

THE REGULAR SESSION OF THE BOARD OF COMMISSION
OF
UNICOI COUNTY, TENNESSEE
MARCH 26, 2012

BE IT REMEMBERED that the Unicoi County Board of Commissioners met in Regular Session at the Unicoi County Court House on Monday, March 26, 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, absent, Esq. Sue Jean Wilson, "Yes".

8- Present

1- Absent

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

Agenda Item #4

Approve Minutes

Motion made by Esq. Doug Bowman, said motion seconded by Esq. Dwight Bennett to approve minutes of February 27, 2012 (Regular), February 27, 2012 (Planning/Finance), and March 9, 2012 be approved with corrections noted. County Mayor Greg Lynch stated that copies of the letter from the insurance company stating they did not want the money were handed out at the meeting on March 9, 2012. Mayor Lynch stated he would get Esq. Doug Bowman a copy of that letter.

8-Aye

0-No

1-Absent

Motion approved.

Agenda Item #5

Recognize visitors and citizens

None

Agenda Item #6

Consider Filling Vacancy in the Office of Sheriff for Unicoi County

Esq. Sue Jean Wilson stated that the gentlemen would be brought in one at a time; state their name and information, then members of the commission will ask questions. Esq. Sue Jean Wilson also stated there would be no time limit.

Captain Ron Arnold addressed the commission and stated he has been with the Unicoi County Sheriff's Department for the past twenty-two years. Mr. Arnold feels like he can be an asset to the department by taking his experience and training and sharing it with officers and employees in the department. Also, Mr. Arnold feels that integrity needs to be brought back to the department.

Esq. Kenneth Garland stated that Mr. Arnold was a commissioner and asked how he felt about the budget. Mr. Arnold responded that during that time there was a lot of growth, gas prices, inmates in the jail using medical.

Esq. Loren Thomas asked how Mr. Arnold planned on correcting the overtime/compensation time accumulated. Mr. Arnold responded that with good leadership and supervisors it can be done. He plans to move a couple people around so that there are more than three officers on the roads.

Esq. Dwight Bennett asked if Mr. Arnold was under investigation for any reason. Mr. Arnold responded that he was not under investigation and that he would stand behind himself.

Esq. Loren Thomas asked if Mr. Arnold planned to keep deputies on 12-hour shifts or move them to 8-hour shifts. Mr. Arnold responded that right now, he would keep the 12-hour shifts because that is what the deputies want and he would not want to take away stability in the department.

Esq. Bill Hensley asked how Mr. Arnold feels about comp time, to which Mr. Arnold responded that it falls back to letting them build up too much. Mr. Arnold said the department needs to rely on supervisors to correct the problem of over-accumulating comp time. Esq. Hensley asked if Mr. Arnold would consider doing away with comp time, but Mr. Arnold said that in the department's current situation, they would be better off to keep comp time in order to avoid paying excessive overtime.

Esq. James Howell asked Mr. Arnold if he would consider putting a limit on comp time. Mr. Arnold responded that under current state law, the department is prohibited from doing so. Esq. Howell said that according to his figuring, deputies could work two 12-hour shifts and two 8-hour shifts per week, which would equal their 40 hours per week. Esq. Howell also noted that deputies could rotate so that different ones could be on shift at different times. Mr. Arnold said that he would be willing to look at any options on the table.

Esq. Loren Thomas asked if Mr. Arnold knew what the limit on comp time is in the state. Mr. Arnold stated that he believed the limit was 520 hours. Esq. Thomas said the limit is 480 hours.

Esq. Dwight Bennett asked how Mr. Arnold would distribute any new vehicles that are purchased for the department, and asked whether they would go to the oldest vehicles with the most mechanical problems or to senior-ranking officers. Mr. Arnold replied that he believes everyone deserves a new vehicle and that new vehicles would replace vehicles that had mechanical problems until everyone has a new one. Mr. Arnold stated that this is the only fair method.

Esq. Bill Hensley asked Mr. Arnold if he is involved in any civic activities, to which Mr. Arnold responded that he was recently elected president of the Fraternal Order of Police, Post 93, established in 2009. He also stated that he is a member of the American Legion as a Vietnam-era veteran.

Esq. Dwight Bennett asked Mr. Arnold what his top priority would be if he were appointed to the position. