

# MINUTES

## MONROE COUNTY BOARD OF COUNTY COMMISSIONERS

MAY 28, 2013

**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, May 28, 2013 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

### THIRD DISTRICT

Harold Hawkins  
Roger Thomas

**ALSO PRESENT**, were Mayor Tim Yates, County Clerk, Larry C. Sloan, Finance Director, Elizabeth Hicks

Absent were Commissioner Lee, 2<sup>nd</sup> District & Commissioner Shadden, 3<sup>rd</sup> District.

The Board of Commissioners was officially opened by the Sheriff.

The invocation was given by the Mayor.

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

**528-1 BOARD OF COMMISSIONERS MINUTES FOR APRIL 23, 2013 - APPROVED**

There being no exceptions to the Board of Commissioners Minutes for April 23, 2013, it was moved by Commissioner Thomas, seconded by Commissioner Kirkland, that these minutes be approved as presented. Motion carried. Aye 7 Nay 0

**528-2 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 7 Nay 0

Samantha Claudette Cantrell  
Melissa Wheeler Coffelt  
Rita Gail Hatfield  
Deborah L. Kazy  
Timothy J. Lankford  
Helen R. Moore  
Timothy E. Moree  
Bonnie Diann Nichols  
Pat Presley  
Keri T. Silver  
Dwaine Benjamin Thomas  
Beth Farr Villines

**528-3 DIRECTOR FINANCE REPORT & 528-4 TRUSTEE REPORT**

There being no exceptions to the Director of Finance Report or the Trustee Report, it was moved by Commissioner Thomas, seconded by Commissioner Hawkins, that these reports be approved as presented. Motion carried. Aye 7 Nay 0

RESOLUTION NO. 528-5

BE IT RESOLVED, by the Monroe County Board of County Commissioners, meeting in regular session, May 28, 2013, that the following amendment for liability insurance and education assistants for the Monroe County Health Department, be made in the County General Fund Budget for the Fiscal Year 2012/2013.

Decrease Expenditures

|           |                     |            |
|-----------|---------------------|------------|
| 55190-163 | Education Assistant | \$1,170.00 |
|-----------|---------------------|------------|

Increase Expenditures

|           |                     |            |
|-----------|---------------------|------------|
| 55190-506 | Liability Insurance | \$1,170.00 |
|-----------|---------------------|------------|

Passed, this 28<sup>th</sup> day of May 2013.

It was moved by Commissioner Allen, seconded by Commissioner Moser, that this Resolution be approved as presented. Motion carried on roll call. Aye 7 Nay 0

**RESOLUTION NO. 528-5A**

BE IT RESOLVED, by the Monroe County Board of County Commissioners, meeting in regular session, May 28, 2013, that the following amendment for overtime pay and part-time pay for the Monroe County Sheriffs Department, be made in the County General Fund Budget for the Fiscal Year 2012/2013.

Decrease Expenditures

|           |              |             |
|-----------|--------------|-------------|
| 54210-187 | Overtime Pay | \$ 7,000.00 |
|-----------|--------------|-------------|

Increase Expenditures

|           |               |             |
|-----------|---------------|-------------|
| 54210-169 | Part-time Pay | \$ 7,000.00 |
|-----------|---------------|-------------|

Passed this 28<sup>th</sup> day of May 2013.

It was moved by Commissioner Allen, seconded by Commissioner Kirkland, that this Resolution be approved as presented. Motion carried on roll call. Aye 7 Nay 0

**RESOLUTION NO. 528-5B**

BE IT RESOLVED, by the Monroe County Board of County Commissioners, meeting in regular session, May 28, 2013, that the following amendment for personnel, fringe benefits, and miscellaneous operating expenses for the Monroe County Dental Department, be made in the County General Fund Budget for the Fiscal Year 2012/2013.

Decrease Expenditures

|           |                     |             |
|-----------|---------------------|-------------|
| 55160-169 | Part-time Personnel | \$ 1,959.75 |
|-----------|---------------------|-------------|

|           |                                  |             |
|-----------|----------------------------------|-------------|
| 55160-196 | In-service Training              | \$ 2,000.00 |
| 55160-205 | Employee and Dependent Insurance | \$ 9,789.25 |
| 55160-212 | Employee Medicare                | \$ 800.00   |
| 55160-312 | Contracts with Private Agencies  | \$ 1,000.00 |
| 55160-320 | Dues and Memberships             | \$ 896.00   |
| 55160-355 | Travel                           | \$ 2,000.00 |
| 55160-524 | In-service/Staff Development     | \$ 1,000.00 |

**Increase Expenditures**

|           |                                  |             |
|-----------|----------------------------------|-------------|
| 55160-162 | Clerical Personnel               | \$ 7,350.00 |
| 55160-348 | Postal Charges                   | \$ 300.00   |
| 55160-413 | Drugs and Medical Supplies - LAB | \$ 8,000.00 |
| 55160-435 | Office Supplies                  | \$1,500.00  |
| 55160-718 | Motor Vehicles                   | \$ 2,295.00 |

PASSED, this 28<sup>th</sup> day of May 2013.

