

MINUTES

MONROE COUNTY BOARD OF COUNTY COMMISSIONERS

JANUARY 24, 2012

BE IT REMEMBERED, that the Board of Commissioners for Monroe County, Tennessee, was begun and held at the Courthouse in Madisonville, Tennessee, in Called Session, January 24, 2012 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

SECOND DISTRICT

Bill Bivins
Richard Kirkland
Judy Lee

THIRD DISTRICT

Harold Hawkins
Bill Shadden
Roger Thomas

ALSO PRESENT, were Mayor Tim Yates, County Clerk, Larry C. Sloan, Finance Director, Elizabeth Hicks, County Attorney, Jerome Melson and Election Administrator, James Brown.

Absent was 1st District Commissioner Moser.

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.

124-1 BOARD OF COMMISSIONERS MINUTES FOR NOVEMBER 22, 2011, DECEMBER 15, 2011 AND JANUARY 10, 2012 -APPROVED

There being no exceptions to the Board of Commissioners Minutes for November 22, 2011, December 15, 2011 and January 10, 2012, it was moved by Commissioner Lee, seconded by Commissioner Shadden, that these minutes be approved as presented. Motion carried. Aye 8 Nay 0

124-2 THRU 124-20 DEPARTMENTAL QUARTERLY REPORTS-APPROVED

It was moved by Commissioner Thomas, seconded by Commissioner Hawkins, that the following departmental quarterly reports be approved as presented. Motion carried. Aye 8 Nay 0

- 124-2 Mayor Quarterly Report
- 124-3 Road Superintendent Quarterly Report
- 124-4 School Supt Quarterly Report
- 124-5 Director of Finance Report
- 124-6 Ambulance Service Quarterly/Annual Report
- 124-7 Animal Shelter Quarterly Report
- 124-8 Archives Quarterly Report
- 124-9 Building Permits Quarterly Report
- 124-10 Circuit Court Quarterly/Annual Report
- 124-11 Clerk & Master Quarterly/Annual Report
- 124-12 County Clerk Quarterly/Annual Report
- 124-13 GIS Directors Report
- 124-14 Industrial Development Quarterly Report
- 124-15 Register of Deeds Quarterly/Annual Report
- 124-16 Service Officer Quarterly Report
- 124-17 Sheriffs Dept Quarterly/Annual Report
- 124-18 Solid Waste Quarterly Report
- 124-19 Tourism Quarterly Report
- 124-20 Trustee Monthly Report

124-21 NOTARY PUBLIC APPLICATIONS-APPROVED

It was moved by Commissioner ALLEN, seconded by Commissioner THOMAS, that the following notary public applications be approved as presented. Motion carried. Aye 8 Nay 0

PRINCESS KAY ARWOOD
KEVIN C. BOOKOUT
GLENDA L. COWLEY
DONNA LYNN DAVIS

CHERYL A. EDWARDS
 TAMMY EANETTE EVANS
 JAMES PAUL LEE
 K. MICHELLE LOVIN
 RUBY A. MCLEMORE
 MARGARET BOWLAND MICHAEL
 VAN REEVES MICHAEL
 JUDY MARIE PAYNE
 MISTI ANN PIKE
 LORIE MELISSA SAMPLES
 VALERIE L. SISCO
 M. KAY TORBETT
 CATHERINE ANNE WEIST
 CONNIE A. WHITE
 CAREY G. WILCOX JR

R E S O L U T I O N N O. 0124-22

BE IT RESOLVED, by the Monroe County Board of County Commissioners, meeting in Regular Session, January 24, 2012, that the following amendment for a one time payment of taxes of property for the perpetual easement of the Niles Ferry Industrial Park Sign, be made in the County General Fund Budget for the Fiscal Year 2011/2012.

Decrease Reserve

| | | |
|-----------|---------------------------|-------------|
| 101-35160 | Designated for Industrial | \$10,768.00 |
|-----------|---------------------------|-------------|

Increase Expenditures

| | | |
|-------------------|---------------|-------------|
| 101-58120-599-TAX | Other Charges | \$10,768.00 |
|-------------------|---------------|-------------|

PASSED, this 24th day of January 2012.

It was moved by Commissioner THOMAS, seconded by Commissioner SHADDEN, that this resolution be approved as presented. Motion carried on roll call. AYE 8 NAY 0

R E S O L U T I O N N O. 0124-22A

BE IT RESOLVED, by the Monroe County Board of County Commissioners, meeting in regular session, January 24, 2012, that the following amendment for reclassification of funds to pay longevity be made in the Highway Department Budget for the fiscal year 2011/2012.

