

**THE REGULAR SESSION OF THE BOARD OF COMMISSION**  
**OF**  
**UNICOI COUNTY, TENNESSEE**  
**FEBRUARY 27, 2012**

BE IT REMEMBERED that the Unicoi County Board of Commissioners met in Regular Session at the Unicoi County Court House on Monday, February 27, 2012, at 6:00 p.m. Present and Presiding, the Honorable Greg Lynch, County Mayor, the Honorable Mitzi Bowen, County Clerk, Doug Shults, County Attorney, and the following Commissioners:

ROLL CALL: Esq. Dwight Bennett, "Yes", Esq. Doug Bowman, "Yes", Esq. Kenneth Garland, "Yes", Esq. Mickey Hatcher "Yes", , Esq. Bill Hensley, "Yes", Esq. James Howell, "Yes", Esq. Loren Thomas, "Yes", Esq. Gene Wilson, "Yes", Esq. Sue Jean Wilson, "Yes".

9- Present

0- Absent

\*\*\*\*\*

Esq. Doug Bowman opened the meeting with Prayer and the Pledge to the Flag was led by Esq. Bill Hensley.

\*\*\*\*\*

Agenda Item #4

Approve Minutes

Motion made by Esq. Mickey Hatcher, said motion seconded by Esq. Kenneth Garland that the minutes of January 23, 2011 (Regular), January 23, 2011 (Finance/Planning) be approved with corrections noted.

9-Aye

0-No

Motion approved.

\*\*\*\*\*

Agenda Item #5

Recognize visitors and citizens

Esq. Bill Hensley addressed the commission concerning I-26 becoming part of the Purple Heart trail. Esq. Hensley stated that the Senate and the House have passed the Resolution and is now waiting on the Governors signature. Once it is signed, TDOT will come out and put up the signs. Esq. Hensley also stated he would like to give credit to Ronald and Brenda Day for informing him about the Purple Heart trail and how to go about getting a portion of the highway designated as such.

Ms. Rossanna Aldridge addressed the commission concerning the community health center in Unicoi County, Dry Creek Medical Center. Ms. Aldridge stated that several resources are available through the center that could save the county money. She asked that the commissioners keep this in mind when in negotiations and implementing programs. Esq. Mickey Hatcher asked if she had a brochure with services that are provided at Dry Creek Medical Center. Ms. Aldridge stated yes and she would provide a copy to the County Mayors office.

\*\*\*\*\*

Agenda Item #6

Consider request from UT Extension to help with funding the mapping project \$1,000

Mr. Ty Petty with the UT Extension office addressed the commission concerning the mapping project. Mr. Petty updated the commission on the progress of the project stating that they are close to finishing the Appalachian Trail map and hope to have it available around the county by summer. Esq. Mickey Hatcher asked if the funding was supposed to be for production of the brochures for the trail. Mr. Petty responded that it could be done however the commission wanted. Esq. Loren Thomas asked how much was being asked for. Mr. Petty stated that \$1,000.00 would be great, that a lot could be done with it. Esq. Thomas how many kids are involved in the project. Mr. Petty stated that there is a core group of about six kids doing all the mapping and meeting after school each week. Esq. James Howell asked if this was something that should be shared with the Chamber of Commerce. Mr. Petty stated it is something that should be looked at. Esq. Doug Bowman asked if this would be a one time appropriation. Mr. Petty stated yes.

Motion made by Esq. Doug Bowman, said motion seconded by Esq. Loren Thomas to approve \$1,000.00 to help with funding of the mapping project. Esq. Mickey Hatcher stated that the presentation done previously was outstanding and this affects all of Unicoi County and could possibly be expanded further. Esq. Hatcher would like to see the cities of Erwin and Unicoi participate in this project to help bring in tourism. \

ROLL CALL: Esq. Dwight Bennett, "Yes", Esq. Doug Bowman, "Yes", Esq. Kenneth Garland, "Yes", Esq. Mickey Hatcher, "Yes", Esq. Bill Hensley, "Yes", Esq. James Howell, "Yes", Esq. Loren Thomas, "Yes", Esq. Gene Wilson, "Yes", Esq. Sue Jean Wilson, "Yes".

9- Yes

0- No

Motion approved.

County Mayor, Greg Lynch stated that this would be brought before the commission as a budget amendment. Mr. Ty Petty thanked the commission.

\*\*\*\*\*

Agenda Item # 7

Discuss Establishing Adult Oriented Establishment Board

Esq. Sue Jean Wilson stated that it falls under the County Mayors purview to set up the membership on the Adult Oriented Board. Volunteers or recommendations for the board will be appreciated. Esq. Loren Thomas asked that the wording not to include massage parlors as there are several licensed massage therapist that operate with in the county, so be careful not to hurt or affect their businesses.

