

MINUTES

MONROE COUNTY BOARD OF COUNTY COMMISSIONERS

REGULAR SESSION

OCTOBER 25, 2011

BE IT REMEMBERED, that the Board of Commissioners for Monroe County, Tennessee, was begun and held at the Courthouse in Madisonville, Tennessee, in Regular Session, October 25, 2011 at 7:00 P.M. Present and presiding was Wanda Alexander, Chairperson, and the following Commissioners were present and answered roll call.

FIRST DISTRICT

Wanda Alexander
Marty Allen
Bennie Moser

SECOND DISTRICT

Bill Bivins
Richard Kirkland
Judy Lee

THIRD DISTRICT

Harold Hawkins
Bill Shadden
Roger Thomas

ALSO PRESENT, were Mayor, Tim Yates, Clerk, Larry C. Sloan, Attorney, Jerome Melson & several department heads.

The Board of Commissioners was officially opened by Sheriff Bivens

The invocation was given by the Mayor.

The Pledge of Allegiance to the Flag was led by the Chairperson.

1025-1 BOARD OF COMMISSIONERS MINUTES FOR -APPROVED

There being no exceptions to the Board of Commissioners Minutes for September 23, 2011, it was moved by Commissioner THOMAS, seconded by Commissioner MOSER, that these minutes be approved as presented. Motion carried. Aye 9 Nay 0

1025-2 APPOINTMENT: CHAIRMAN PRO-TEM OF THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS-APPROVED

The floor was opened for nominations for Chairman Pro Tem:

Commissioner ALLEN, nominated Richard Kirkland, Commissioner HAWKINS, seconded the nomination. There were no other nominations.

Motion carried on roll call. Aye 8 Nay 0 Pass 1 Commissioner Kirkland

1025-3 APPOINTMENT: CHAIRMAN OF THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS-APPROVED

The floor was opened for nominations for Chairman:

Commissioner HAWKINS, nominated Wanda Alexander, Commissioner THOMAS, seconded the nomination. There were no other nominations.

Motion carried on roll call. Aye 8 Nay 0 Pass 1 Commissioner Alexander.

1025-4 APPOINTMENT: STANDING COMMITTEES-NONE PRESENTED AT THIS MEETING

1025-5 THRU 1025-23 DEPARTMENTAL QUARTERLY REPORTS-APPROVED

It was moved by Commissioner LEE, seconded by Commissioner MOSER, that the following departmental quarterly reports be approved as presented. Motion carried. Aye 9 Nay 0

- 1025-5 Mayor Quarterly Report
- 1025-6 Road Superintendent Quarterly Report
- 1025-7 School Supt Quarterly Report
- 1025-8 Director of Finance Report
- 1025-9 Ambulance Service Quarterly/Annual Report
- 1025-10 Animal Shelter Quarterly Report
- 1025-11 Archives Quarterly Report
- 1025-12 Building Permits Quarterly Report
- 1025-13 Circuit Court Quarterly/Annual Report
- 1025-14 Clerk & Master Quarterly/Annual Report
- 1025-15 County Clerk Quarterly/Annual Report

- 1025-16 GIS Directors Report
- 1025-17 Industrial Development Quarterly Report
- 1025-18 Register of Deeds Quarterly/Annual Report
- 1025-19 Service Officer Quarterly Report
- 1025-20 Sheriffs Dept Quarterly/Annual Report
- 1025-21 Solid Waste Quarterly Report
- 1025-22 Tourism Quarterly Report
- 1025-23 Trustee Monthly Report

1025-24 NOTARY PUBLIC APPLICATIONS-APPROVED

It was moved by Commissioner MOSER, seconded by Commissioner THOMAS, that the following notary public applications be approved as presented. Motion carried. Aye 9 Nay 0

