

# MINUTES

## MONROE COUNTY BOARD OF COUNTY COMMISSIONERS

### REGULAR SESSION

NOVEMBER 22, 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, November 22, 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 County Mayor Tim Yates, Clerk, Larry C. Sloan, County Attorney, Jerome Melson & several department heads.

The Board of Commissioners was officially opened by Captain Mike Bledsoe.

The invocation was given by the Mayor.

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

**1122-1 BOARD OF COMMISSIONERS MINUTES FOR OCTOBER 25 & NOVEMBER 7, 2011-APPROVED**

There being no exceptions to the Board of Commissioners Minutes for October 25 & November 7, 2011, it was moved by Commissioner HAWKINS, seconded by Commissioner KIRKLAND, that these minutes be approved as presented. Motion carried. Aye 9 Nay 0

**1122-2 NOTARY PUBLIC APPLICATIONS-APPROVED**

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

Tina R Abernathy  
Dana Jo Best  
John M Carson Iii  
Colleen Johnson  
Lynda A Koch  
Amy Marie Mason  
Susan Margaret Purdy  
Susan Saunders  
Robin Denise Wilson

**1122-3 DIRECTOR OF FINANCE REPORT-APPROVED**

There being no exceptions to the Director of Finance Report, it was moved by Commissioner THOMAS, seconded by Commissioner HAWKINS, that this report be approved as presented. Motion carried. Aye 9 Nay 0

**1122-4 TRUSTEE REPORT-APPROVED**

There being no exceptions to the Trustee Report, it was moved by Commissioner THOMAS, seconded by Commissioner HAWKINS, that this report be approved as presented. Motion carried. Aye 9 Nay 0

**1122-5 APPOINTMENT: STANDING COMMITTEES-APPROVED**

It was moved by Commissioner HAWKINS, seconded by Commissioner KIRKLAND, that the following Standing Committees be approved as presented. Aye 9 Nay 0

**COUNTY MAYOR**  
Tim Yates

CHAIRMAN OF THE BOARD COMMISSIONERS

Wanda Alexander

CHAIRMAN PRO TEM

Richard Kirkland

COUNTY ATTORNEY

Jerome Melson

ADULT-ORIENTED ESTABLISHMENT BOARD 4- YEAR TERM

Sheriff Bill Bivens

Bill Bivins

Wanda Alexander

Bill Shadden

AGRICULTURE COMMITTEE

Ron Torbett

Jennifer Houston

Kim Black

Eddie Summitt

Bill Bivins

Roger Thomas

Bill Shadden

AIRPORT COMMITTEE

John Byrum

Steve Teague

Harold Hawkins

Wanda Alexander

Jerry Sloan

Pete Peterman

AMBULANCE COMMITTEE

Dr. Rick Popp

Richard Kirkland

Roger Thomas

Danny Frye

Marty Allen

ANIMAL SHELTER COMMITTEE

Wanda Alexander

Judith Lee

Roger Thomas

Bill Bivins

Bill Shadden

BEER BOARD

Charles Ridenour  
Danny Isbill  
Dwayne Martin

BUDGET, FINANCE & AUDIT COMMITTEE

Mayor Tim Yates  
Wanda Alexander  
Marty Allen  
Bill Bivins  
Harold Hawkins  
Richard Kirkland  
Judith Lee  
Bennie Moser  
Bill Shadden  
Roger Thomas

BUILDING, GROUNDS, & REAL ESTATE

Harold Hawkins  
Bill Shadden  
Bill Bivins

CHEROHALA SKYWAY VISITOR CENTER

Harold Hawkins  
Richard Kirkland  
Bennie Moser  
Bill Shadden

CIVIL SERVICE STUDY COMMITTEE

Judith Lee  
Bill Bivins  
Richard Kirkland  
Wanda Alexander

E 911 BOARD – 4 YEAR TERM

Mayor Tim Yates  
Steve Teague  
Harold Hawkins  
Sheriff Bill Bivens  
Randy White  
Charles Hall  
Boyd Curtis  
Eddie Byrum  
Greg Breeden

