

**THE REGULAR SESSION OF THE BOARD OF COMMISSION**  
**OF**  
**UNICOI COUNTY, TENNESSEE**  
**JUNE 25, 2012**

BE IT REMEMBERED that the Unicoi County Board of Commissioners met in Regular Session at the Unicoi County Court House on Monday, June 25, 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. Doug Bowman, "Yes", Esq. Mickey Hatcher, absent, Esq. Bill Hensley, "Yes", Esq. James Howell, "Yes", Esq. Dwight Bennett, "Yes", Esq. Kenneth Garland, "Yes", Esq. Gene Wilson, "Yes", Esq. Loren Thomas, "Yes", Esq. Sue Jean Wilson, absent.

7- Present

2- Absent

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Esq. James Howell opened the meeting with Prayer and the Pledge to the Flag was led by Esq. Loren Thomas.

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Motion made by Esq. Bill Hensley, said motion seconded by Esq. Dwight Bennett to waive the agenda to open the floor for nominations for a temporary chairman to lead the meeting.

7-Aye

0-No

2-Absent

Motion approved.

Motion made by Esq. Loren Thomas, said motion seconded by Esq. Dwight Bennett to nominated County Clerk, Mitzi Bowen as temporary chairman. County Attorney, Doug Shults stated that appointing Mrs. Bowen was not an option.

Mrs. Bowen opened the floor for nominations.

Motion made by Esq. Loren Thomas, said motion seconded by Esq. Dwight Bennett to nominate Esq. Bill Hensley as temporary chairman. Motion made by Esq. Kenneth Garland, said motion seconded by Esq. Bill Hensley to nominated Esq. Dwight Bennett as temporary chairman. Esq. Dwight Bennett declined nomination. Motion made by Esq. James Howell to close the floor.

7-Aye

0-No

2-Absent

Motion approved.

Esq. Bill Hensley appointed temporary chairman for the Regular Session of June 25, 2012.

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Agenda Item #4  
Approve Minutes

Motion made by Esq. James Howell, said motion seconded by Esq. Gene Wilson to approve the minutes of June 11, 2012 (Work Session), May 14, 2012 (Regular Session), June 11, 2012 (Special Call Session) be approved. Esq. Doug Bowman stated that the minutes of June 11, 2012 (Agenda Item #6) be corrected so that the motion approved by Esq. Mickey Hatcher reads anyone that goes on the insurance plan after June 11, 2012 will pay 90% of the \$520.00 cap, and the remaining 10% will be paid by the county.

Motion made by Esq. Dwight Bennett, said motion seconded by Esq. James Howell that anyone hired after June 11, 2012 pay 10% and the county pay 90% of the \$520.00 cap.

7-Aye  
0-No  
2-Absent  
Motion approved.

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Agenda Item #5  
Recognize Visitors and Citizens

None

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Agenda Item #6  
Consider Resolution-Litigation Tax

Motion made by Esq. Gene Wilson, said motion seconded by Esq. Doug Bowman to approve the resolution on litigation tax.

7-Aye  
0-No  
2-Absent  
Motion approved.

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Agenda Item # 7  
Recognize Nancy Hilemon

Mrs. Nancy Hilemon of Hilemon Ranch Road addressed the commission regarding the harassment and cars parked on both sides of the road. Mrs. Hilemon stated they have been there for over 20 years and it gets worse every year, and they can not get any satisfaction to run them off. She wants to know what rights they have; from the pavement to the river is private property. The fisherman ask for permission, however the rafters come from everywhere, usually out of county or state, and put in or take out of the river. They will park on both sides of the road and block the road from the residents. Mrs. Hilemon stated that she had a problem with USA Rafting; she called them, concerning a bus and the rafters in the road. Esq. Bill Hensley asked if it was a county road. Mrs. Hilemon stated that the county has a 40 foot right of way. Once they drop off the bank it is private property. She has renters that can not get home due to their drive ways being blocked by vehicles. It is worse on weekends and on holidays. There are campers that will stay for weeks at a time and leave a mess, which has to be cleaned up. Sheriff Mike Hensley stated it is a county road, but once they leave the right of way, it is private property. No trespassing and private property signs can be put up and the vehicles can be towed. Mrs. Hilemon stated that the signs have been put up and someone takes them down. Mr. Doug Shults stated that the commission can not regulate private property, and that they would need to speak to Mr. Fred Lance, assistant attorney general, on a trespassing issue. Mrs. Hilemon also wants to know what her liability is. Mr. Shults referred her again to the Sheriff's Department and Mr. Lance to see what can be done. Sheriff Hensley stated that they will need to register the no trespassing signs so that he can enforce it and he would also need to know exactly what the right of way is.