It was moved by Commissioner Thomas, seconded by Commissioner Hawkins, that this Resolution be approved as presented. Motion carried on roll call. Aye 7 Nay 0

**RESOLUTION NO. 528-5C**

BE IT RESOLVED, by the Monroe County Board of County Commissioners, meeting in regular session, May 28, 2013, that the following amendment for a Local Archives Grant for the Monroe County Archives, be made in the County General Fund Budget for the Fiscal Year 2012/2013.

**Increase Revenues**

|           |                    |             |
|-----------|--------------------|-------------|
| 46980-MCA | Other State Grants | \$ 2,345.00 |
|-----------|--------------------|-------------|

**Increase Expenditures**

|           |                 |            |
|-----------|-----------------|------------|
| 51910-435 | Office Supplies | \$2,345.00 |
|-----------|-----------------|------------|

PASSED, this 28<sup>th</sup> day of May 2013.

It was moved by Commissioner Kirkland, seconded by Commissioner Thomas, that this Resolution be approved as presented. Motion carried on roll call. Aye 7 Nay 0

MONROE COUNTY BOARD OF EDUCATION  
RECAPITULATION OF BUDGET AMENDMENTS

May 28, 2013

|  |                               |  |
|--|-------------------------------|--|
| RESOLUTION 528-6<br>BOE Amendment #0509-01<br>72120-School Health<br>Correct revenue and expenditures for the Affordable Care Act Grant<br>to use to purchase equipment. Carryover revenue from 2012 was incorrect.            | General Purpose Schools       | \$6,741.54                                       |
| RESOLUTION 528-6A<br>BOE Amendment # 0509-02<br>72620 Maintenance of Plant<br>Reclass funds from excess funds in Family Resource Center to replace mower.  | General Purpose Schools       | \$6,000.00                                       |
| RESOLUTION 528-6B<br>BOE Amendment # 0509-03<br>72120-Coordinated School Health<br>Add donations for the Back to School Bash from United Community Bank<br>and ORNL Federal Credit Union.                                      | General Purpose Schools       | \$150.00   |
| RESOLUTION 528-6C<br>BOE Amendment # 0509-04<br>177 Education Capital Projects<br>Entries for the Sequoyah HVAC system<br>to record the loan from Fort Loudoun Electric Coop and<br>Sequoyah High School's portion of the HVAC | General Purpose Schools       | \$71,820.00<br><u>\$23,080.89</u><br>\$94,900.89 |
| RESOLUTION 528-6D<br>BOE Amendment # 0509-05<br>Regular Instruction<br>Reclass funds to cover purchase of instructional supplies<br>paper, folders, pens, etc.   | General Purpose Schools 71100 | \$30,000.00                                      |

It was moved by Commissioner Allen, seconded by Commissioner Kirkland, that this Resolution be approved as presented. Motion carried on roll call. Aye 7 Nay 0

**RESOLUTION 528-7**

**AUTHORIZING SUBMISSION OF AN APPLICATION FOR A LITTER &  
TRASH COLLECTIN GRANT FOR FY 2013-2014 FROM THE TENNESSEE  
DEPARTMENT OF TRANSPORTATION AND AUTHORIZING THE  
ACCEPTANCE OF SAID GRANT**

Resolution authorizing submission of an application for a Litter and Trash collecting Grant for FY 2013-2014 from the Tennessee Department of Transportation and authorizing the acceptance of said Grant.

**WHEREAS**, the Monroe County Commission intends to apply for the aforementioned Grant from the Tennessee Department of Transportation and,

**WHEREAS**, the contract for the Grant for FY 2013-2014 will impose certain legal obligations upon Monroe County.

**THEREFORE, BE IT RESOLVED:**

1. That the County Mayor of Monroe County is authorized to apply on behalf of Monroe County for a Litter and Trash Collection Grant for FY 2013-2014 from the Tennessee Department of Transportation.
2. That should said application be approved by the Tennessee Department of Transportation, and the Monroe County Commission, the County Mayor of Monroe County is authorized to execute contracts or other necessary documents, which may be required to signify acceptance of the Litter and Trash Collecting Grant by Monroe County.

