibility from the Tennessee Commission on Children and Youth to the Department of Children's Services.

Resolution No. 12-064

A RESOLUTION TO APPROVE AMENDMENT TO THE CONTRACT BETWEEN McMINN COUNTY
AND THE TENNESSEE COMMISSION ON CHILDREN AND YOUTH

WHEREAS, McMinn County currently has a contract with the Tennessee Commission on Youth and Children, hereafter referred to as TCCY to provide state supplement grants to McMinn County; and

WHEREAS, the Tennessee General Assembly has transferred the administrative responsibility for the supplemental grants from TCCY to the Department of Children's Services; and

WHEREAS, the amendment changes all contract references from TCCY to the Department of Children's Services.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17TH DAY OF MAY 2012, that this Commission does hereby approve Amendment One between McMinn County and TCCY, and authorizes the County Mayor to execute any and all documents to necessary to meet the intent of this resolution.

(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 Commission Slack, to approve this resolution.

Motion carried by voice vote.

B. A Resolution to Approve the DGA Grant Contract Between McMinn County and State of Tennessee Department of Health.

Mr. Luallen presented the following resolution to approve the DGA Grant Contract between McMinn County and State of Tennessee Department of Health. Mr. Luallen said that this is for FY 2012-13 and these are monies provided by the State for the employees and certain expenses at the Health Department.

RESOLUTION NO. 12-065

A RESOLUTION TO APPROVE THE DGA GRANT CONTRACT BETWEEN MCMINN COUNTY
AND STATE OF TENNESSEE DEPARTMENT OF HEALTH

WHEREAS, it is the conviction of McMinn County, that every individual in the County has good health care readily available; and

(Cont'd)

Resolution No. 12-065 (Cont'd)

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 has previously entered into a contract with the State of Tennessee Department of Health to protect and improve the physical health of the county citizens through the prevention of conditions that may threaten good health; and

WHEREAS, the total appropriation for which the County shall receive is \$445,500; and

WHEREAS, McMinn County Health Department does provide these services and both parties do hereby agree to these provisions in the contract for FY 2012-13.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF MAY, 2012, that this Commission does hereby approve this contract.

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

Motion carried by voice vote.

C. A Resolution to Approve Audit Fee Proposal with Henderson, Hutcherson & McCullough, PLLC.

Mr. Luallen presented the following resolution to approve audit fee proposal with Henderson, Hutcherson and McCullough, PLLC, our current auditor.

RESOLUTION NO. 12-066

A RESOLUTION TO APPROVE AUDIT FEE PROPOSAL
WITH HENDERSON HUTCHERSON & MCCULLOUGH, PLLC

WHEREAS, in order to properly perform the essential operations of county government, McMinn County enters into a contract each year for auditing services; and

(Cont'd)

Resolution No. 12-066 (Cont'd)

WHEREAS, Henderson Hutcherson & McCullough submitted a proposal of \$40,700 for the FY 2012 – 2013 for McMinn County Fiscal and Fee Offices; and

WHEREAS, Henderson Hutcherson & McCullough appears to have the necessary qualifications to provide the annual financial and compliance audit for Fiscal Year 2011 - 2012; and

WHEREAS, McMinn County Finance Director, Jason Luallen recommends McMinn County enter into contract with Henderson Hutcherson & McCullough to perform its annual financial and compliance audit due to past experience with this group.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF MAY, 2012, that this Commission does hereby approve the above audit fee proposal with Henderson Hutcherson & McCullough.

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

Attest:

(Orig signed by Evonne Hoback)
 County Clerk

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

Motion carried by voice vote.

8. APPROVAL OF BUDGET AMENDMENTS

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

Fund: General Fund # 101

Date: May 14, 2012

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
State of Tennessee	Other Grants	46190	1,000.00	
Agricultural Extension Service	Other Supplies & Materials	57100-499		1,000.00

EXPLANATION: To budget revenue and expenditures related to grant from State of Tennessee Department of Agriculture for advertising Farmers' Market in 2012 season. Commission approved 11/21/11.