Lisa Darlene Allen
Elizabeth Dawn Carpenter
Doris S. Davis
Rebecca C. Davis
Bobby D. Drinnen
Becky Duncil
Shan L. Harris
Lisa M. Ingram
Wilma J. Jones
Janie M. Lancaster
Charlene Lee Martin
James Glenn Moser
Beth Newman
Lavonda Monger Roberts
Nancy R. Saint
Holly C. Kelley-Scott
Jeni L. Seiler
Steffanie M. Speck
Sheila K. Tallent
Anna Thomas
Lynda A. Wilkins
Morgan Ashleigh Yates

1025-25 RESOLUTION: BUDGET AMENDMENT, COUNTY GENERAL-APPROVED

BE IT RESOLVED, by the Monroe County Board of County Commissioners, meeting in regular session, October 25, 2011, that the following amendment for the Tennessee Administrative Office of the Courts Rural Juvenile Court Intervention Strategy Grant for the Drug and Alcohol Program, be made in the County General Fund Budget for the Fiscal Year 2011/2012.

Increase Revenue

47100-ALC12	Federal through State Grants	\$9,000.00
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Increase Expenditures

55170-599-ALC12	Other Charges	\$ 9,000.00
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PASSED, this 25th day of October, 2011.

It was moved by Commissioner ALLEN, seconded by Commissioner BIVINS, that this resolution be approved as presented. Motion carried on roll call. Aye 9 Nay 0

1025-25A RESOLUTION: BUDGET AMENDMENT, COUNTY GENERAL-APPROVED

BE IT RESOLVED, by the Monroe County Board of County Commissioners, meeting in regular session, October 25, 2011, that the following amendment for alcohol compliance checks, youth initiative projects, training, materials and project director fees for the drug and alcohol program, be made in the County General Fund Budget for the Fiscal Year 2011/2012.

Decrease Reserve

101-34530-RALCO	Restricted for Public Health and Welfare Alcohol and Drug Treatment	\$12,528.00
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Increase Expenditures

101-55170-599	Other Charges	\$12,528.00
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PASSED, this 25th day of October 2011.

It was moved by Commissioner THOMAS, seconded by Commissioner HAWKINS, that this resolution be approved as presented. Motion carried on roll call. Aye 9 Nay 0

1025-25B RESOLUTION: BUDGET AMENDMENT, COUNTY GENERAL-APPROVED

BE IT RESOLVED, by the Monroe County Board of County Commissioners, meeting in regular session, October 25, 2011, that the following amendment for monthly business internet payments for the Law Library, be made in the County General Fund Budget for the Fiscal Year 2011/2012.

Decrease Law Library Reserve

101-35120	Designated for Law Library	\$ 2,804.14
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Increase Expenditures

101-56500-334-LAWLI	Maintenance Agreements	\$ 2,804.14
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PASSED, this 25th day of October 2011

It was moved by Commissioner THOMAS, seconded by Commissioner HAWKINS, that this resolution be approved as presented. Motion carried on roll call. Aye 9 Nay 0

1025-25C RESOLUTION: BUDGET AMENDMENT, COUNTY GENERAL-APPROVED

BE IT RESOLVED, by the Monroe County Board of County Commissioners, meeting in regular session, October 25, 2011, that the following amendment for money reserved for the County Clerk's Automation for equipment needs, be made in the County General Fund Budget for the Fiscal Year 2011/2012.

Decrease Reserve

34515-RCLER Restricted for Finance – County Clerk \$ 2,950.00

Increase Expenditures

52500-337 Maintenance & Repair – Equipment \$ 2,950.00

PASSED, this 25th day of October 2011.

It was moved by Commissioner MOSER, seconded by Commissioner LEE, that this resolution be approved as presented. Motion carried on roll call. Aye 9 Nay 0

1025-25D RESOLUTION: BUDGET AMENDMENT, COUNTY GENERAL-APPROVED

BE IT RESOLVED, by the Monroe County Board of County Commissioners, meeting in regular session, October 25, 2011 that the following amendment for the Register of Deeds Data Processing, be made in the County General Fund Budget for the Fiscal Year 2011/2012.

