

# MINUTES

## MONROE COUNTY BOARD OF COUNTY COMMISSIONERS

### REGULAR SESSION

APRIL 26, 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, April 26, 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, & several Department heads.

The Board of Commissioners was officially opened by Captain Bledsoe.

The invocation was given by the Mayor.

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

**426-1 BOARD OF COMMISSIONERS MINUTES FOR -APPROVED**

There being no exceptions to the Board of Commissioners Minutes for March 22, 2011, it was moved by Commissioner THOMAS, seconded by Commissioner KIRKLAND, that these minutes be approved as presented. Motion carried. Aye 9 Nay 0

**426-2 THRU -20 DEPARTMENTAL QUARTERLY REPORTS-APPROVED**

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

- 426-2 Mayors Report
- 426-3 Road Supt Quarterly Report
- 426-4 School Supt Quarterly Report
- 426-5 Director of Finance Report
- 426-6 Ambulance Service Quarterly/Annual Report
- 426-7 Animal Shelter Quarterly Report
- 426-8 Archives Quarterly Report
- 426-9 Building Permits Quarterly Report
- 426-10 Circuit Court Quarterly/Annual Report
- 426-11 Clerk & Master Quarterly/Annual Report
- 426-12 County Clerk Quarterly/Annual Report
- 426-13 GIS Directors Report
- 426-14 Industrial Development Quarterly Report
- 426-15 Register of Deeds Quarterly/Annual Report
- 426-16 Service Officer Quarterly Report
- 426-17 Sheriffs Dept Quarterly/Annual Report
- 426-18 Solid Waste Quarterly Report
- 426-19 Tourism Quarterly Report
- 426-20 Trustee Monthly Report

**426-21 NOTARY PUBLIC APPLICATIONS-APPROVED**

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

- Janice Elgin
- Lois E. Garren
- Misty A. Harrill
- Leslie L. Hicks
- Amber Nicole Hughes
- Shelia M. Knox
- Denis Michael Lowe
- Betty R. Mcculloch
- Deborah A. Shaw
- Susan Lawhon Shultz
- Darlene Sneed
- Katie Standridge
- Steven Wayne Tilley Ii
- Tracy Leejean Wilson
- Dale Woods

**426-22 RESOLUTION: BUDGET AMENDMENT, HIGHWAY DEPARTMENT BUDGET –APPROVED**

BE IT RESOLVED, by the Monroe County Board of County Commissioners, meeting in regular session,, April 26, 2011, that the following amendment for, re-allocation of the highway funds for personnel needs, be made in the Highway Department Budget for the Fiscal Year 2010/2011.

DECREASE EXPENDITURES

131-62000-205	Employee/Dependent Insurance	3,670.00
131-63100-205	Employee/Dependent Insurance	825.00
131-61000-425	Gasoline	1,832.00

INCREASE EXPENDITURES

131-62000-141	Foremen	3,670.00
131-63100-141	Foremen	725.00

131-63100-212	Medicare	100.00
13161000-161	Secretary(s)	1,832.00

PASSED, this 26<sup>th</sup> day of April 2011.

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

**426-22A RESOLUTION: BUDGET AMENDMENT, COUNTY GENERAL FUND BUDGET –APPROVED**

BE IT RESOLVED, by the Monroe County Board of County Commissioners, meeting in regular session, April 26, 2011, that the following amendment for re-allocation of funds for personnel needs for the Sheriff’s Department, be made in the County General Fund Budget for the Fiscal Year 2010/2011.

DECREASE EXPENDITURES

54110-103	Assistant(s)	30,000.00
54110-187	Overtime	10,000.00

INCREASE EXPENDITURES

54110-162	Clerical Personnel	30,000.00
54110-169	Part-Time Personnel	10,000.00

PASSED, this 26<sup>th</sup> day of April 2011.

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

**426-22B RESOLUTION: BUDGET AMENDMENT, COUNTY GENERAL FUND BUDGET –APPROVED**

BE IT RESOLVED, by the Monroe County Board of County Commissioners, meeting in regular session, April 26, 2011, that the following amendment for re-allocation of funds for personnel needs for the Jail Budget, be made in the County General Fund Budget for the Fiscal Year 2010/2011

DECREASE EXPENDITURES

101-54210-187	Overtime	10,000.00
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INCREASE EXPENDITURES

101-54210-169	Part-Time Personnel	10,000.00
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PASSED, this 26<sup>th</sup> day of April 2011.

