

1/25-1

# MINUTES

## MONROE COUNTY BOARD OF COUNTY COMMISSIONERS

BE IT REMEMBERED, that the Board of Commissioners for Monroe County, Tennessee was begun and held at the Monroe County Courthouse in Madisonville, Tennessee, in Regular Session, November 23, 2021 at 6:00 P.M. Present and presiding was Chairman Summey. The following Commissioners were present and answered roll call.

<u>1<sup>st</sup> DISTRICT</u>	<u>2<sup>nd</sup> DISTRICT</u>	<u>3<sup>rd</sup> DISTRICT</u>	<u>4<sup>th</sup> DISTRICT</u>
Luke Bright	Brian Harrill	Chris Wiseman	Paulette Summey
Adam Reynolds	Richard Kirkland	Bill Shadden	
Joe Anderson		Roger Thomas	

Also present, were Finance Director Elizabeth Hicks, County Clerk Larry Sloan, and County Attorney Reed Dixon. The board of Commission was officially opened by Sheriff Tommy Jones. The invocation was given by Commissioner Summey. The Pledge of Allegiance to the Flag was led by Commissioner Reynolds.

### 11/23-1 Commissioners Minutes for October 26, 2021.

Motion was made by Commissioner Thomas, seconded by Commissioner Harrill to accept minutes as presented. Aye 9 Nay 0

### 11/23-2 Notary Public Applications:

Motion was made by Commissioner Anderson, seconded by Commissioner Thomas to accept the following individuals: Aye 9

Christopher Raymond Cotler	Mary LeeAnn Evans	Miriah Lynn Cline
Sherian D Stephens	Allyssa Willis	Misty Rapking
Bill Thacker	Daniel Ray Gardner	

## RESOLUTION NO. 1123-5

**BE IT RESOLVED**, by the Monroe County Board of County Commissioners, meeting in regular session, November 23, 2021, that the following amendment for the reclassification of the Jail/Courthouse Fund Balance Reserves, be made in the Sheriff's Department Fund Budget for the Fiscal Year 2021-2022 to be used to purchase two (2) surveillance cameras for security purposes. These cameras will enhance the safety of the Justice Center and the employees.

### Decrease Reserves


101-34610-RLITA	Restricted for General Government RLITA Jail, Workhouse or Courthouse	\$ 10,015.97
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### Increase Expenditures

101-54110-719	Office Equipment	\$ 10,015.97
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**PASSED**, this 23rd Day of November, 2021

  
Larry C. Sloan, County Clerk

  
Paulette Summey, Chairwoman



ATTEST

**PASS the 23<sup>rd</sup> day of November, 2021**

It was moved by Commissioner Harrill, seconded by Commissioner Wiseman, that this resolution be approved as presented. Aye 9 Nay

## RESOLUTION NO. 1123-5A

**BE IT RESOLVED**, by the Monroe County Board of County Commissioners, meeting in regular session, on November 23, 2021, that the following amendment for the Monroe County Highway Department be made in the Monroe County Highway/Public Works Fund Budget for the Fiscal Year 2021-2022.

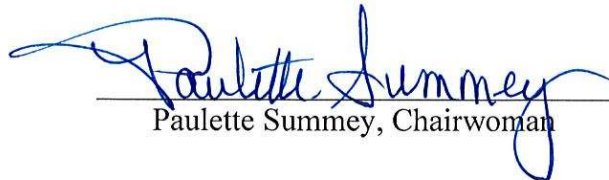
### Increase Revenue

131-46410	State of Tennessee-Bridge Program	\$ 316,525.44
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### Increase Expenditure

131-68000-705	Bridge Construction	\$ 316,525.44
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**PASSED**, this 23<sup>rd</sup> Day of November, 2021.

  
Paulette Summey, Chairwoman

**ATTEST:**

  
Larry C. Sloan, County Clerk



**PASS the 23<sup>rd</sup> day of November, 2021**

It was moved by Commissioner Anderson, seconded by Commissioner Thomas, that this resolution be approved as presented. Aye 9 Nay

## RESOLUTION NO. 1123-5B

**BE IT RESOLVED**, by the Monroe County Board of County Commissioners, meeting in regular session, November 23, 2021, that the following amendment for the Monroe County Chancery Court be made in the County General Fund Budget for the Fiscal Year 2021-2022.