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Agenda Item #8  
Recognize Linda Adkins

Ms. Linda Adkins was not present.

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Agenda Item # 9  
Consider Report on Dispatchers Lawsuit against County

County Attorney, Doug Shults addressed the commission stating he had nothing further to report that the parties are still in mediation.

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Agenda Item #10  
Authorize the annual renewal of street maintenance contract with the Town of Unicoi

Motion made by Esq. Kenneth Garland, said motion seconded by Esq. Loren Thomas to authorize the annual renewal of street maintenance contract with the Town of Unicoi. Esq. James Howell asked Road Superintendent Terry Haynes if he was still being paid the increase on material. Mr. Haynes stated yes and on labor for the men plus the machines. Esq. Doug Bowman asked if any overhead was being paid. Mr. Haynes responded yes 35%.

7-Aye  
0-No  
2-Absent  
Motion approved.

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Agenda Item # 11  
Consider Resolution of Support for funding of Erwin National Fish Hatchery

Motion made by Esq. Doug Bowman, said motion seconded by Esq. James Howell to approve the resolution for the House Bill to fully fund the Fish Hatchery to keep supplying fish to the other hatcheries. Esq. Doug Bowman stated there is still a problem with funding so the resolution will help keep the hatchery opened.

7-Yes  
0-No  
2-Absent  
Motion approved.

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Agenda Item #12  
Consider reappointment of Jimmy Erwin to Unicoi County Memorial Hospital Board

Motion made by Esq. Loren Thomas, said motion seconded by Esq. Gene Wilson to approve reappointment of Jimmy Erwin to the Unicoi County Memorial Hospital Board. Esq. Kenneth Garland stated that two meetings ago it was asked that it be advertised. Esq. Kenneth Garland also stated if it is done for one it should be done for everybody. Everything should be advertised so other people can run. County Mayor Greg Lynch stated that this is a reappointment and the Civil Service Board appointment was for a new member. Esq. Dwight Bennett stated that the policy committee should make some rules and a policy on how to fill appointments/reappointments.

7-Aye  
0-No  
2-Absent  
Motion approved.

Esq. Kenneth Garland leaves the meeting.

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Agenda Item #13  
Committee Reports

None

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Agenda Item #14  
Budget Amendments

Motion made by Esq. Doug Bowman, said motion seconded by Esq. Gene Wilson to approve Budget Amendments all together: Highway Dept (\$77,318.690), School Board, (\$126,327.00), Board of Equalization (\$100.00), County Mayor (\$500.00), Election Commission (\$1,100.00), Register of Deeds (\$7,119.00), County Trustee (\$475.00), County Coroner (\$47.62), Agriculture Extension (\$207.37), Waste management (\$11,000.00), Debt Service Fund (\$6,050.00), Sheriff's Dept (\$34,566.11), and Sheriff-Drug Fund (\$1,000.00).

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

6-Yes  
0-No  
3-Absent

Motion approved. (Copy in file)

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Agenda Item #15  
Elect Notaries

Motion made by Esq. James Howell, said motion seconded by Esq. Gene Wilson to approve Richard Corvin (Mountain Commerce Bank), Andrew Harris (Bank of Tennessee), Mary E. Gouge (Unicoi Co. Health Dept), and Hitomi Lewis (NFS) as Notary Publics.

6-Aye  
0-No  
3-Absent

Motion approved.

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Agenda Item #16  
Motion for adjournment

Esq. Dwight Bennett stated that the policy committee needs to come up with a policy on how appointments/reappointments be filled so there is not a problem in the future.

Motion made by Esq. Loren Thomas, said motion seconded by Esq. Gene Wilson to adjourn the meeting of June 25, 2012.

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GREG LYNCH, COUNTY MAYOR

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MITZI BOWEN, COUNTY CLERK

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SUE JEAN WILSON, CHAIRMAN