Decrease Reserve

101-34510-RCSYS Restricted for General Government \$ 18,500.00

Increase Expenditures

101-51600-334 Maintenance Agreements \$ 18,500.00

PASSED, this 25th day of October 2011.

It was moved by Commissioner ALLEN, seconded by Commissioner BIVINS, that this resolution be approved as presented. Motion carried on roll call. Aye 9 Nay 0

1025-25E RESOLUTION: BUDGET AMENDMENT, COUNTY GENERAL-APPROVED

BE IT RESOLVED, by the Monroe County Board of County Commissioners meeting in Regular Session, October 25, 2011, that the following amendment for Insurance Recovery Proceeds for damages to the Paint Recycling Center at the Little Notchey Creek Convenience Center, be made in the County General Fund Budget for the Fiscal Year 2011/2012.

Decrease Reserve

101-34790	Assigned for Other Purposes Insurance Recovery	\$9,488.17
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Increase Expenditures

101-51800-335-SHED	Maintenance and Repair Services – Buildings	\$9,488.17
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PASSED, this 25th day of October 2011.

It was moved by Commissioner THOMAS, seconded by Commissioner HAWKINS, that this resolution be approved as presented. Motion carried on roll call. Aye 9 Nay 0

1025-25F RESOLUTION: BUDGET AMENDMENT, COUNTY GENERAL-APPROVED

BE IT RESOLVED, by the Monroe County Board of County Commissioners meeting in Regular Session, October 25, 2011, that the following amendment for Insurance Recovery Proceeds for damages to replace totaled or damaged vehicles or equipment for the Sheriff's Department be made in the County General Fund Budget for the Fiscal Year 2011/2012.

Decrease Reserve

101-34725	Assigned for Public Safety Insurance Recovery	\$35,627.69
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Increase Expenditures

101-54100-338-INSUR	Maintenance and Repair Services – Vehicles	\$35,627.69
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PASSED, this 25th day of October 2011.

It was moved by Commissioner ALLEN, seconded by Commissioner THOMAS, that this resolution be approved as presented. Motion carried on roll call. Aye 9 Nay 0

1025-25G RESOLUTION: BUDGET AMENDMENT, COUNTY GENERAL-APPROVED

BE IT RESOLVED, by the Monroe County Board of County Commissioners, meeting in regular session, October 25, 2011, that the following amendment for the TBI collection fees for registrations and office equipment/supplies, be made in the County General Fund Budget for the Fiscal Year 2011/2012.

Decrease Reserve

101-34525-RSOFF	Restricted for Public Safety Sexual Offender	\$ 3,200.00
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Increase Expenditures

101-54160-599	Other Charges	\$ 1,200.00
101-54160-435	Office Supplies	\$ 2,000.00

PASSED, this 25th day of October 2011.

It was moved by Commissioner THOMAS, seconded by Commissioner HAWKINS, that this resolution be approved as presented. Motion carried on roll call. Aye 9 Nay 0

1025-25H RESOLUTION: BUDGET AMENDMENT, COUNTY GENERAL-APPROVED

BE IT RESOLVED, by the Monroe County Board of County Commissioners, meeting in regular session, October 25, 2011, that the following amendment for the sheriff's department equipment from their reserve funds for server licenses, leads on lines and fire wall appliances, be made in the County General Fund Budget for the Fiscal Year 2011/2012.

Decrease Reserve

101-35210	Designated for Sheriff's Dept Equipment	\$ 7,850.00
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Increase Expenditures

101-54110-716-COMPU	Law Enforcement Equipment	\$ 7,850.00
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PASSED, this 25th day of October 2011

It was moved by Commissioner THOMAS, seconded by Commissioner LEE that this resolution be approved as presented. Motion carried on roll call. Aye 9 Nay 0

1025-25I RESOLUTION: BUDGET AMENDMENT, COUNTY GENERAL-APPROVED

BE IT RESOLVED, by the Monroe County Board of County Commissioners, meeting in regular session, October 25, 2011, that the following amendment for money reserved for the Secure Rural Schools and Community Self Determination Act of 2000, Federal Title III Forest Service for Volunteer Fire Departments that border the Cherokee National Forest, that meets all applicable requirements for distribution of Title III funds, be made in the County General Fund Budget for the Fiscal Year 2011/2012.