### Decrease Reserve

101-34610-CHCLK	Committed for General Government - Chancery Court Clerk	\$ 13,230.00
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### Increase Expenditures

101-53400-334	Data Processing	\$ 6,500.00
101-53400-719	Office Equipment	\$ 6,730.00

**PASSED**, this 23<sup>rd</sup> Day of November, 2021.

  
Paulette Summey, Chairwoman

**ATTEST:**

  
Larry C. Sloan, County Clerk



**PASS the 23<sup>rd</sup> day of November, 2021**

It was moved by Commissioner Kirkland, seconded  
by Commissioner Harrell, that this resolution  
be approved as presented. Aye 9 Nay



# RESOLUTION NO. 1123-5C

## 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 copier including hardware/software system within the respective offices, and

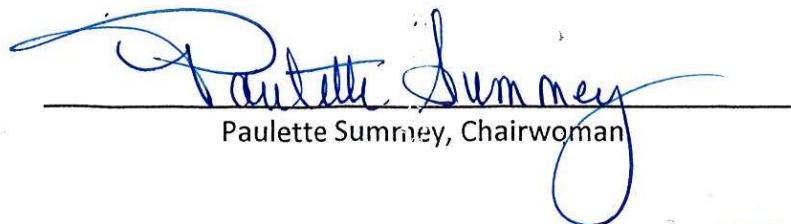
**WHEREAS**, the current copier is not sufficiently meeting the needs of the function of the department in concern, and

**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.

**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 Business Machines Company (BMC) and the lease is not to extend over a period of more than sixty-three (63) months.

**Be It Further Resolved** that this resolution be effective immediately upon the passage for the public welfare demanding it on this the 23rd day of November, 2021.

  
Paulette Summey, Chairwoman

ATTEST:

  
Larry C. Sloan, County Clerk



**PASS the 23<sup>rd</sup> day of November, 2021**

It was moved by Commissioner Anderson, seconded by Commissioner Harrell, that this resolution be approved as presented. Aye 9 Nay

## RESOLUTION NO. 1123-5D

**BE IT RESOLVED**, by the Monroe County Board of County Commissioners, meeting in regular session, on November 23, 2021 that the following amendment for the Monroe County Industrial Development Department, be made in the Monroe County General Fund Budget for the Fiscal Year 2021-2022 for survey services for the sale of HAVCO Wood Products.

### Increase Revenue

101-44540	Sale of Property	\$ 133,140.00
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### Increase Expenditure

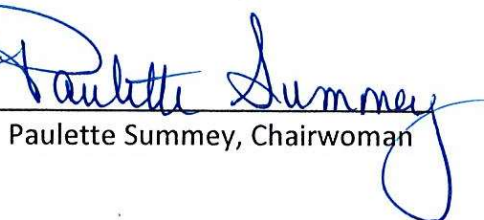
101-58120-599	Other Charges	\$ 4,847.50
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### Increase Fund Balance

101-39000	Fund Balance	\$ 128,292.50
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**PASSED**, this 23<sup>rd</sup> Day of November, 2021

  
Larry C. Sloan, County Clerk

  
Paulette Summey, Chairwoman

**ATTEST:**



**PASS the 23<sup>rd</sup> day of November, 2021**

It was moved by Commissioner Anderson, seconded by Commissioner Reynolds, that this resolution be approved as presented. Aye 9 Nay

## RESOLUTION NO. 1123-5E

### A RESOLUTION AUTHORIZING A FIVE-YEAR CONTRACT FOR INTERNET SERVICES FOR THE MONROE COUNTY AIRPORT

**WHEREAS**, the Monroe County Airport has a need for the installation of internet services and a contract for the services for a five-year period at their perspective offices, and


**WHEREAS**, the proceeds for a multi-year contract are currently budgeted within the Monroe County Information Technology budget as deemed necessary in order to expedite the resolution of this matter, and

**WHEREAS**, the monthly cost of this 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.

**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 contract with Spectrum Enterprise and the term 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 on this the 23<sup>rd</sup> Day of November, 2021.



  
Paulette Summey, Chairwoman

  
Larry C. Sloan, County Clerk

**PASS the 23<sup>rd</sup> day of November, 2021**

It was moved by Commissioner Harrell, seconded  
by Commissioner Kirkland, that this resolution  
be approved as presented. Aye 9 Nay



## RESOLUTION NO. 1123-5F

**BE IT RESOLVED**, by the Monroe County Board of County Commissioners, meeting in regular session, November 23, 2021, that the following amendment for the reclassification of \$3.5 million dollars from General Fund 101 be made to set aside funds for future General Capital Projects in Fund 171. This reclassification is made at the recommendation of the Five-Year Planning Committee and can be utilized for future building construction and renovation as well as road construction and repair.

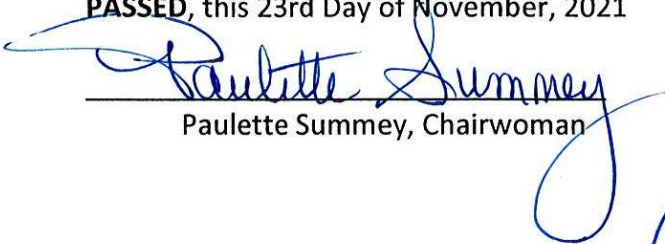
### Decrease Fund Balance

101-39000	Fund Balance	\$ 3,500,000.00
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### Increase Fund Balance

171-39000	Fund Balance	\$ 3,500,000.00
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**PASSED**, this 23rd Day of November, 2021

  
Paulette Summey, Chairwoman

**ATTEST:**

  
Larry C. Sloan, County Clerk



**PASS the 23<sup>rd</sup> day of November, 2021**

It was moved by Commissioner Wiseman, seconded by Commissioner Reynolds, that this resolution be approved as presented. Aye 7 Nay Shadden, Bright



**Tuesday, November 23, 2021**

This amendment is to move money with in the Board of Education budget for travel for the Annual Convention. The Summer Law training was also paid for in this year's budget. We are not paying for the canine contract any longer so there are extra funds in 399.

This amendment is to align the Federal Budget recently passed with our General Ledger in our system for the FY2021-2022

This amendment is to pull money from the Cafeteria Fund Balance in order to purchase a temperature alert system for the cooler/freezer in each cafeteria for each school.

This amendment is to distribute Enrichment funds to each of the schools for Art, Music, Library, Band, Science.

This amendment is to bring in money into the Maintenance Department from Tennessee Risk Management for gate repair at Vonore Elementary School.

This amendment is to correct the spending plan in Title IV budget to match the amount approved by the state.

This amendment is to move funds from the Technology budget into Regular Instruction due to hiring a Teacher from Regular Instruction into the Technology Technical Project Management position.

This amendment is to pull funds from the Coordinated School Health reserve account, DOUGC and to put into the FY2021-2022 budget.

This amendment is to use remaining grant funds from the East Tennessee Foundation from last fiscal year and this fiscal year towards salary on the grant management position.

**Resolution # 6I**

BOE Amendment # 1111-10 142-Federal Projects-901 IDEA Part B \$ 6,288.00

This amendment is to budget additional funds that were awarded by the federal government for the Special Education IDEA Part B program.

**Resolution # 6J**

BOE Amendment # 1111-11 142-Federal Projects-911 Preschool \$ 385.00

This amendment is to budget additional funds that were awarded by the federal government for the Special Education Preschool program.

  
Paulette Summey, Chairperson

Attest:

  
Larry C. Sloan, County Court Clerk



**PASS the 23<sup>rd</sup> day of November, 2021**

It was moved by Commissioner Wiseman, seconded  
by Commissioner Reynolds, that this resolution  
be approved as presented. Aye 9 Nay

## RESOLUTION NO. 1123-7

### TO ADOPT A REAPPORTIONMENT/REDISTRICTING PLAN FOR MONROE COUNTY

**WHEREAS**, *Tennessee Code Annotated*, Section 5-1-111, requires that, at least every ten (10) years, county legislative bodies shall change the boundaries of districts or redistrict a county entirely if necessary to apportion the county legislative body so that the members represent substantially equal populations according to the latest Federal Census Data; and

**WHEREAS**, Monroe County has prepared a plan consistent with the provisions of *Tennessee Code Annotated*, Section 5-1-111, which provides for a county legislative body composed of ten (10) members and which creates four (4) districts as depicted on the official redistricting map for Monroe County prepared pursuant to *Tennessee Code Annotated*, Section 5-1-110.