Fund: General Fund # 101

Date: May 14, 2012

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Other Local Revenues	Sale of Equipment	44530	73,627.00	
Sheriff	Law Enforcement Equipment	54110-716		73,627.00

EXPLANATION: To budget revenue and expenditures from Sheriff's gun auction restricted for law enforcement purposes per T.C.A. 39-17-1317c(2)

Fund: General Fund # 101

Date: May 14, 2012

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
State of Tennessee	Other Public Safety	46290	40,000.00	
Sheriff	Overtime	54110-187		19,479.00
Sheriff	Other Equipment	54110-790		20,521.00

Fund: General Fund # 101

Date: May 14, 2012

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Federal through State	Law Enforcement Grants	47250	18,443.00	
Special Patrols	Law Enforcement	54120-716		18,443.00

EXPLANATION: To budget revenue and expenditures related to joint allocation grants with City of Athens for 2010 and 2011 the U.S. Dept of Justice. Commission approved 7/19/11.

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

Motion carried by roll call vote, as recorded:

- Scott Curtis – Aye
- Dale Holbrook – Aye
- Tim King – Aye
- Roger Masingale – Aye
- Gary Mason – Aye
- J. W. McPhail – Aye
- Bob Powers – Aye
- Tad Simpson – Aye
- Charles Slack – Aye
- Chairman David Crews – Aye

Fund: General Purpose School # 141

Date: May 8, 2012

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
L.E.A.P.S. Niota	Instructional Supplies	71600-429		2,000.00
“	Travel	71600-355	2,000.00	

EXPLANATION: Amendment No. 1 to FY 2011 – 1012 Niota School L.E.A.P.S. Grant. School Board approved 5/10/12.

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

Motion carried by roll call vote, as recorded:

Scott Curtis – Aye
Dale Holbrook – Aye
Tim King – Aye
Roger Masingale – Aye
Gary Mason – Aye
J. W. McPhail – Aye
Bob Powers – Aye
Tad Simpson – Aye
Charles Slack – Aye
Chairman David Crews – Aye

9. COMMENTS FROM THE AUDIENCE

None.

10. PHIL TUGGLE, TRUSTEE, REGARDING DELINQUENT TAX RESOLUTION AND PARTIAL PAYMENT RESOLUTION

Mr. Gentry said that the resolution regarding partial payments for delinquent property taxes, a copy of which was provided to the Commissioners, will be presented by Mr. Tuggle next month. Mr. Gentry did present on behalf of Mr. Tuggle the following resolution to relieve the McMinn County Trustee of property tax reporting and collection liability regarding 2010 delinquent taxes.

Resolution No. 12-067

A RESOLUTION TO RELIEVE THE MCMINN COUNTY TRUSTEE OF PROPERTY TAX REPORTING AND COLLECTION LIABILITY REGARDING 2010 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 2010 real property taxes and 2010 personal property taxes and further, it appears that proper suit has been instituted in the Chancery Court for McMinn County, Tennessee, for collection of said taxes; and

WHEREAS, it further appears that 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 2010 real property and 2010 personal property taxes as properly certified and turned over to the Clerk & Master for McMinn County, Tennessee.

NOW, THEREFORE; BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF MAY, 2012 that this Commission does hereby relieve the McMinn County Trustee of Property Tax Reporting and Collection liability regarding the 2010 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 Masingale, and seconded by Commissioner Slack, to approve this resolution.

Motion carried by voice vote.

11. RESOLUTIONS

A. A Resolution to Authorize Initial Values for the Sale of Delinquent Tax Property.

Mr. Gentry presented the following resolution to authorize initial values for the sale of delinquent tax property. Mr. Gentry said that the Delinquent Tax Committee met last week to address the sale of delinquent tax property and Mr. Gentry explained that these are properties that have gone through the Chancery Court sale process and were not purchased. These properties have been deeded to McMinn County and this resolution approves a minimum base bid for each property so that they can be sold at public auction.

Resolution No. 12-068

A RESOLUTION TO AUTHORIZE INITIAL VALUES FOR THE SALE OF DELINQUENT TAX PROPERTY

WHEREAS, TCA Code 67-5-2507 authorizes Tennessee Counties to take possession of delinquent tax properties; and

WHEREAS, the county mayor is to arrange the sale of the land as expeditiously and advantageously as possible, working with a committee of four county commissioners to place a fair price on each tract of land; and

WHEREAS, the McMinn County Delinquent Tax Committee must set an initial value for delinquent tax property to be sold, with such value to be approved by the entire County Commission if such value is less than the value of the taxes owed against said properties; and