EMERGENCY MANAGEMENT DIRECTOR

Brian Turpin

ECONOMIC AND COMMUNITY DEVELOPMENT BOARD

Mayor Tim Yates  
Alfred McClendon  
Patrick Hawkins  
Larry Summey  
Doyle Lowe  
Ron Hammontree  
Greg Austin

ECONOMIC AND COMMUNITY DEVELOPMENT COMMITTEE

Mayor Tim Yates  
Alfred McClendon  
Patrick Hawkins  
Larry Summey  
Doyle Lowe

ETHICS COMMITTEE

Marty Allen  
Richard Kirkland  
Judith Lee  
Steve Teague  
Danny Isbill

EQUALIZATION BOARD – 2 YEAR TERM (4- 2012)

Tommy Anderson  
Johnny Byrum  
Susan Saunders  
Jason Hatfield  
Cecil Profitt

FINANCIAL MANAGEMENT COMMITTEE

Mayor Tim Yates  
Mike Lowry  
Marty Allen  
Wanda Alexander  
Steve Teague  
Bennie Moser  
Richard Kirkland

GIS COMMITTEE

Marty Allen  
Harold Hawkins  
Judith Lee  
Richard Kirkland  
Bill Shadden  
Wanda Alexander

HANDICAPPED PROCEDURE COMMITTEE-4 YEAR (2014) \*TO MEET ONLY IF GRIEVANCE IS FILED

Mike Lowry  
Chris Bowman  
Roger Thomas  
Harold Hawkins  
Richard Kirkland

HEALTH BOARD – 2 YEAR TERM (09-2012)

Mayor Tim Yates  
Mike Lowery  
Dr. Hasnykh Kanabar  
Dr. Phyllis Harrell  
Shannon Swanson  
Dr. Jim Dash  
Marlene Kenny  
Dr. Wendy Saint Robbins  
Jim Wilson

HIGHWAY COMMITTEE

Richard Kirkland  
Bill Shadden  
Judith Lee  
Wanda Alexander

INDUSTRIAL DEVELOPMENT BOND BOARD

Brent Heiskell  
Larry Hicks  
Phyllis Peels  
Doug Richesin  
Doug Warren  
John H (Bob) Dalton  
Jerry Sloan

LAW ENFORCEMENT – JAIL WORKHOUSE COMMITTEE

Bill Bivins  
Richard Kirkland  
Wanda Alexander  
Bennie Moser  
Harold Hawkins

LIBRARY BOARD – MONROE COUNTY

Charlotte Mayberry (2014)  
Peggy White (2014)  
J. T. Scruggs (2012)  
Carrie Bright (2012)  
Peg Michael (2013)

Sue Seitz (2014)  
Jon Bonham (2013)

LIBRARY BOARD—REGIONAL

J. T. Scruggs (7-2011)  
Mike Steele (7-2012)

LITTLE TENNESSEE VALLEY EDUCATION COOPERATIVE (LTVEC)

Bennie Moser

MATERNITY CENTER- 3 YEAR TERM

Wanda Alexander (2013)  
Christa Sullins (9-2012)  
Harold Hawkins  
Judith Lee  
Nancy Cain  
Janie Dacus  
Kenny Archer  
Richard Kirkland  
Dr. Wes McNeal

MEDICAL EXAMINER AND DIRECTOR

Dr. Chris Shamblin

NILES FERRY INDUSTRIAL DESIGN & REVIEW COMMITTEE

Darrell Cuthbertson  
Bennie Moser  
Jerry Sloan  
Bill Shadden  
Steve Teague  
Marty Allen