**NOW, THEREFORE, BE IT RESOLVED BY THE** Monroe County Legislative Body meeting in Special sessions at Madisonville, Tennessee, on this 23<sup>rd</sup> day of November 2021, that:

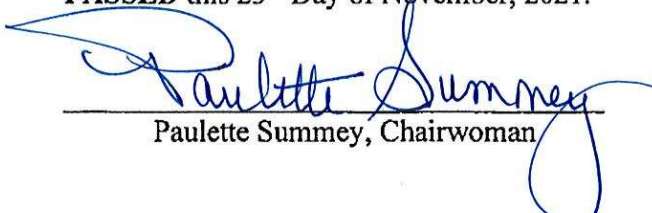
**SECTION 1.** There is hereby adopted a reapportionment plan for Monroe County which provides for three (3) commissioners in District 1, three (3) commissions in District 2, three (3) commissioners in District 3, and one (1) commissioner in District 4, for a total county legislative body of ten (10) members. The districts for members of the county legislative body are depicted on the official redistricting map for Monroe County prepared pursuant to *Tennessee Code Annotated*, Section 5-1-110. 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 county legislative body shall be elected at large within the district wherein the candidate seeks election. For Districts 1, 2, and 3, the three (3) candidates receiving the greatest number of votes in each such district shall be elected. With respect to District 4, the candidate receiving the greatest number of votes shall be elected to represent said District.

**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 that vacancies shall be filled in accordance with *Tennessee Code Annotated*, Section 5-1-104.

**PASSED** this 23<sup>rd</sup> Day of November, 2021.

  
Paulette Summey, Chairwoman

ATTEST:  
  
  
Larry C. Sloan, County Clerk

**PASS the 23<sup>rd</sup> day of November, 2021**

It was moved by Commissioner Wiseman, seconded  
by Commissioner Harrison, that this resolution  
be approved as presented. Aye 8 Nay Summey



RESOLUTION NO. 11-23-8

A RESOLUTION AUTHORIZING MONROE COUNTY TO  
JOIN THE STATE OF TENNESSEE AND OTHER LOCAL  
GOVERNMENTS AS PARTICIPANTS IN THE TENNESSEE  
STATE-SUBDIVISION OPIOID ABATEMENT AGREEMENT  
AND APPROVING THE RELATED SETTLEMENT  
AGREEMENTS

WHEREAS, the opioid epidemic continues to impact communities in the United States, the State of Tennessee, and Monroe County, Tennessee.

WHEREAS, Monroe County has suffered harm and will continue to suffer harm as a result of the opioid epidemic;

WHEREAS, the State of Tennessee and some Tennessee local governments have filed lawsuits against opioid manufacturers, distributors, and retailers, including many federal lawsuits by Tennessee counties and cities that are pending in the litigation captioned In re: National Prescription Opiate Litigation, MDL No. 2804 (N.D. Ohio) (the MDL case is referred to as the "Opioid Litigation");

WHEREAS, certain pharmaceutical distributors and a manufacturer have proposed settlements that Monroe County finds acceptable and in the best interest of the community;

WHEREAS, the Tennessee legislature enacted Public Chapter No. 491 during the 2021 Regular Session of the 112<sup>th</sup> Tennessee General Assembly and was signed into law by Governor Bill Lee on May 24, 2021, which addresses the allocation of funds from certain proposed opioid litigation settlements;

WHEREAS, the State of Tennessee, non-litigating counties, and representatives of various local governments involved in the Opioid Litigation have proposed a unified plan for the

allocation and use of certain prospective settlement and bankruptcy funds from opioid related litigation ("Settlement Funds");

WHEREAS, the Tennessee State-Subdivision Opioid Abatement Agreement (the "Tennessee Plan"), attached hereto as "Exhibit A," sets forth a framework of a unified plan for the proposed allocation and use of the Settlement Funds; and

WHEREAS, participation in the settlements and Tennessee Plan by a large majority of Tennessee cities and counties will materially increase the amount of settlement funds that Tennessee will receive from pending proposed opioid settlements;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSION OF MONROE COUNTY, TENNESSEE,

Section 1. That MONROE County finds that participation in the Tennessee Plan is in the best interest of Monroe County and its citizens because such a plan would ensure an effective structure for the commitment of Settlement Funds to abate and seek to resolve the opioid epidemic.