Decrease Reserve

101-34530-RFORE	Restricted for Public Health and Welfare	\$ 49,782.76
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Increase Expenditures

101-54310-316-TITLE	Contributions Title III	\$ 49,782.76
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PASSED, this 25th day of October 2011.

It was moved by Commissioner HAWKINS, seconded by Commissioner KIRKLAND that this resolution be approved as presented. Motion carried on roll call. Aye 9 Nay 0

1025-25J RESOLUTION: BUDGET AMENDMENT, COUNTY GENERAL-APPROVED

BE IT RESOLVED, by the Monroe County Board of County Commissioners, meeting in regular session, October 25, 2011, that the following amendment for the Natural Resources Conservation Service (NRCS) contribution agreement for the support of a conservation technical assistance position be made in the Soil Conservation department for the Fiscal Year 2011/2012.

Increase Revenues

101-44570-NRCS	Contributions	\$3,500.00
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Increase Expenditures

101-57500-399	Other Contracted Services	\$3,500.00
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PASSED, this 25th day of October 2011.

It was moved by Commissioner SHADDEN, seconded by Commissioner THOMAS that this resolution be approved as presented. Motion carried on roll call. Aye 9 Nay 0

1025-26 RESOLUTION: BUDGET AMENDMENT, SCHOOL DEPARTMENT- NONE PRESENTED

1025-27 RESOLUTION: TO ESTABLISH WRITTEN PROCEDURES GOVERNING PURCHASES AT PUBLICLY ADVERTISED AUCTIONS - APPROVED

WHEREAS, T.C.A. § 12-3-1006 authorizes counties to purchase new or secondhand articles or equipment or other materials, supplies, commodities and equipment at any publicly advertised auction without the necessity of using the public advertisement and competitive bidding process: and

WHEREAS, T.C.A. § 12-3-1006 requires the county legislative body to establish written procedures to govern purchases at public auctions;

NOW, THEREFORE, BE IT RESOLVED by the county legislative body of Monroe County, meeting in regular session at Madisonville, Tennessee on the 25th day of October, 2011, that the following procedures are established to govern purchases at publicly advertised auctions:

1. When used herein, "purchasing agent" shall mean the person authorized under applicable law to make purchases for a county department.
2. All purchases at public auction must be initiated by the county official having responsibility for the department for which the purchase is to be made. The county official must complete a "Request for Purchase at Public Auction," the form of which is attached to this resolution as Attachment A and made a part of this resolution. A copy of the public advertisement of the auction must be attached to the form. The

completed form must be approved by the purchasing agent (if different, from the county official) for the department for which the purchase is to be made.

3. The county official (and the purchasing agent, if different from the county official) must certify the unencumbered balance available in the line item account from which the proposed purchase is to be taken.
4. The Request for Purchase at Public Auction must be delivered to the County finance Director at least ten (10) working days before the auction/
5. No tax shall be paid on any item purchased at public auction, except to the extent that no exemption is available to the county under applicable law.
6. Purchases shall be made only by county warrant or county clerk.
7. The auction must be conducted by an auctioneer who is licensed to conduct auctions. Any item purchased at public auction shall be accompanied by the vendor's certification that the item is free from any liens or encumbrances.
8. The purchasing agent, or another person designated by the purchasing agent, shall act as bidder for the county at the auction. The bidder is prohibited from submitting any bid above the unencumbered balance available in the line item account from which the proposed purchase is to be taken, as certified in the Request for Purchase at Public Auction, and the total successful bids by the county shall not exceed such unencumbered balance. If the county is the successful bidder, the bidder must complete and sign a "Certification of Purchase at Public Auction", the form of which is attached to this resolution as Attachment B and is made a part of this resolution.
9. The Request for Purchase at Public Auction and the Certification of Purchase at Public Auction, properly completed and signed, shall be filed with the purchasing agent as soon as reasonably possible after the auction. The purchasing agent shall mail or deliver copies to the chairman of the county legislative body within a reasonable time thereafter.
10. All applicable conflict of interest laws shall apply to purchases at public auction.