\*\*\*\*\*

Agenda Item #8

Discuss Sheriff's Department

County Mayor, Greg Lynch stated that there will be personnel retire. Esq. Sue Jean Wilson asked if there has been any progress in replacing Mr. Cozy Silvers. Mr. Ronnie Adkins addressed the commission stating that he wanted to make sure they were aware that Mr. Silvers will have his pay continued through May 11, 2012, and desperately need someone to fill his position. If he is replaced now the Sheriffs Department will be adding that much more to the budget. Esq. Loren Thomas stated that he had spoke with Mr. Silvers and he had expressed to Esq. Thomas that he would be willing to possibly come back in the future and work with the department part time. Esq. Dwight Bennett asked if they have talked to Duncan Mechanical for emergencies until May. Mr. Ronnie Adkins stated that he was sure people could be hired, but it would be extra money to the budget. Esq. Bill Hensley stated that the cost to savings ratio wouldn't be there. The work that a contractor would charge would be huge. Esq. Dwight Bennett stated it wouldn't hurt to ask what Duncan Mechanical would charge an hour. Mr. Adkins stated that the problem

they are facing is that Mr. Silvers is a carpenter, mechanic, plumber, and electrician. Esq. Mickey Hatcher asked if they planned to advertise. Mr. Adkins stated yes if need be. Esq. Hatcher asked what the time frame looks like. Mr. Adkins responded there are projects in the works and they will need someone as soon as possible. Esq. Mickey Hatcher stated that if Mr. Silvers draws his salary until May 11, 2012, what is remaining will fill in the gap. Mr. Adkins stated that whoever steps in after May 11, 2012 will come in at that salary. Esq. Sue Jean Wilson asked why someone hired in new at the salary of thirty plus years experience. Mr. Adkins responded it would depend on the skill level of the person hired. Esq. Sue Jean Wilson asked that it be brought before the commission first.

Esq. Loren Thomas asked about surveillance equipment being pulled from the Sheriffs Department by the agency that provides the equipment. Mr. Adkins stated that the equipment was returned and they are now in the process of hopefully having the equipment returned to the Sheriffs Department. The department has been without the equipment for four to five weeks now. Esq. Sue Jean Wilson asked how long it takes to get the equipment back. Mr. Adkins responded that it is really up to the agency and they will have to have a board meeting. Esq. Sue Jean Wilson asked if in the mean time, the Sheriffs Department is unable to do drug busts and things of that nature. Mr. Adkins stated not busts that require that particular equipment.

Motion made by Esq. Doug Bowman, said motion seconded by Esq. Loren Thomas to schedule a Special Call Session on March 1, 2012 to personnel issues with the Sheriffs Department. County Attorney, Doug Shults stated that is not enough notice for a Special Call meeting. Esq. Doug Bowman and Esq. Loren Thomas withdraw the motion.

\*\*\*\*\*

Agenda Item #9

Consider Resolution to Request Unclaimed Balance of Accounts under Unclaimed Property Acts

Motion made by Esq. Mickey Hatcher, said motion seconded by Esq. Gene Wilson to approve Resolution to Request Unclaimed Balance of Account under Unclaimed Property Acts.

9- Aye

0- No

Motion approved.

\*\*\*\*\*

Agenda Item # 10

Discuss Audit Committee

Esq. Sue Jean Wilson stated she would like to establish this committee and asked the members of the commission to provide her with names of individuals that could serve on the committee. Esq. Mickey Hatcher asked what the purpose of the committee would be and what would be audited. Esq. Sue Jean Wilson responded the committee would be looking at anything the commission is responsible for financially in the courthouse and they may be able to help during the budget sessions. Esq. Mickey Hatcher asked if this was a follow-up from the audit itself. County Mayor Lynch stated it was a follow-up of the audit and the audit committee would look into any findings on the audit prior such as the payment of the money to the State of Tennessee for traffic tickets that were not paid three or four years ago through the Circuit Court Clerks Office. Esq. Sue Jean Wilson asked that the names be given to Heather (County Mayor's secretary) or herself. Esq. Sue Jean Wilson also asked Esq. Bill Hensley to Chair the audit committee. Esq. Bill Hensley stated he felt if there had been an audit committee the 911 overtime would have been caught.

\*\*\*\*\*

Agenda Item #11  
Discuss Payment for Minute Keeping

Esq. Mickey Hatcher stated that according to the minutes from the previous meeting deferred this to the finance committee. Esq. Sue Jean Wilson stated that particular item was left off the work session agenda but it will be on the next agenda.