Section 2. That MONROE County hereby expresses its support for a unified plan for the allocation and use of Settlement Funds as generally described in the Tennessee Plan.

Section 3. That the County Mayor, Mitch Ingram, is hereby expressly authorized to execute the Tennessee Plan in substantially the form attached as Exhibit "A" and the County Mayor is hereby authorized to execute any formal agreements necessary to implement a unified plan for the allocation and use of Settlement Funds that is substantially consistent with the Tennessee Plan and this Resolution.

Section 4. That the Monroe County Mayor is hereby expressly authorized to execute any formal agreement and related documents evidencing Monroe County's

agreement to the settlement of claims [and litigation] specifically related to AmerisourceBergen Corporation, Cardinal Health, Inc, McKesson Corporation, Janssen Pharmaceuticals, Inc, and Johnson & Johnson.


Section 5. That the Monroe County Mayor is authorized to take such other action as necessary and appropriate to effectuate Monroe County's participation in the Tennessee Plan and these settlements.

Section 6. This Resolution is effective upon adoption, the welfare of Monroe County, Tennessee requiring it.

ADOPTED this the 3<sup>rd</sup> day of Dec, 2021.

ATTEST:

MITCH INGRAM  County Mayor

LARRY SLOAN  County Clerk

Paula H. M. Summey  Commission Chair

REED DIXON  County Attorney

JAMES LOGAN, JR.  Opioid Litigation Counsel

THE STANCH FIRM  Opioid Litigation Counsel





## RESOLUTION NO. 1123-9

### FIRST READING OF A RESOLUTION TO AMEND RESOLUTION NO. 0723-31 WHEREIN A COUNTY-WIDE MOTOR VEHICLE TAX WAS ESTABLISHED BY MONROE COUNTY COMMISSION

**WHEREAS**, On the 23<sup>rd</sup> day of July, 2019, a privilege tax for the use of public roads and highways in Monroe County, Tennessee was approved; and

**WHEREAS**, Members of the various Volunteer Fire Departments in Monroe County and members of the Monroe County Rescue Squad provide a valuable service to the citizens of Monroe County; and

**WHEREAS**, They perform those services without compensation; and

**WHEREAS**, They are often required to make use of their own private vehicles to perform their necessary and assigned tasks; and

**WHEREAS**, It is deemed appropriate to exempt them of the payment of that privilege tax, for one vehicle, so long as at the time of the application for the exemption they are active members of a Volunteer Fire Department acting within the boundaries of Monroe County and/or Monroe County Rescue Squad.

**NOW, THEREFORE, BE IT RESOLVED BY THE** Monroe County Legislative Body meeting in Regular session at Madisonville, Tennessee, on this 23<sup>rd</sup> day of November 2021, that:

**SECTION 1.** Active members of any Volunteer Fire Department acting within the boundaries of Monroe County and/or Monroe County Rescue Squad are exempt from the payment of Monroe County Motor Vehicle Tax.

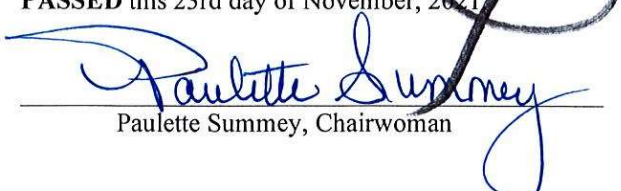
**SECTION 2.** The Monroe County Clerk shall prepare the application to be completed by each person claiming the exemption on which application, the applicant shall be required to demonstrate their current and active membership and participation in either a Volunteer Fire Department acting within the boundaries of Monroe County and/or Monroe County Rescue Squad.