BE IT FURTHER RESOLVED, that a copy of this resolution be distributed by the County Clerk to each county official and department head in Monroe County.

This policy was adopted by the Financial Management Committee, the 18th day of October 2011.

This resolution shall take effect upon adoption, this 25th day of October 2011, the public welfare requiring it.

It was moved by Commissioner THOMAS, seconded by Commissioner SHADDEN, that this resolution be approved as presented. Motion carried. Aye 9 Nay 0

1025-28 RESOLUTION AUTHORIZING A MULTIPLE YEAR LEASE PURCHASE AND MAINTENANCE AGREEMENT FOR THE MONROE COUNTY CLERK- APPROVED

WHEREAS, the Monroe County Clerk has a need to upgrade, operate and maintain their current copier including hardware/software system within the respective offices, and

WHEREAS, the current copier is not sufficiently meeting the needs of the function of the department in concern, and

WHEREAS, the proceeds for a multi year lease agreement are currently budgeted within the Monroe County General Fund Budget as deemed necessary in order to expedite the resolution of this matter, and

WHEREAS, the projected cost of this copier hardware/software system is such that the payments need to be spread over more than one budget year, and the Monroe County Director of Finance does not have the authority to enter into purchase contracts for this period of time without the approval of the Monroe County Board of Commissioners and the State of Tennessee Comptroller - Division of Local Finance.

NOW, THEREFORE, Be It Resolved by the Monroe County Board of Commissioners that the Monroe County Director of Finance be authorized to enter into a multi-year lease agreement with Business Machines Company (BMC) and the lease is not to extend over a period of more than sixty (60) months.

Be It Further Resolved that this resolution be effective immediately upon the passage and confirmation from the Tennessee State Comptroller's Office, Division of Local Finance for the public welfare demanding it on this the 25th day of October, 2011.

It was moved by Commissioner LEE, seconded by Commissioner KIRKLAND, that the resolution be approved as presented. Motion carried. Aye 9 Nay 0

1025-28A RESOLUTION AUTHORIZING A MULTIPLE YEAR LEASE PURCHASE AND MAINTENANCE AGREEMENT FOR THE MONROE COUNTY REGISTER OF DEEDS - APPROVED

WHEREAS, the Monroe County Register of Deeds has a need to upgrade, operate and maintain their current copier including hardware/software system within the respective offices, and

WHEREAS, the current copier is not sufficiently meeting the needs of the function of the department in concern, and

WHEREAS, the proceeds for a multi year lease agreement are currently budgeted within the Monroe County General Fund Budget as deemed necessary in order to expedite the resolution of this matter, and

WHEREAS, the projected cost of this copier hardware/software system is such that the payments need to be spread over more than one budget year, and the Monroe County Director of Finance does not have the authority to enter into purchase contracts for this period of time without the approval of the Monroe County Board of Commissioners and the State of Tennessee Comptroller - Division of Local Finance.

NOW, THEREFORE, Be It Resolved by the Monroe County Board of Commissioners that the Monroe County Director of Finance be authorized to enter into a multi-year lease agreement with Business Machines Company (BMC) and the lease is not to extend over a period of more than sixty (60) months.

Be It Further Resolved that this resolution be effective immediately upon the passage and confirmation from the Tennessee State Comptroller's Office, Division of Local Finance for the public welfare demanding it on this the 25th day of October, 2011.