Decrease Expenditures

| | | |
|---------------|----------------------------------|------------|
| 131-65000-513 | Workman's Compensation Insurance | \$2,600.00 |
|---------------|----------------------------------|------------|

| | | |
|---------------|---------------------|----------|
| 131-62000-169 | Part-Time Personnel | \$600.00 |
|---------------|---------------------|----------|

Increase Expenditures

| | | |
|---------------|-----------|----------|
| 131-62000-186 | Longevity | \$600.00 |
|---------------|-----------|----------|

| | | |
|---------------|-----------|------------|
| 131-63100-186 | Longevity | \$2,600.00 |
|---------------|-----------|------------|

PASSED, this 24th day of January 2012.

It was moved by Commissioner THOMAS, seconded by Commissioner SHADDEN, that this resolution be approved as presented. Motion carried on roll call. AYE 8 NAY 0

R E S O L U T I O N NO. 0124-22B

BE IT RESOLVED, by the Monroe County Board of County Commissioners, meeting in regular session, January 24, 2012, that the following amendment for the Solid Waste Department, be made in the County General Fund Budget for the Fiscal Year 2011-2012 for reclassification of funds to pay Longevity.

Increase Expenditures

| | | |
|-----------|-----------|-------------|
| 55732-186 | Longevity | \$ 4,560.00 |
|-----------|-----------|-------------|

Decrease Expenditures

| | | |
|-----------|-----------|-------------|
| 55720-186 | Longevity | \$ 4,560.00 |
|-----------|-----------|-------------|

PASSED, this 24th day of January, 2012.

It was moved by Commissioner HAWKINS, seconded by Commissioner ALLEN, that this resolution be approved as presented. Motion carried on roll call. AYE 8 NAY 0

R E S O L U T I O N NO. 0124-22C

BE IT RESOLVED, by the Monroe County Board of County Commissioners, meeting in regular session, January 24, 2012, that the following amendment for the Ambulance Department, be made in the County General Fund Budget for the Fiscal Year 2011-2012 for reclassification of funds to pay Longevity.

Increase Expenditures

| | | |
|-----------|-----------|-----------|
| 55130-186 | Longevity | \$ 270.00 |
|-----------|-----------|-----------|

Decrease Expenditures

| | | |
|-----------|------------------------|-----------|
| 55130-133 | Paraprofessionals-PTOT | \$ 270.00 |
|-----------|------------------------|-----------|

PASSED, this 24th day of January, 2012.

It was moved by Commissioner THOMAS, seconded by Commissioner SHADDEN, that this resolution be approved as presented. Motion carried on roll call. AYE 8 NAY 0

R E S O L U T I O N NO. 0124-22D

BE IT RESOLVED, by the Monroe County Board of County Commissioners, meeting in regular session, January 24, 2012, that the following amendment for the Jail, be made in the County General Fund Budget for the Fiscal Year 2011-2012 for reclassification of funds to pay Longevity.

Increase Expenditures

| | | |
|-----------|-----------|-----------|
| 55130-186 | Longevity | \$ 600.00 |
|-----------|-----------|-----------|

Decrease Expenditures

| | | |
|-----------|---------------|-----------|
| 55130-110 | Lieutenant(s) | \$ 600.00 |
|-----------|---------------|-----------|

PASSED, this 24th day of January, 2012

It was moved by Commissioner THOMAS, seconded by Commissioner ALLEN, that this resolution be approved as presented. Motion carried on roll call. AYE 8 NAY 0

R E S O L U T I O N NO. 0124-22E

BE IT RESOLVED, by the Monroe County Board of County Commissioners, meeting in regular session, January 24, 2012 that the following amendment in the county buildings budget for reimbursement from the bond proceeds Series E-7-A earmarked for capital improvements (roofing & grease trap maintenance) for the jail facility be made, in the County General Fund Budget for the Fiscal Year 2011/2012.

Increase Revenue

| | | |
|-------|---------------|-------------|
| 48130 | Contributions | \$27,020.99 |
|-------|---------------|-------------|

Increase Expenditure

| | | |
|----------------|-------------------------------------|-------------|
| 51800-335-JAIL | Maintenance & Repair Services -Bldg | \$27,020.99 |
|----------------|-------------------------------------|-------------|

Passed this 24th day of January 2012.