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

**426-22C RESOLUTION: BUDGET AMENDMENT, COUNTY GENERAL FUND BUDGET –APPROVED**

BE IT RESOLVED, by the Monroe County Board of County Commissioners, meeting in regular session, April 26, 2011, that the following amendment for re-allocation of funds for personnel needs for the Election Commission, be made in the County General Fund Budget for the Fiscal Year 2010/2011

DECREASE EXPENDITURES

51500-193	Election Workers	3,000.00
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INCREASE EXPENDITURES

51500-162	Clerical Personnel	2,770.00
51500-201	Social Security	186.00
51500-212	Medicare	44.00

PASSED, this 26<sup>th</sup> day of April 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

**426-23 RESOLUTION: BUDGET AMENDMENT, SCHOOL DEPARTMENT- NONE PRESENTED**

**426-24 RESOLUTION: TO AFFIRM COMPLIANCE WITH FEDERAL TITLE VI REGULATIONS-APPROVED**

WHEREAS, both Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 provide that no person in the United States shall, on the ground of race, color or national origin be excluded from participation in, be denied the benefits of or be subject to discrimination under any program or activity receiving federal financial assistance; and

WHEREAS, the Tennessee Attorney General opined in Opinion No. 92.47 that state and local governments are required to comply with Title VI of the Civil Rights Act in administering federally funded programs; and

WHEREAS, the Community Development Division of the Tennessee Department of Economic and Community Development administers the Three-Star Program and awards financial incentives for communities designated as Three-Star communities; and

WHEREAS, by virtue of the Tennessee Department of Economic and Community Development receiving federal financial assistance all communities designated as Three-Star communities must confirm that the community is in compliance with the regulations of the Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987;

NOW, THEREFORE, BE IT RESOLVED, the county legislative body of Monroe County, Tennessee, meeting in regular session at Madisonville, Tennessee, that:

SECTION 1. The legislative body of Monroe County declares that the county is in compliance with the federal Title VI regulations.

SECTION 2. The Department of Economic and Community Development may from time to time monitor the County's compliance with federal Title VI regulations.

SECTION 3. This Resolution shall take effect upon adoption, the public welfare requiring it.

Adopted this 26<sup>th</sup> day of April, 2011.

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

**426-25 RESOLUTION: TO ADOPT THE STRATEGIC ECONOMIC DEVELOPMENT PLAN-APPROVED**

WHEREAS, the Three-Star Program was developed to meet the needs and challenges of the evolving economic environment in urban and rural communities and to partner with communities to create opportunities for sustained economic growth; and

WHEREAS, communities seeking certification as a Three-Star community must meet certain criteria, including the adoption of a five-year strategic economic development plan; and

WHEREAS, in achieving the mission of the Three-Star Program, the Department of Economic and Community Development commits to assist communities in developing and implementing a strategic economic plan;

NOW, THERE, BE IT RESOLVED, by the county legislative body of Monroe County, Tennessee, meeting in regular session at Madisonville, Tennessee, that:

SECTION 1. The legislative body of Monroe County declares that the county has adopted a five-year strategic economic development plan to be updated annually.

SECTION 2. The strategic economic development plan includes the county's economic goals in promoting economic growth, a plan to accomplish those goals and a projected timeline in achieving those goals.

SECTION 3. The strategic economic development plan addresses the county's goals pertaining to existing industry, manufacturing recruitment, workforce development, retail/service, tourism, agriculture, infrastructure assessment and educational assessment.

Adopted this 26<sup>th</sup> day of April, 2011.

It was moved by Commissioner THOMAS, seconded by Commissioner HAWKINS, that this Resolution be approved as presented. Motion carries. Aye 9 Nay 0

**\*THE 2011 THREE-STAR COMMUNITY PRIORITIES & THE THREE STAR STRATEGIC ECONOMIC DEVELOPMENT PLAN FOR 2008-2012 WERE HANDED OUT DURING THE COUNTY COMMISSION MEETING\***

**426-26 RESOLUTION: PURSUANT TO T.C.A. § 54-10-216, A RESOLUTION OF THE GOVERNING BODY OF MONROE COUNTY, TENNESSEE, AUTHORIZING THE CLOSING OF PUBLIC ROADS THAT ARE NOT MAINTAINED BY ANY OTHER GOVERNMENTAL ENTITY-APPROVED**

WHEREAS, Monroe County is possessed of the authority by two-thirds (2/3) majority vote of its County legislative body to adopt the provisions of T.C.A. § 54-10-216 as an alternative procedure for the closing of public roads in the County that are not maintained by any other governmental entity; and