PLANNING COMMITTEE

Gary Hamilton (7-2012)  
Doyle Cardin (7-2013)  
Kyle Holder (7-2014)  
Chad Kirkpatrick (7-2012)  
Sam Stamey (7-2012)  
Bill Howe (7-2012)  
William Kavanaugh (7-2012)  
Bill Shadden (7-2014)  
Kenny Hamilton (7-1013)

PERSONNEL COMMITTEE

Mayor Tim Yates  
Libby Hicks

Steve Teague  
Sheriff Bill Bivens  
Martha Cook  
Larry Sloan  
Mildred Estes  
Marna Hull  
Wanda Alexander (2013)

OPEN RECORDS COMMITTEE-3 YEAR TERM (9-2013)

Libby Hicks  
Judith Lee  
Roger Thomas  
Mildred Estes  
Teresa Choate  
Martha Cook  
Harold Hawkins  
Judge Reed Dixon  
Jo Stakley

PURCHASING COMMITTEE

Mayor Tim Yates  
Mike Lowry  
Charles Underwood  
Steve Teague  
Bennie Moser  
Harold Hawkins  
Marna Hull  
Randy White  
Libby Hicks

RISK MANAGEMENT COMMITTEE PERMANENT COMMITTEE MEMBERS

County Mayor-Tim Yates  
Financial Director- Libby Hicks  
Highway Superintendent (Vice Chairman) Steve Teague  
Sheriff- Bill Bivens

One Year Term To Be Appointed And Approved By County Mayor And Board Of Commissioners:

1 Member of Emergency Management Unit- Brian Turpin  
Director of Ambulance Service- Randy White

3 County Commissioners:

Bennie Moser  
Roger Thomas  
Harold Hawkins



SOLID WASTE COMMITTEE

Bennie Moser  
Bill Bivins  
Wanda Alexander (2013)  
Bill Shadden (7-2014)  
Judith Lee

SOLID WASTE REGIONAL PLANNING BOARD TERM OF EXPIRATION

Mike Atkins (11-13)  
Harold Hawkins (11-12)  
Michael Garren (11-13)  
Patrick Hawkins (11-13)  
Bill Shadden (11-11)  
Bennie Moser (11-11)  
Glen Moser (11-12)  
Billy Wayne Stockton (11-12)  
Libby Hicks

SWEETWATER CREEK WATERSHED BOARD

Mark Houston  
John Harrison  
Richard Layman

TASS 3-YEAR TERM

Bob Wooldridge (6-2012)  
Tom Tallent (6-2012)  
John P Hammontree (6-2014)

TOURISM COMMITTEE- 3 YEAR TERM

Marty Allen  
Wanda Alexander (2013)  
Richard Kirkland  
Bill Bivins  
Harold Hawkins

TRDA-6 YEAR TERM

Charles Hall (9-2012)  
Robert Bettis (9-2014)

Veterans Service Officer

Charles (Chuck) Mullins

AD HOC – JUSTICE CENTER COMMITTEE

Session Judge - Reed Dixon  
County Mayor – Tim Yates – Chairman  
Clerk & Master – Theresa Choate – Secretary  
County Sheriff – Bill Bivens

County Mayor – Tim Yates  
County Attorney – Jerome Melson  
Economic Development Director- Shan Harris  
Wanda Alexander  
Marty Allen  
Bennie R Moser  
Bill Bivins  
Judith Lee  
Richard Kirkland  
Harold Hawkins  
Bill Shadden  
Roger Thomas  
Finance Director Elizabeth (Libby) Hicks  
Captain Jim Wakefield – Sheriff’s Department

AD HOC REDISTRICTING COMMITTEE

1 <sup>st</sup> District	Wanda Alexander
2 <sup>nd</sup> District	Richard Kirkland
3 <sup>rd</sup> District	Harold Hawkins
Election Officer	James Brown
County Attorney	Jerome Melson
GIS Dept	Wayne Runkles
County Mayor	Tim Yates

**1122-6 RESOLUTION: BUDGET AMENDMENT, COUNTY GENERAL FUND BUDGET - APPROVED**

BE IT RESOLVED, by the Monroe County Board of County Commissioners, meeting in Regular Session, November 22, 2011, that the following amendment for survey work, administrative fees, and site clearing at the Niles Ferry Industrial Park, be made in the County General Fund Budget for the Fiscal Year 2011/2012.