It was moved by Commissioner LEE, seconded by Commissioner KIRKLAND, that the resolution be approved as presented. Motion carried. Aye 9 Nay 0

1025-28B RESOLUTION AUTHORIZING A MULTIPLE YEAR LEASE PURCHASE AND MAINTENANCE AGREEMENT OR THE MONROE COUNTY CIRCUIT COURT CLERK- APPROVED

WHEREAS, the Monroe County Circuit Court Clerk has a need to upgrade, operate and maintain their current copier including hardware/software system within the respective offices, and

WHEREAS, the current copier is not sufficiently meeting the needs of the function of the department in concern, and

WHEREAS, the proceeds for a multi year lease agreement are currently budgeted within the Monroe County General Fund Budget as deemed necessary in order to expedite the resolution of this matter, and

WHEREAS, the projected cost of this copier hardware/software system is such that the payments need to be spread over more than one budget year, and the Monroe County Director of Finance does not have the authority to enter into purchase contracts for this period of time without the approval of the Monroe County Board of Commissioners and the State of Tennessee Comptroller - Division of Local Finance.

NOW, THEREFORE, BE IT RESOLVED by the Monroe County Board of Commissioners that the Monroe County Director of Finance be authorized to enter into a multi-year lease agreement with Image Matters and the lease is not to extend over a period of more than thirty-six (36) months.

BE IT FURTHER RESOLVED that this resolution be effective immediately upon the passage and confirmation from the Tennessee State Comptroller's Office, Division of Local Finance for the public welfare demanding it on this the 25th day of October, 2011.

It was moved by Commissioner LEE, seconded by Commissioner KIRKLAND, that the resolution be approved as presented. Motion carried. Aye 9 Nay 0

1025-29 APPOINTMENT OF REVISED MEMBERS OF THE OPEN RECORDS COMMITTEE – APPROVED

Mayor Tim Yates
Sessions Judge Reed Dixon
Millie Estes – Register of Deeds – Chairperson
Marty Cook – Circuit Court Clerk- Vice Chairperson
Commissioner – Harold Hawkins
Commissioner – Roger Thomas
Commissioner – Judy Lee
Teresa Choate – Clerk & Master – Replacing Robert (Bob) Pennington

Jerome Melson – County Attorney
Elizabeth Hicks – Finance Director – Replacing Interim Finance Director – Andrea Gunter
Jo Stakley - Archives

It was moved by Commissioner ALLEN, seconded by Commissioner MOSER that the following revised members be approved as presented. Motion carried. Aye 9 Nay 0

1025-30 DISCUSSION: PAUL & GORDON BENTLEY-BOILING SPRINGS RD-NO ACTION TAKEN

Mr. Bentley appeared before the Commission to discuss Boiling Springs Road being on the county road system. After several minutes of discussion, the commission decided to do further research on this request and get back with Mr. Bentley. No Action Taken

1025-31 RESOLUTION: AUTHORIZING THE USE OF A COUNTY-WIDE TRAVEL POLICY FOR EMPLOYEES OF MONROE COUNTY GOVERNMENT AND MONROE COUNTY SCHOOL SYSTEM.-APPROVED

WHEREAS, the county legislative body desires to approve the use of the county-wide travel policy for the reimbursement of certain travel expenses within established guidelines:

NOW, THEREFORE, BE IT RESOLVED by the Monroe County Board of County Commissioners, meeting in regular session, October 25, 2011,

The Monroe County-Wide Travel Policy is hereby approved.

The Monroe County-Wide Travel Policy governing the reimbursement of expenses incurred on official county travel attached hereto is hereby adopted.

The use of the Monroe County-Wide Travel Policy shall be governed by the Policy hereby adopted. The Monroe County Financial Management Committee is hereby authorized and directed to adopt policies for the use of the travel policy.

It was moved by Commissioner THOMAS, seconded by Commissioner KIRKLAND that the resolution be approved as presented. Motion carried on roll call. Aye 9 Nay 0

ADJOURNMENT

There being no further business, the meeting was adjourned.

TIM YATES, MAYOR

ATTEST

LARRY C. SLOAN, COUNTY CLERK