Tabled

\*\*\*\*\*

Agenda Item #12  
Discuss funding 911 Lawsuit

Motion made by Esq. Dwight Bennett, said motion seconded by Esq. Bill Hensley to let the County Attorney, Doug Shults do the best he can on arraignments. Esq. Mickey Hatcher stated that he thinks there should be a maximum limit on it and not leave it open ended. Esq. Dwight Bennett stated if there is a limit put on it then the attorney will just have to bring it back before the commission. Esq. Dwight Bennett withdrew his motion. Mr. Shults suggested offering what we are responsible for without argument. Amount should be less than \$30,000.00 if the commission wants to authorize up to that. Esq. Bill Hensley stated he wasn't comfortable making an offer, which Mr. Shults should negotiate, the best he can. Mr. Shults stated that they need to offer a settlement and advise the court this is the amount willing to be paid. Esq. Kenneth Garland stated he feels the money should be put in a reserve account and let the attorney work a settlement. Esq. Loren Thomas asked if we could wait and let them give us an amount before volunteering more money. Mr. Shults stated that they need to act in good faith, there are certain penalties not being thought about, including double damages if an offer of settlement is not made in good faith. Esq. Bill Hensley withdraws his seconded to the motion.

Motion made by Esq. Doug Bowman, said motion seconded by Esq. Loren Thomas to authorize the county attorney to offer up to his auditing amount on what the county owes. Mr. Shults stated that he would not offer more than what was discussed at the last meeting.

9- Aye

0- No

Motion approved.

\*\*\*\*\*

Agenda Item #13  
Consider Resolution Authorizing the County Mayor to Make and Sign Application for CDBG Funds

Motion made by Esq. Kenneth Garland, said motion seconded by Esq. Gene Wilson to approve Resolution Authorizing the County Mayor to Make and Sign Application fro GDBG Funds. Esq. Loren Thomas asked to table item until citizens that live within 200 feet can be notified and have a chance to voice their opinion. Mayor Lynch stated there is a time frame of about ten days to do this.

8- Aye

1- No (Esq. Loren Thomas)

Motion approved.

\*\*\*\*\*

Agenda Item #14

Consider Request for Return of Temporary Disability Benefits turned over to County by Sheriff Harris

Motion made by Esq. Doug Bowman, said motion seconded by Esq. Kenneth Garland to Return Temporary Disability Benefits turned over to the County by Sheriff Harris back to the insurance company.

9- Aye

0- No

Motion approved.

\*\*\*\*\*

Agenda Item #15

Consider Resolution banning Synthetic Drug Use (marijuana, bath salts, ect.)

Motion made by Esq. Loren Thomas, said motion seconded by Esq. Gene Wilson to approve Resolution banning Synthetic Drug Use. Esq. Doug Bowman if there was a plan for enforcement. Mr. Shults stated it would be difficult to enforce it. The Sheriffs Department can issue a \$50.00 fine, and authority does not apply in the Town of Erwin or the Town of Unicoi. Mr. Ronnie Adkins stated the ban would include not only the use but the sale of synthetic drugs. Esq. Mickey Hatcher stated that anything that can be done as a deterrent right now needs to be done until State Legislation comes back with a stricter law. Esq. Sue Jean Wilson stated it could be amended later.

9- Aye

0- No

Motion approved. (Copy in File)

Mr. Ronnie Adkins stated that to enforce this would be more of a civil action, a citation with a \$50.00 fine and would not be able to make arrests.

\*\*\*\*\*

Agenda Item #16

Committee Reports

None

\*\*\*\*\*

Agenda Item #17

Budget Amendments

Motion made by Esq. James Howell, said motion seconded by Esq. Dwight Bennett to take the Budget Amendment one at a time.

Motion made by Esq. James Howell, said motion seconded by Esq. Gene Wilson to approve budget amendment for Chancery Court (\$315.63).

9- Aye

0- No

Motion approved. (Copy in File)

Motion made by Esq. Gene Wilson, said motion seconded by Esq. Dwight Bennett to approve budget amendment for Sheriffs Department (\$31,028.06). Esq. James Howell asked what the other salaries and wages are for (line item 54210-189). Mr. Adkins stated this was money that came in on a grant for the Forest Service and this is just putting the money where it came out of.

9- Aye

0- No

Motion approved. (Copy in File)

Motion made by Esq. Loren Thomas, said motion seconded by Esq. Dwight Bennett to approve budget amendment from line item 39000 (Fund Balance, Restricted- Moved by JE) to line item 34110-509 (Refunds, Worker's Comp- Sheriff) (\$17,671.50). Esq. Sue Jean Wilson stated it was discussed but not voted on.