It was moved by Commissioner Thomas, seconded by Commissioner Kirkland, that this Resolution be approved as presented. Motion carried. Aye 7 Nay 0

**528-8 AMENDMENT TO RESTRICTIVE COVENANTS NILES FERRY INDUSTRIAL PARK**

Peter Alliman, attorney, representing Mason Recycling Company appeared before the commission to obtain approval of an amendment to the Restrictive Covenants in cooperation with the Niles Ferry Industrial Park Committee.

The company is requesting that the County Commission, as landowner within the Industrial Park, approve the requested amendment.

Commissioner Allen made a motion to approve the requested amendment. .

Motion **FAILED** for the lack of a **SECOND**.

**RESOLUTION NO. 528-9  
A RESOLUTION TO APPROVE MONROE COUNTY  
5 YEAR REAPPRAISAL PLAN**

**WHEREAS**, Monroe County, Tennessee in conformity with applicable requirements of state law, is, as of the date hereof, conducting a reappraisal of all properties located within Monroe County; and

**WHEREAS**, pursuant to T.C.A. 67-5-1601(c)(2), in the absence of any different agreement, the local cost of reappraisal of properties within the city shall be paid one-half (1/2) by the County and one-half (1/2) by the City; and

**WHEREAS**, any City paying one-half (1/2) the local cost of reappraisal of real property parcels located within the corporate limits of said City, pursuant to T.C.A. 67-15-1601, shall pay those costs directly to the County government with jurisdiction over the property being reappraised, and shall pay those costs during the fiscal year in which the reappraisal is finalized; and

**WHEREAS**, Monroe County, through the office of its property assessor, estimates that the following numbers of reappraisals of real property parcels within the referenced municipalities will result in the total costs set forth below with regard to each city located within Monroe County, Tennessee:

| City:          | No. Parcels to Be Reappraised | Total Cost of Reappraisal | Total Cost to be Paid by the City |
|----------------|-------------------------------|---------------------------|-----------------------------------|
| Madisonville   | 2,354                         | \$39,171                  | \$19,585                          |
| Sweetwater     | 3,132                         | \$52,116                  | \$26,058                          |
| Tellico Plains | 561                           | \$ 9,335                  | \$ 4,668                          |
| Vonore         | 1,009                         | \$16,790                  | \$ 8,395                          |

APPROVED:

PASSED, this 28<sup>th</sup> day of May 2013.

It was moved by Commissioner Kirkland, seconded by Commissioner Thomas, that this resolution be approved as presented. Motion carried on roll call. Aye 7 Nay 0

**RESOLUTION NO. 528-10**

**A RESOLUTION AUTHORIZING  
A MULTIPLE YEAR PURCHASE FOR  
THE MONROE COUNTY DENTAL DEPARTMENT**

**WHEREAS**, the Monroe County Dental Department has a need to replace a fifteen passenger van used to transport Monroe County School students from their school to the Dental Department for dental work, and

**WHEREAS**, the current fifteen passenger van is not sufficiently meeting the needs of the function of the department in concern, and

**WHEREAS**, the proceeds for a multi-year financing agreement are currently budgeted within the Monroe County General Obligation Capital Outlay Note as deemed necessary in order to expedite the resolution of this matter, and

**WHEREAS**, the projected cost of this fifteen passenger van 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 purchase agreement with the Monroe County Dental Department and the purchase agreement is not to extend over a period of more than sixty (60) months and a total amount of \$24,088.

**Be It Further Resolved** that this resolution be effective immediately upon the passage of the Monroe County Board of Commissioners for the public welfare demanding it on this 28<sup>th</sup> day of May, 2013.

It was moved by Commissioner Hawkins, seconded by Commissioner Kirkland, that this resolution be approved as presented. Motion carried on roll call. Aye 7 Nay 0

## **RESOLUTION NO. 528-11**

### **A RESOLUTION TO DECLARE EQUIPMENT AS SURPLUS PROPERTY AND PLACE IT FOR SALE BY SEALED BID**

**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 Economic Development desires To declare as surplus property a HP 22100 Printer/Plotter, and

**WHEREAS**, Shan Harris, Director of Economic Development, requests approval to declare the HP 22100 Printer/Plotter as surplus and place it for sale by sealed bid.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MONROE COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS 28<sup>th</sup> DAY OF MAY, 2013, that this Commission hereby approves the sale of the HP 22100 Printer/Plotter 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.**



PASSED, this 28<sup>th</sup> day of May 2013.