WHEREAS, the following initial values have been recommended by the Delinquent Tax Committee:

- | | | |
|-------------------------|-----------------------|-------|
| 1. Phyllis Dean Colboch | 03-118c-C-118C-010.00 | \$500 |
| 2. Daniel Cox, ET AL | 01-056L-A-056L-072.00 | \$500 |
| 3. Ricky A. Neely | 05-083L-A-083M-002.00 | \$500 |
| 4. Carol Gibson Porter | 01-056N-D-056K-015.00 | \$500 |

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 17th DAY OF MAY 2012, that this Commission does hereby approve the initial values for the above referenced delinquent tax properties and orders them sold to the highest and best bidders, AND FURTHER authorizes the County Mayor to execute all paperwork to fulfill the intent of this resolution.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

In response to a question from Commissioner Simpson, Mr. Gentry explained that if the property is sold for more than the taxes dues, each party (City/County) would receive the taxes owed and if the property is sold for less, the amount would be prorated.

Motion carried by voice vote.

B. Proposed Resolution to Remove County Road 971 from the McMinn County Highway Department Maintenance List.

Mr. Gentry explained that the Public Safety Committee did not recommend approval of this resolution.

In response to a question from Commissioner King, the Highway Commissioner said that they will begin repairing that road next week.

C. A Resolution for Application for Participation in the National Flood Insurance Program for McMinn County, Tennessee.

Mr. Gentry presented the following resolution for application for participation in the National Flood Insurance Program for McMinn County and he explained that this is a two-step process. Mr. Gentry said the Flood Insurance Committee met last week and the E911 Board has voted to issue the development certificates. Mr. Gentry said that next month, there will be a public hearing, and a resolution will be presented to the Commission detailing the flood insurance program. Mr. Gentry explained the process and in response to a question from Commissioner Holbrook regarding putting approval off until after the public hearing, Mr. Gentry said that this program was state mandated and the Commission does not have much leeway.

Resolution No. 12-069

A RESOLUTION FOR APPLICATION
FOR PARTICIPATION IN THE NATIONAL
FLOOD INSURANCE PROGRAM
FOR MCMINN COUNTY, TENNESSEE

WHEREAS, the Tennessee General Assembly mandated all counties with National Flood Insurance Program (NFIP) maps (FIRM) meet the criteria for participation in the NFIP by June 30, 2012; and

WHEREAS, portions of McMinn County, Tennessee, are subject to periodic flooding, mudslides (i.e., mudflows), or flood related erosion, causing serious damages to properties within these areas; and

WHEREAS, relief is available in the form of Federally subsidized flood insurance as authorized by the National Flood Insurance Act of 1968; and

WHEREAS, it is the intent of the McMinn County Commission to require the recognition and evaluation of flood, mudslide (i.e. mudflow), or flood-related erosion hazards in all official actions relating to land use in areas having these hazards; and

WHEREAS, this body has the legal authority to adopt land use and control measures to reduce future flood losses pursuant to Sections 13-7-101 through 13-7-115, Tennessee Code Annotated.

(Cont'd)

Resolution No. 12-069 (Cont'd)

NOW, THEREFORE, BE IT RESOLVED, that the McMinn County Commission hereby:

1. Assures the Federal Insurance Administration that it will enact as necessary, and maintain in force in those areas having food, mudslide (i.e. mudflow), or flood-related erosion hazards, adequate land use and control measures with effective enforcement provisions consistent with the Criteria set forth in Section 60.3 of the National Flood Insurance Program Regulations; and
2. Vests the McMinn County Planner with the responsibility, authority, and means to:
 - (a) Assist the Administrator, at his request, in his delineation of the limits of the area having special flood, mudslide (i.e. mudflow), or flood-related erosion hazards.
 - (b) Provide such information as the Administrator may request concerning present uses and occupancy of the flood plain, mudslide (i.e. mudflow) or flood-related erosion areas.
 - (c) Cooperate with Federal, State, and local agencies and private firms which undertake to study, survey, map, and identify flood plain, mudslide (i.e. mudflow), or flood related erosion areas, and cooperate with neighboring communities with respect to management of adjoining flood plain, mudslide (i.e. mudflow) and/or flood-related erosion areas in order to prevent aggravation of existing hazards.
 - (d) Submit on the anniversary date of the community's initial eligibility an annual report to the Administrator on the progress made during the past year within the community in the development and implementation of flood plain management measures.
 - (e) Upon occurrence, notify the Administrator in writing whenever the boundaries of the community have been modified by annexation or the community has otherwise assumed or no longer has authority to adopt and enforce floodplain management regulations for a particular area. In order that all Flood Hazard Boundary Maps and Flood Insurance Rate Maps accurately represent the community's boundaries, include within such notification a copy of a map of the community suitable for reproduction, clearly delineating the new corporate limits or new area for which the community has assumed or relinquished flood plan management regulatory authority.
3. Appoints the McMinn County Planner to maintain for public inspection and to furnish upon request, for the determination of applicable flood insurance risk premium rates within all areas having special flood hazards identified on a Flood Hazard Boundary Map or Flood Insurance Rate Map, any certificates of flood-proofing, and information on the elevation (in relation to mean sea level) of the level of the lowest floor (including basement) of all new or substantially improved structures, and include whether or not such structures contain a basement, and if the structure has been floodproofed the elevation (in relation to mean sea level) to which the structure was floodproofed;
4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the program.

THEREFORE, BE IT FURTHER RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17TH DAY OF MAY 2012, that this Commission does hereby adopt this resolution.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried with one dissenting vote by Commissioner Holbrook.

D. A Resolution Authorizing McMinn County to Participate in the Riceville Utility Board Water Line Extension Project on State Highway 11.

Mr. Gentry presented the following resolution authorizing McMinn County to participate in the Riceville Utility Board Water Line Extension Project on State Highway 11, along with a letter from the Riceville Utility Board and a letter of recommendation from the Development District. Mr. Gentry said that this is higher per foot because of the number of borings required, and added that it would tie two dead end lines together.

RESOLUTION NO. 12-070

A RESOLUTION AUTHORIZING McMINN COUNTY TO PARTICIPATE IN THE RICEVILLE UTILITY BOARD WATER LINE EXTENSION PROJECT ON STATE HIGHWAY 11

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

WHEREAS, Riceville Utility Board desires to participate in McMinn County's program for the installation of 6" water lines on State Road 11 from the end of County Road 157 to County Road 1150; and

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

	<u>Total Cost</u>	<u>20% Co Match</u>
2,188 feet of 6" line	\$40,000.00	\$8,000

with costs including valves, borings and other costs; and

WHEREAS, based on review by Southeast Tennessee Development District Staff, this project is in 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 17th DAY OF MAY 2012, that this board does authorize McMinn County to participate in the water line extension project at 20% of construction costs, up to \$8,000.00 on State Route 11; 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 Masingale, and seconded by Commissioner Powers, to approve this resolution.

Motion carried by voice vote.

E. A Resolution to Recognize the Week of May 1-7, 2012 as National Corrections Officer Week.

Mr. Gentry presented the following resolution to recognize the Week of May 1-7, 2012, as National Corrections Officer Week.

RESOLUTION NO. 12-071

A RESOLUTION TO RECOGNIZE THE WEEK OF MAY 1-7, 2012 AS
NATIONAL CORRECTIONS OFFICER WEEK

WHEREAS, National Corrections Officers Week was first implemented by President Ronald Reagan in 1984, to honor the corrections officers nationwide that are employed in thousands of jails, prisons, and other correctional facilities that house inmates as directed by the laws of our country and states; and;

WHEREAS, corrections officers in McMinn County work long hours in our county jail facility to properly manage inmates according to state standards in housing, meals, and are responsible for protecting McMinn County citizens from those convicted of crimes and protecting McMinn County government from liability associated with the hazards of jail operations; and

WHEREAS, McMinn County Corrections Officers are a designation of the Sheriff's constitutional and statutory powers, and provide a necessary and professional service to our citizens, and further are honored as part of this national week of recognition for their profession.

NOW, THEREFORE, BE IT RESOLVED BY THE MCMINN COUNTY BOARD OF COMMISSIONERS MEETING THIS THE 17TH DAY OF MAY 2012, THAT THIS RESOLUTION TO HONOR MCMINN COUNTY CORRECTIONS OFFICERS AS PART OF NATIONAL CORRECTIONS OFFICERS WEEK IS APPROVED.

(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 Holbrook, to approve this resolution.

Motion carried by voice vote.