WHEREAS, the alternative procedure set forth in the referenced enactment provides a clear delineation of an appropriate procedure to address the closing of public roads within Monroe County that are not maintained by any other governmental entities; and

WHEREAS, the specific provisions of said enactment will promote increased efficiency and uniformity in addressing the procedure to close a public road in Monroe County that is not maintained by any other governmental entity; and

WHEREAS, the Monroe County Commission, acting pursuant to the authority conferred by T.C.A. § 54-10-216, deems it in the best interest of the citizens of Monroe County to establish a clear and orderly method to close a public road in Monroe County that is not maintained by any other governmental entity;

IT IS ACCORDINGLY HEREBY RESOLVED that the following steps are to be effected within Monroe County to close a public road in Monroe County that is not maintained by any other governmental entity.

1. Each application to close a designated public road in Monroe County shall be made in writing to the Chief Administrative Officer of the Monroe County Highway Department.
2. Upon receiving an application to close a public road, the Chief Administrative Officer of the Monroe County Highway Department shall give notice to interested parties as provided in by T.C.A. § 54-10-216.
3. The Chief Administrative Officer of the Monroe County Highway Department shall, following receipt and review of the application and the provision of notice to interested parties, make a recommendation to the Monroe County Regional Planning Commission regarding whether or not the public road should be closed.
4. Before making any recommendation with respect to closing a road pursuant to T.C.A. § 54-10-216, the Monroe County Regional Planning Commission shall provide notice of the action either by written notice mailed to affected property owners or by notice advertised in a newspaper of general location in Monroe County not less than fourteen (14) days before the recommendation is made.
5. After receiving the recommendation of the Chief Administrative Officer, the Monroe County Commission shall make its Recommendation to the Monroe county Commission, and shall attach the recommendation of the Chief Administrative Officer of the Monroe County Highway Department.
6. After receiving the recommendations as provided in T.C.A. § 54-10-216, the Monroe County Commission may, by resolution adopted by a majority of its members, order the closure of the public road.

This Resolution shall be effective upon its passage and approval, the public welfare requiring it.

Passed upon motion duly made and seconded this 26<sup>th</sup> day of April, 2011.

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

**426-27 RESOLUTION: PRESERVATION MONTH PROCLAMATION-APPROVED**

WHEREAS, historic preservation is an effective tool for managing growth and sustainable development, revitalizing neighborhoods, fostering local pride and maintaining community character while enhancing livability; and

WHEREAS, historic preservation is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life and all ethnic backgrounds; and

WHEREAS, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as a people; and

WHEREAS, "Celebrating America's Treasures" is the theme for National Preservation Month 2011, cosponsored by Monroe County, Tennessee and the National Trust for Historic Preservation.

NOW, THEREFORE, I, Mayor Tim Yates, of Monroe County, Tennessee, do proclaim the month of May 2011 as National Preservation Month, and call upon the people of Monroe County, Tennessee, to join their fellow citizens across the United States in recognizing and participating in this special observance.

Signed this 26<sup>th</sup> day of April, 2011.

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

**426-28 RESOLUTION: RENAMING OF A PORTION OF HWY 68-APPROVED**

The Monroe County Mayor and the Monroe County Commission are requesting the State of Tennessee to consider changing the name of Hwy 68, beginning from the west end of Madisonville City limits to the east end of Tellico Plains city limits, in Honor of former State of Tennessee Representative Bob E. "Single Wing" Harrill.

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

**426-29 PROPOSAL: FROM AMBULANCE COMMITTEE FOR FUNDS TO PURCHASE NEW MONITORS/STRETCHERS-APPROVED**

EMS Director, Randy White appeared before the commission with a proposal to purchase new monitors and stretchers. After several minutes of discussion, it was moved by Commissioner ALLEN, seconded by Commissioner LEE, for approval to accept bids on this proposal. Motion carried on roll call. Aye 9 Nay 0

**426-30 DISCUSSION: MIKE LOWRY & CHARLES UNDERWOOD**

Mike Lowry and Charles Underwood came before the commission with an update on the Tellico Elementary and Vonore Elementary building projects. A summary of both projects were presented and a cost estimate of \$3,929,110.00 was given for Tellico Elementary and \$4,587,990.00 for Vonore Elementary. They also made the request that the commission fund the cost of the fire marshal review which was \$17,500.00. The commission approved the request to fund the fire marshal fee to keep the project moving forward

It was moved by Commissioner HAWKINS, seconded by Commissioner THOMAS, that this request be approved as presented. Motion carried on roll call. Aye 8 Nay 1-Commissioner Alexander

**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, COUNTY CLERK**