

MINUTES

MONROE COUNTY BOARD OF COUNTY COMMISSIONERS

REGULAR SESSION

August 23, 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, August 23, 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, County Attorney Jerome Melson, Clerk, Larry C. Sloan & several department heads.

The Board of Commissioners was officially opened by Chief Deputy Bryan Graves.

The invocation was given by the Mayor.

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

823-1 BOARD OF COMMISSIONERS MINUTES FOR JULY 26, 2011-APPROVED

There being no exceptions to the Board of Commissioners Minutes for July 26, 2011, it was moved by Commissioner THOMAS, seconded by Commissioner LEE, that these minutes be approved as presented. Motion carried. Aye 9 Nay 0

823-2 NOTARY PUBLIC APPLICATIONS-APPROVED

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

Peter Alliman
Traci D. Bryant
Jo Cagle
Barbara Jo Dalton
Barbara C. Grimes
Sonya E. Harris
William Paul Harvey
Melanie E. Haynes
Kressa Tylenne Mason
Patricia J. White
Lucinda Wayman

823-3 DIRECTOR OF FINANCE REPORT-NONE PRESENTED

823-4 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

823-5 RESOLUTION: BUDGET AMENDMENT, COUNTY GENERAL FUND BUDGET – NONE PRESENTED

823-6 RESOLUTION: BUDGET AMENDMENT, SCHOOL DEPARTMENT-NONE PRESENTED

823-7 RESOLUTION: TO ADOPT THE PROVISIONS SET FORTH IN PL 110-343-APPROVED

WHEREAS, on October 10, 2008 Monroe County elected to participate in the National Forest Counties and Schools Coalition Program as required under the Agricultural Reapportionment Act of 1908; and

WHEREAS, Monroe County elected to participate in the Full Safety Net Payment Program as provided for in PL 110-343; and

WHEREAS, Monroe County will receive a projected distribution of \$350,000 in Fiscal Year 2011 and has decided to allocate 15% of the Full Safety Net Payments to Title II and Title III programs; and

WHEREAS, the allocation percentage for Title II is (8) percent; and for Title III is seven (7) percent; and

WHEREAS, the allocation for Title II for Fiscal Year 2010 is a projected \$28,000 and the allocation for Title III is a projected \$24,500;

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of Monroe County meeting in regular session on the 23rd of August 2011 in Madisonville, Tennessee, that:

- Section 1. Authorizes Monroe County to continue participation in the National Forest Counties and Schools Coalition Program; and
- Section 2. Authorizes the Monroe County Finance Department to comply with the provisions set forth in PL 110-343
- Section 3. This Resolution shall take effect upon adoption, the public welfare requiring it.

Adopted this 23rd day of August 2011.

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

823-8 RESOLUTION OF MONROE COUNTY COMMISSION APPROVING APPLICATION OF MONROE COUNTY, TENNESSEE TO RECEIVE REIMBURSEMENT FUNDS FROM FEDERAL EMERGENCY MANAGEMENT AGENCY AND TENNESSEE EMERGENCY MANAGEMENT AGENCY-APPROVED

WHEREAS, Monroe County incurred substantial unanticipated expenses as a result of storm damage occurring in Monroe County during the final week of April 2011; and

WHEREAS, Monroe County is eligible to receive reimbursement for certain expenses incurred by Monroe County in the form of overtime pay, equipment usage time and additional supplies necessitated as a result of the described storms; and

WHEREAS, the county is advised that reimbursement of these items is to be funded in the amount of seventy-five percent (75%) from the Federal Emergency Management Agency ("FEMA") and twelve and one-half percent (12.5%) from the Tennessee Emergency Management Agency ("TEMA") with the remaining twelve and one-half percent (12.5%) of such costs to be borne by Monroe County; and

WHEREAS, it is in the best interests of Monroe County to receive these monies toward substantial reimbursement for the described expenses.

NOW, THEREFORE, BE IT RESOLVED THAT the Monroe County commission authorizes the Monroe County finance Director to proceed with submission of the appropriate application and documentation to the responsible officials of FEMA and TEMA in order to facilitate Monroe County's receipt of reimbursement in the percentages set forth above.