It was moved by Commissioner LEE, seconded by Commissioner BIVINS, that this resolution be approved as presented. Motion carried on roll call. AYE 8 NAY 0

124-23 RESOLUTION: BUDGET AMENDMENT SCHOOL DEPT.- APPROVED**RECAPITULATION OF BUDGET AMENDMENTS**

| | | |
|------------------------|----------------------------|--------------|
| Resolution No. 124-23 | | |
| BOE Amendment #1208-1 | General Purpose Schools | \$33,631.13 |
| Resolution No. 124-23A | | |
| BOE Amendment # 1208-2 | Federal Projects | \$67,941.36 |
| Resolution No. 124-23B | | |
| BOE Amendment #0112-3 | General Purpose Schools | \$21,000.00 |
| Resolution No. 124-23C | | |
| BOE Amendment #0112-4 | Federal Projects | \$35,120.76 |
| Resolution No. 124-23D | | |
| BOE Amendment # 0112-5 | Education Capital Projects | \$165,003.13 |

It was moved by Commissioner LEE, seconded by Commissioner THOMAS, that this resolution be approved as presented. Motion carried on roll call. AYE 8 NAY 0

RESOLUTION NO. 0124-24

**A RESOLUTION AUTHORIZING
A MULTIPLE YEAR LEASE PURCHASE and MAINTENANCE AGREEMENT
FOR THE MONROE COUNTY FINANCE DEPARTMENT**

WHEREAS, the Monroe County Finance Department 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 24th day of January, 2012.

It was moved by Commissioner ALLEN, seconded by Commissioner BIVINS, that this resolution be approved as presented. Motion carried on roll call. AYE 8 NAY 0

RESOLUTION NO. 0124-24A

**A RESOLUTION AUTHORIZING
A MULTIPLE YEAR LEASE PURCHASE and MAINTENANCE AGREEMENT
FOR THE MONROE COUNTY REGISTER OF DEEDS**

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

WHEREAS, the current wide format 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 Appalachia Business Communications 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 24th day of January, 2012.

It was moved by Commissioner HAWKINS, seconded by Commissioner KIRKLAND, that this resolution be approved as presented. Motion carried on roll call. AYE 8 NAY 0

RESOLUTION NO. 0124-25

**A RESOLUTION AUTHORIZING
A MULTIPLE YEAR TELECOMMUNICATIONS SERVICE AGREEMENT
FOR THE MONROE COUNTY BOARD OF EDUCATION**

WHEREAS, the Monroe County Board of Education has a need to maintain their current telephone service for the Madisonville and Sweetwater Areas, and

WHEREAS, the current telephone service agreement has expired, and

WHEREAS, the expenditures for a multi-year telephone service agreement are currently budgeted within the Monroe County General Purpose Schools Budget as deemed necessary in order to expedite the resolution of this matter, and

WHEREAS, the projected cost of this telephone service 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 service agreement with Birch Communications and the agreement is not to extend over a period of more than twenty-four (24) 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 24th day of January, 2012.

It was moved by Commissioner THOMAS, seconded by Commissioner SHADDEN, that this resolution be approved as presented. Motion carried on roll call. AYE 8 NAY 0

RESOLUTION NO. 0124-26

A RESOLUTION AUTHORIZING A DONATION FROM THE NATIONAL ACTIVE AND RETIRED FEDERAL EMPLOYEES ASSOCIATION

WHEREAS, the Monroe County Ambulance Department has received a donation from the National Active and Retired Federal Employees Association, (NARFE) in Athens, Tennessee, and

WHEREAS, the donation in the amount of \$110 is for the Ambulance Service Station at Tellico Plains, and

NOW, THEREFORE, BE IT RESOLVED by the Monroe County legislative body meeting in regular session at Madisonville, Tennessee, on this the 24th day of January, 2012, that:

SECTION 1. The Monroe County legislative body hereby accepts the Ambulance Service donation in the amount of \$110 from NARFE and also instructs the Monroe County Director of Finance to properly receipt and commit the donation to the Ambulance Service.

It was moved by Commissioner THOMAS, seconded by Commissioner HAWKINS, that this resolution be approved as presented. Motion carried on roll call. AYE 8 NAY 0

124-27 REPORT: STATUS REPORT FROM JUSTICE COMMITTEE AND REQUEST FOR FURTHER DIRECTION FROM COMMISSION- NO ACTION TAKEN

The Commission discussed options for a new jail and justice center. After several minutes of discussion no action was taken.