**Decrease Reserve**

35160	Designated for Industrial	\$19,835.00
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**Increase Expenditures**

58190-399-RESER	Other Contracted Services	\$18,485.00
58120-599	Other Charges	\$ 1,350.00

PASSED, this 22nd day of November 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

**1122-6A RESOLUTION: BUDGET AMENDMENT, COUNTY GENERAL FUND BUDGET  
-APPROVED**

BE IT RESOLVED, by the Monroe County Board of County Commissioners, meeting in regular session, November 22, 2011, that the following amendment to purchase a full page ad in the 2012 TN Vacation Guide with the following funds, be made in the County General Fund Budget for the Fiscal Year 2011/2012.

**Increase Revenue**

46190-GUIDE	Other General Grants	\$ 2,000.00
48610-GUIDE	Donations	13,480.00

**Increase Expenditures**

58110-302-GUIDE	Advertising	\$ 15,480.00
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PASSED, this 22nd day of November 2011.

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

**1122-8 RESOLUTION: BUDGET AMENDMENT, SCHOOL DEPARTMENT-APPROVED**

**RECAPITULATION OF BUDGET AMENDMENTS**

Amendment #0911-2	General Purpose Schools	\$ 5,159.48
Amendment #1111-7	General Purpose Schools	\$ 311,3483.86

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

**1122-8 RESOLUTION: TO DECLARE ITEMS AS SURPLUS PROPERTY AND PLACE THEM FOR SALE OUT OF STATE BY J. M. WOOD AT PUBLIC AUCTION**

WHEREAS, Monroe 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 Monroe County Highway Department desires to declare as surplus property the attached list (Exhibit A) of heavy equipment items, and

WHEREAS, Highway Superintendent Steve Teague requests approval to declare the attached list as surplus and place it for sale at public auction by J. M. Wood; and

NOW, THEREFORE, BE IT RESOLVED By The Board Of Commissioners Of Monroe County, Tennessee, Meeting In Regular Session This 22<sup>nd</sup> Day of November, 2011, that this Commission hereby approves the sale of the attached list of surplus property and any other items which may have been inadvertently omitted and declared surplus by agreed collective consent of the respective department head, Director of Finance and the County Commission.

**Exhibit A**

**ITEMS TO BE SOLD BY J. M. WOOD AT PUBLIC AUCTION**

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1. Ingersoll Pavement Roller , Serial Number 162147, Inventory Item # 6
2. Ingersoll Rand Paver, Serial Number 5052, Inventory Item # 38

Adopted this 22<sup>nd</sup> day of November, 2011.

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

**1122-8A RESOLUTION: TO ALLOW THE MONROE COUNTY HIGHWAY DEPARTMENT TO DONATE SURPLUS PROPERTY TO THE COKER CREEK VOLUNTEER FIRE DEPARTMENT-APPROVED**

WHEREAS, The Monroe County Highway Department has the following equipment to be declared as surplus personal property: 1997 Chevrolet Blazer VIN #1GNDDT13W1VK230521, and

WHEREAS, the Monroe County Highway Department wishes to donate said surplus equipment to the Coker Creek Volunteer Fire Department to be used as an asset for fire protection, and

WHEREAS, T.C.A. § 12-3-1010, as interpreted by the Tennessee Attorney General in Opinion Number 07-87, allows the Monroe County Legislative Body to authorize the donation of equipment to a volunteer fire department that is chartered as a nonprofit organization with the Tennessee Secretary of State, to be used for fire protection,

NOW THEREFORE BE IT RESOLVED, that the Monroe County Legislative Body hereby authorizes the donation of the 1997 Chevrolet Blazer from the Monroe County Highway Department to the Coker Creek Volunteer Fire Department for use in fire protection.