DULY PASSED AND APPROVED this 23rd day of August, 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

823-9 APPOINTMENT: AD HOC-JUSTICE CENTER COMMITTEE-APPROVED

This temporary committee is formed for the specific task of assessing the needs of a new Justice Center for Monroe County and make recommendations for necessary beds to house prisoners, court rooms, office space and any other item as deemed necessary to satisfy the State of

Tennessee's recommendations without decertification of the present jail system. This committee is a temporary committee and shall be dissolved at completion of their task as deemed by the Monroe County Mayor-Tim Yates

Justice Committee Members:

Sessions Judge – Reed Dixon
Circuit Court Clerk – Marty Cook
Clerk & Master – Teresa Choate
County Sheriff – Bill Bivens
County Mayor – Tim Yates
County Attorney – Jerome Melson
Economic Development Director – Shan Harris

Please add the following members to this committee:

Wanda Alexander
Marty Allen
Bennie R. Moser
Bill Bivins
Judy Lee
Richard Kirkland
Harold Hawkins
Bill Shadden
Roger Thomas
Finance Director Elizabeth (Libby) Hicks
Captain Jim Wakefield- Sheriff's Department

It was moved by Commissioner MOSER, seconded by Commissioner HAWKINS, that these appointments be approved as presented. Aye 9 Nay 0

823-10 RESOLUTION AFFECTING THE CLOSING OF THE INTERSECTION OF FRONTIER ROAD AND NEW HIGHWAY 68-APPROVED

WHEREAS, the Monroe County Commission, on April 26, 2011, and pursuant to T.C.A. § 54-10-216, enacted Resolution No. 426-26, providing for the closing of public roads in the County that are not maintained by any other governmental entity; and

WHEREAS, Doyle Lowe, a citizen and resident of Monroe County, Tennessee, by written request to the Chief Administrative Officer of the Monroe County Highway Department dated May 25, 2011, has requested that the intersection of Frontier Road and New Highway 68 be closed due to safety concerns related to visibility issues; and

WHEREAS, the Chief Administrative Officer of the Monroe County Highway Department has previously provided advertised notice to interested parties as provided in T.C.A. § 54-10-216; and

WHEREAS, the Chief Administrative Officer of the Monroe County Highway Department issued a recommendation to the Monroe County Regional Planning Commission that the intersection be closed; and

WHEREAS, the Monroe County Regional Planning Commission recommends that the Monroe County Commission close the intersection of Frontier Road and New Highway 68 in accordance with the conditions set forth by the Chief Administrative Officer of the Monroe County Highway Department;

IT IS ACCORDINGLY HEREBY RESOLVED that the intersection of Frontier Road and New Highway 68 be and the same is hereby declared to be closed by Monroe County by the adoption of this Resolution by a majority of the members of the Monroe County Commission, and from and after the date of this Resolution, Monroe County shall have no further responsibility for maintenance, upkeep, and repair of the intersection of Frontier Road and New Highway 68.

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

Passed upon Motion duly made and seconded this 23rd day of August, 2011.

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

DISCUSSION ON ROAD CLOSURE: After this resolution was approved, several residents from the audience that lived on or used this road frequently began to speak up against this road being closed. They stated they were unaware of any meeting for the public to contest this closure. After considering these requests and with legal advice from the county attorney, it was decided to **RESCIND the vote on Resolution 823-10** and send this matter back to the planning commission to receive more input from the residents on closure of Frontier Road.

It was moved by Commissioner MOSER, seconded by Commissioner LEE, to rescind action previously taken on Resolution 823-10. Motion carried on roll call. Aye 9 Nay 0

823-11 DISCUSSION: NANCY McENTEE PhD-ANIMAL CONTROL-NO ACTION TAKEN

Dr. Nancy McEntee appeared before the commission on behalf of Monroe County Animal Control Inc.(MCAC), which has provided at no cost to the county, specialized animal control services to its residents, to serve notice that at the end of 2011, MCAC, will NOT be operating. MCAC is offering to transfer their existing animal control unit, all equipment, and free consulting services to the county's law enforcement division at no cost. Dr. McEntee also outlined several Tennessee Statutes, statistics, liability issues and suggested plans to transfer the AC unit to the county.

823-12 DISCUSSION: GORDON BENTLEY-BOLING SPRINGS RD-DID NOT APPEAR

ADJOURNMENT

There being no further business, the meeting was adjourned.

TIM YATES, Mayor

ATTEST

LARRY C. SLOAN, Clerk