9- Aye

0- No

Motion approved. (Copy in File)

Motion made by Esq. Loren Thomas, said motion seconded by Esq. Mickey Hatcher to approve budget amendment for Sheriff Department-911 (\$39,625.76). Esq. Dwight Bennett asked who the other salary was. Mr. Ronnie Adkins stated one was Mr. Adam Campbell and the other was Mr. Robbie Sullins.

9- Aye

0- No

Motion approved. (Copy in File)

Motion made by Esq. Kenneth Garland, said motion seconded by Esq. Bill Hensley to approve budget amendment for 911 Portion of Overtime (\$18,966.23).

9- Aye

0- No

Motion approved. (Copy in File)

\*\*\*\*\*

Agenda Item #18

Elect Notaries

Motion made by Esq. Kenneth Garland, said motion seconded by Esq. Mickey Hatcher to approve Susan M. Doman (Nuclear Fuel), Anna Marie Fitzgerald (Cash Express), Joseph Kip Lemmon (Erwin Utilities), Larry B. Rea (Town of Unicoi), and Dustin Street (PR & Professional Services) as Notary Publics.

9- Yes

0- No

Motion approved.

\*\*\*\*\*

Addendum to the Agenda

Agenda Item #1

Recognize John Day

Mr. John Day addressed the commission asking if the commission had a response to the letter from the last meeting concerning the procedure that was used in purchasing the jail annex property in 2008. Esq. Sue Jean Wilson stated that there was other property looked at. Mr. Day asked if there was any documentation to show that. Mr. Day asked the commissioners and the mayor and those who are going to conduct business in this fashion in the future, for the best interest of the people in the county, to try and do a better job at seeking out options in the future. Esq. Mickey Hatcher assured Mr. Day that there was a long discussion and exchange over that property before anything transpired. Mr. Day volunteered for the audit committee and would like to go back and look at several things that have been done in the last few years. Esq. Bill Hensley stated he would get some notes together and get with Mr. Day on the process of buying that property.

Mr. Day asked the commission about the cost to house state inmates. Mr. Day would like a detailed list of the daily cost on state inmates to see if it is worth bringing them into the county. Mr. Day asked if the CTAS analysis was back on the jail. Mr. Ronnie Adkins stated that at the last meeting this was discussed at length. Mr. Day stated he has not received a breakdown of it. Esq. Loren Thomas asked if it was the commission's responsibility or the Sheriffs Department responsibility. Esq. Mickey Hatcher stated we are waiting on a report from CTAS with something more detailed. Mr. Day stated what

is being asked is the county making money, breaking even, or losing money with state inmates. Mr. Day would like a spread sheet that shows a detailed list of cost for the state inmates. Mayor Greg Lynch stated that he understands that Mr. Day and his group want the county to be more responsible and have more spread sheets and we will be. We can probably get a spread sheet at a cost to the county. Esq. Loren Thomas stated that what Mr. Day is asking is if the county can prove or not whether we are making money, for a breakdown of the cost. Esq. Dwight Bennett stated that Mr. George Berry had a break down and could get Mr. Day a copy.

Mr. Day then addressed the synthetic drug issue in the county. There is one place in town that sold it. It is the tobacco shop owned by Carolyn and Allen Hampton. Mr. Day called Mr. Hampton and asked him to pull the product. Mr. Day stated that Mr. Hampton was reluctant to pull the product from the shelves. Mr. Day then got in touch with Mr. Reagan Tilson and Josh Callahan. There is going to be a rally tomorrow night at the town hall parking lot. Mr. Day got a call from Mr. Hampton stating that all the synthetic marijuana would be off the shelves by close of business on Monday. Mr. Hampton stated he pulled it once and put it back because he was told there are other places in the county selling it under the counter. Mr. Day stated they would be working with Ronnie Adkins and the mayor to expose them. Esq. Gene Wilson stated that he was informed there are two residents selling also, one on Love Street and one on Rock Creek Road. Esq. Loran Thomas stated to make the public aware of how serious this is, it was discussed earlier the amount of sales at the tobacco shop from just synthetic marijuana, \$22,000.00 a month.

\*\*\*\*\*

Agenda Item #19  
Motion for adjournment

Motion made by Esq. Kenneth Garland, said motion seconded by Esq. Gene Wilson to adjourn the meeting of February 27, 2012.

---

GREG LYNCH, COUNTY MAYOR

---

MITZI BOWEN, COUNTY CLERK

---

SUE JEAN WILSON, CHAIRMAN