**SECTION 3.** This resolution shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Monroe County at two (2) consecutive regularly scheduled meetings.

**SECTION 4.** For the purpose of approving or rejecting the provisions of this act it shall be effective upon being approved by a two-thirds (2/3) vote of the county legislative body of Monroe County at two (2) consecutive regularly scheduled meetings.

**THIS EXEMPTION SHALL BE EFFECTIVE ON OR AFTER THE 1<sup>ST</sup> DAY OF JANUARY, 2022.**

PASSED this 23<sup>rd</sup> day of November, 2021

  
Paulette Summey, Chairwoman

ATTEST:

  
Larry C. Sloan, County Clerk

**PASS the 23<sup>rd</sup> day of November, 2021**

It was moved by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, that this resolution be approved as presented. Aye \_\_\_\_\_ Nay \_\_\_\_\_

**RESOLUTION NO. 1123-10**

**A RESOLUTION ELECTING A CONSTABLE FOR THE FOURTH DISTRICT OF MONROE COUNTY, TENNESSEE**

**WHEREAS**, Tennessee Code Annotated 8-10-101(b) mandates that the County Legislative Body establish districts of substantially equal population from which constables are to be elected; and

**WHEAEAS**, the same Statute provides that the number of constables elected in a county shall not exceed one-half (1/2) the number of county commissioners elected in the county.

**NOW, THEREFORE BE IT RESOLVED** by the County Commission of Monroe County meeting this 23<sup>rd</sup> Day of November, 2021, that for the purposes herein stated, Monroe County shall have four (4) constable districts for the purpose of electing county constables. The boundaries of each constable district shall be the same as each of the four (4) zones established for the election of the County Commissioners defined as follows: Two (2) constables from 2<sup>nd</sup> District as it is the location of the county seat, one (1) constable for each other district. The effect of this resolution is to add one (1) constable to the fourth district as established in the most recent reapportionment.

The current constables holding office shall retain their position subject to the next election. The 4<sup>th</sup> District constable shall be qualified by the requirements of law for the next Monroe County Primary and General Election.


Pursuant to the rules of the Monroe County Board of Commissioners this resolution is sponsored by the following Commissioners:

Motion was made by Commissioner \_\_\_\_\_ that the foregoing Resolution be approved. Second by Commissioner \_\_\_\_\_. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon being approved by a two-thirds (2/3) vote of the County Legislative Body of Monroe County.

**PASSED** on this 23<sup>rd</sup> Day of November, 2021.



ATTEST:

  
Larry C. Sloan, County Clerk

  
Paulette Summey, Chairwoman

**PASS the 23<sup>rd</sup> day of November, 2021**

It was moved by Commissioner Wiseman, seconded by Commissioner Kirkland, that this resolution be approved as presented. Ave 9 Nav

**11/23-3          Trustee Monthly Report**

Motion was made by Commissioner Harrill, seconded by Commissioner Anderson, to accept report as presented **VOICE 9**

**11/23-4          Director of Finance Report**

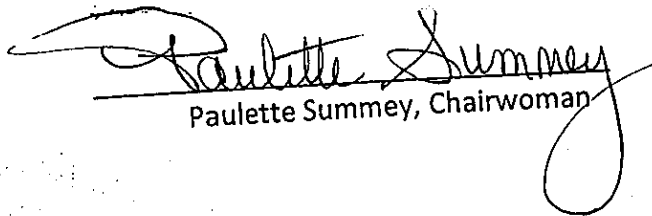
Motion was made by Commissioner Thomas, seconded by Commissioner Anderson, to accept report as presented. **Voice 9**

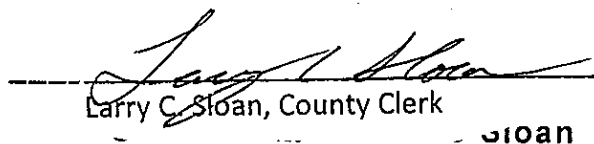
**11/23-5 to 11/23-8          SEE ACTUAL Resolutions**

**11/23-9          PULLED FROM THE AGENDA**

**11/23-10          See Actual Resolution**

**Adjournment**

  
Paulette Summey, Chairwoman

  
Larry C. Sloan, County Clerk

Sloan