RESOLUTION NO. 124-28**TO ADOPT A REDISTRICTING PLAN
FOR THE MONROE COUNTY SCHOOL BOARD-TABLED**

WHEREAS, *Tennessee Code Annotated*, Section 49-2-201(a)(1), requires that, at least every ten (10) years, county legislative bodies shall change the boundaries of school districts or redistrict the school boundaries entirely if necessary to apportion the school board districts so that the members represent substantially equal populations; and

WHEREAS, Monroe County has approved a plan consistent with the provisions of *Tennessee Code Annotated*, Section 49-2-201, which provides for a school board body composed of eight (8) members and which creates four (4) districts as depicted on the official redistricting map for Monroe County School Board prepared pursuant to *Tennessee Code Annotated*, Section 49-2-201;

NOW, THEREFORE, BE IT RESOLVED by the Monroe County Legislative Body meeting in session at Madisonville, Tennessee, on this 24th day of January, 2012, that:

SECTION 1. There is hereby adopted a reapportionment plan for the Monroe County School Board which provides for four (4) Districts, with two (2) members in each of the Districts, for a total school board membership body of eight (8) members. The districts for members of the school board are depicted on the official redistricting map for the Monroe County School Board prepared pursuant to *Tennessee Code Annotated*, Section 49-2-201. A copy of the redistricting map is attached as **EXHIBIT A** to this resolution and is incorporated herein by reference.

SECTION 2. All members of the school board shall be elected within the district wherein the candidate seeks election. The candidate or candidates, depending on the number of open seats in the district, receiving the greatest number of votes in each district shall be elected.

SECTION 3. The present members shall serve the remainder of the term for which they were elected.

SECTION 4. This plan shall take effect upon passage, the public welfare requiring it, provided any election to fill a vacancy shall be conducted in accordance with *Tennessee Code Annotated*, Section 5-1-104. The county legislative body shall take the necessary steps to cause the private act governing the board of education to be amended to provide for the new school districts as set forth in this resolution, as well as any other changes which are necessary to effectuate this resolution, in sufficient time to make the changes effective for the August 2012 general election.

ADOPTED this 24th day of January, 2012.

It was moved by Commissioner ALLEN, seconded by Commissioner BIVINS, to table this resolution until the next meeting. Motion carried. AYE 8 NAY 0

124-29 APPROVAL: OFFICIAL STATUTORY BOND FOR OFFICE OF DIRECTOR OF SCHOOLS-MICHAEL L LOWERY-APPROVED

There being no exceptions to the official statutory bond for office of Director of Schools, Michael L. Lowery, it was moved by Commissioner HAWKINS, seconded by Commissioner LEE, that this bond be approved as presented. Motion carried on roll call. AYE 8 NAY 0

124-30 APPROVAL: TENNESSEE DEPT. OF HEALTH & ENVIROMENT REPORT- NO ACTION NECESSARY

124-31 APPROVAL: STANDING COMMITTEE CHANGES – NONE PRESENTED

RESOLUTION 124-32 TO ASK LEGISLATIVE DELEGATION TO MAKE THE SALE OF SYNTHETIC DRUGS A FELONY AND REQUEST SUPPORT BY SURROUNDING COUNTIES

WHEREAS, Synthetic marijuana and designer stimulants have created a public health problem in Monroe County as witnessed by Monroe County Emergency Medical Service, the County Drug Court Program, the Police Departments in Madisonville, Sweetwater, Tellico Plains and Vonore and the Monroe County Sheriff's Department; and

WHEREAS, during a recent raid in September, 2011 conducted by the Tennessee Bureau of Investigation, State Attorney General's Office, District Attorney's Office the Police Departments in the four cities and the Monroe County Sheriff's Department, several convenience stores in Monroe County were found to be selling synthetic marijuana and designer stimulants for up to \$30.00 per package; and

WHEREAS, currently in the State of Tennessee some of these products are being sold legally while some are covered under current legislation making them illegal but is a misdemeanor charge.

NOW, THEREFORE, BE IT RESOLVED, by the Monroe County Board of Commissioners, that the Monroe County legislative delegation be asked to write and pass comprehensive legislation to drugs a felony in the State of Tennessee.

BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to all counties in the State of Tennessee asking for a similar Resolution be sent to their legislative delegation in support of said legislation for the betterment of all of Tennessee.

RESOLVED this 24th day of January, 2012.

It was moved by Commissioner THOMAS, seconded by Commissioner HAWKINS, that this resolution be approved as presented. Motion carried on roll call. AYE 8 NAY 0

ADJOURNMENT

There being no further business, the meeting was adjourned.

TIM YATES, Mayor

ATTEST

LARRY C. SLOAN, Clerk