Adopted this the 22<sup>nd</sup> day of November 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

**1128B RESOLUTION: TO DECLARE ITEMS AS SURPLUS PROPERTY AND PLACE THEM FOR SALE BY SEALED BIDS-APPROVED**

WHEREAS, Monroe 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 Monroe County Highway Department desires to declare as surplus property the attached list (Exhibit B) of heavy equipment items and vehicles, and

WHEREAS, Highway Superintendent Steve Teague requests approval to declare the attached list as surplus and place it for sale by sealed bids, and

NOW, THEREFORE, BE IT RESOLVED by The Board of Commissioners of Monroe County, Tennessee, Meeting in Regular Session this 22<sup>nd</sup> day of November, 2011, that this Commission hereby approves the sale of the attached list of surplus property and any other items which may have been inadvertently omitted and declared surplus by agreed collective consent of the respective department head, Director of Finance and the County Commission.

**EXHIBIT B**

**INVENTORY TO BE SOLD BY SEALED BIDS**

1. (18) 1993 Ford Tractor, Serials 6640 BD 47787
2. (22) Year Unknown Ford Tractor, Serial # 6640 BD22648
3. (13) 1996 GMC, Serial # 1GTEC14W3TZ515737 TAG # GW-6341
4. (26) 1995 GMC, Serial # 1GCEC14ZXSZ258956 TAG # GU-9591-This Vehicle Has No Motor.
5. (29) 1999 Chev Pick Up, Serial # 1GCCS1442XK238394 No Tag
6. (56) 1987 Ton Chev 4X4 Serial # 1GCGV24KXHF383316 No Tag
7. (7) 2002 Chev Pick Up, Serial # 1GCECK14V42Z135069 No Tag This Vehicle Has Been Wrecked
8. (40) 1998 GMC Dump, Serial # 1GDM4D1G5JV523028 This Vehicle Has A Bad Motor
9. (42) 1989 Ford Dump, Serial # 1FDXX84A8KVA52889 TAG# GM 0142
10. (43) 1988 Ford Dump, Serial # 1GDXF28K7JVA30073 TAG # GL 6317
11. (46) 1986 GMC Dump, Serial# 1GDE6D1A4GV533884 No Tag
12. (62) 1992 Ford Dump, Serial # 1FDXK84A2NVA31122 TAG # GN 7330 This Vehicle Has Been Wrecked
13. (29) Tanker, Serial # W-2637 (Junked)
14. (39) John Deere Grader, Serial # 405212
15. (1) 1981 Bantam Grade All, Serial # 50282

16. (21) Tampo Roller (Junked), Serial# 056900001A
17. (25) Pan (Junked), Serial # T70762BX774315
18. (10) New Holland Tractor (Burned), Serial # 153141B
19. (42) 1996 Ford Tractor (Junked), Serial # 6640 038287B
20. (43) 1996 Ford Tractor (Junked), Serial # 6640 039100B
21. (44) 1996 Ford Tractor (Junked), Serial # 6640 038706B

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

### **1122-10 REAPPORTIONMENT DISCUSSION**

A motion was made by Commissioner LEE, seconded by Commissioner BIVINS, to **RESCIND** RESOLUTION #1107-1- ADOPTING A REAPPORTIONMENT/RESDISTRICTING PLAN WITH 4 DISTRICTS AND 10 COMMISSIONERS approved in called session on November 7 2011. **Motion failed on roll call.** Aye- Commissioners ALLEN, BIVINS, KIRKLAND & LEE-  
Nay- Commissioners ALEXANDER, HAWKINS, MOSER, SHADDEN & THOMAS

### **ADJOURNMENT**

There being no further business, the meeting was adjourned.

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**TIM YATES, MAYOR**

**ATTEST**

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**LARRY C. SLOAN, CLERK**