Sheriff Joe Guy said that he may have a similar resolution next month to honor law enforcement officers.

12. ELECTIONS, APPOINTMENTS AND CONFIRMATIONS

A. A Resolution to Confirm the Appointment of John Bohannon to the McMinn County Regional Planning Commission

Mr. Gentry presented the following resolution to confirm the appointment of John Bohannon to the McMinn County Regional Planning Commission, to fulfill the term of Matthew Brown, who resigned.

Resolution No. 12-072

A RESOLUTION TO CONFIRM THE APPOINTMENT OF JOHN BOHANNON TO THE McMINN COUNTY
REGIONAL PLANNING COMMISSION

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

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

WHEREAS, current board member Matthew Brown, whose term officially ends February 2, 2014, is resigning from the McMinn County Planning Commission; and

WHEREAS, John M. Gentry as McMinn County Mayor nominates John Bohannon to fill the remainder of Matthew Brown's term on the McMinn County Planning Commission; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 17th DAY OF MAY 2012, that this commission does hereby confirm the appointment of John Bohannon to the McMinn County Regional Planning Commission.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

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

A. Budget Committee – Commissioner Curtis.

Commissioner Curtis said that the Budget Committee met prior to this meeting and went over projected revenues and expenditures and scheduled the next meeting for May 31, 2012, at 6:30 pm in the Blue Room.

B. Comments by Commissioner Masingale Regarding Delinquent Tax Properties.

Commissioner Masingale said that the Delinquent Tax Committee did look at those properties that will be sold, as approved earlier in this meeting. Commissioner Masingale said that the committee is recommending that one piece of property be deeded to a cemetery and added that a resolution will be drawn up.

C. McMinn County Commission Rules of Procedure.

Chairman Crews asked for volunteers to review and update rules for the McMinn County Commission that were most recently drawn up in 1984.

The following commissioners volunteered: Commissioner Slack, Commissioner Mason, Commissioner King, Commissioner McPhail and Chairman Crews.

The County Attorney asked to be kept informed.

14. COMMENTS FROM THE COUNTY MAYOR

A. VA Update.

Mr. Gentry said that according to U.S. Senator Corker's staff, the package to be sent out for bid is in the final stage in DC.

B. Rails to Trails Project.

Mr. Gentry said that the City of Athens has taken the lead to obtain an environmental assessment and when this is done, hopefully by mid-June, the joint committee will meet again.

C. Inmate Work Projects.

At the request of Mayor Gentry, Sheriff Guy said that a part-time work crew supervisor has been hired to take an inmate work crew out for 32 hours each week. Sheriff Guy said that basically, we are getting 5 laborers for one position at \$10.00 an hour and added the Mayor has drawn up a list of work sites and possible duties, e.g. mowing, general cleanup, painting, basic repairs. Mr. Gentry said that this position is being paid out of the maintenance budget and added that this position is part-time until they know how this is going to work out.

D. "Picking Up McMinn" Program.

In response to a question from Commissioner King, Mr. Gentry said that two groups have taken advantage of the new program. A total of 9 miles/500 pounds were picked up.

E. Moofest, May 19, 2012.

Mr. Gentry encouraged everyone's participation.

G. Surplus Sale at the Highway Department (Bus Barn), May 19, 2012.

Mr. Gentry said that there would be a Surplus Sale this Saturday at the Highway Department.

15. APPROVAL OF NOTARY APPLICATIONS

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

Notary Applications for May 2012

Denise E. Barnes
Cindy M. Bivens
Beth C. Bush
Jennifer S. Carter

(Notary list continued on next page)

Notary Applications for May 2012 (Cont'd)

Bonnie Dee Clark
Joy O. Davis
Katie L. Edwards
Patricia D. Gibson
Phillip Jason Housley
Patricia P. Kerr
Richard E. Lay
James H. McDonald
Cynthia A. Osborne
Tiffany Rice
Jamie Lynn Rudder
A. Cheryl Russell
Lorna M. Simmons
Kaycee Thayer
Mary Lynne Thompson
Barbara J. Ward
Matthew T. Watson

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

Motion carried by voice vote.

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

None.

17. ADJOURNMENT

There being no other business, Chairman Crews declared the Commission meeting adjourned.

EVONNE HOBACK
McMinn County Clerk

Attest:

Deputy Clerk (date)