It was moved by Commissioner Thomas, seconded by Commissioner Hawkins, that this resolution be approved as presented. Motion carried. Aye 7 Nay 0

**RESOLUTION NO. 528-12**

**A RESOLUTION TO DECLARE MISCELLANEOUS  
JAIL KITCHEN SCRAP METAL AND  
SELL TO LANKFORD'S SCRAP METAL.**

**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 Jail Kitchen desires to declare as surplus empty metal cans resulting from food preparation, and

**WHEREAS**, Brad Bivens, Maintenance Director, requests approval to declare miscellaneous kitchen metal as surplus and place it for sale by Lankford's Scrap Metal with all proceeds to be used for safety and/or protective clothing for kitchen employees.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MONROE COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS 28<sup>th</sup> DAY OF MAY, 2013, that this Commission hereby approves the sale of the miscellaneous kitchen metal and any other items which may have been inadvertently omitted and declared surplus with proceeds to be used for protective clothing for kitchen employees, by agreed collective consent of the respective department head, Director of Finance and the County Commission.**

PASSED, this 28<sup>th</sup> day of May 2013.

It was moved by Commissioner Hawkins, seconded by Allen, that this resolution be approved as presented. Motion carried. Aye 7 Nay 0

**RESOLUTION NO. 528-13**

**A RESOLUTION AUTHORIZING  
A MULTIPLE YEAR LEASE FOR THE  
MONROE COUNTY BOARD OF EDUCATION  
DBA SPECIAL EDUCATION DEPARTMENT**

**WHEREAS**, the Monroe County Board of Education DBA Special Education Department has a need to purchase a **docStar Digital Program** to record student psychological records, and

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

**WHEREAS**, the projected cost of this 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 Advantage Financial Services, LLC 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 28th day of May, 2013.

PASSED, this 28<sup>th</sup> day of May 2013.

It was moved by Commissioner Allen, seconded by Kirkland, that this resolution be approved as presented. Motion carried. Aye 7 Nay 0

#### **RESOLUTION NO. 528-14**

#### **A RESOLUTION AUTHORIZING THIRD AMENDMENT AGREEMENT TO REIMBURSEMENT AGREEMENT TO SUPPORT THE AUTHORITY'S LOCAL GOVERNMENT PUBLIC IMPROVEMENT BONDS, SERIES E-7-A**

**WHEREAS**, Monroe County Government, the Borrower, pursuant to a Reimbursement Agreement, dated as of February 1, 2009, as amended by the First Amendment to Reimbursement Agreement dated January 19, 2010, as further amended by the Second Amendment to Reimbursement Agreement dated August 1, 2010, each by and among the Borrower, the authority and the Bank (the "Reimbursement Agreement"), the Bank agreed to issue its letter of credit initially aggregating \$33,433,973 to support the Authority's Local Government Public Improvement Bonds, Series E-7-A issued for the benefit of the Borrower (the "Letter of Credit").

**WHEREAS**, the Borrower has requested that the Bank extend the Scheduled Termination Date (as defined in the Reimbursement Agreement) of the Letter of Credit from August 19, 2013 to August 19, 2016; and

**WHEREAS**, the Bank has agreed to extend the Scheduled Termination Date and amend the Reimbursement Agreement upon the terms and conditions set forth herein in Attachment A; and

**NOW, THEREFORE, Be It Resolved** by the Monroe County Board of Commissioners that the Monroe County Mayor be authorized to enter into a multi-year Amended Reimbursement Agreement with an expiration date of August 19, 2016.

**Be It Further Resolved** that this resolution be effective immediately upon the passage of the Monroe County Board of Commissioners for the public welfare demanding it on this 28<sup>th</sup> day of May, 2013.

PASSED, this 28<sup>th</sup> day of May 2013.

It was moved by Commissioner Thomas, seconded by Commissioner Kirkland, that this Resolution be approved as presented. Motion carried on roll call.  
Aye 7 Nay 0

### **528-15 JUSTICE COMMITTEE REPORT**

Mayor Yates stated the jail cost projections were finished. The architect is comparing the two site costs and will report at a later date.

### **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**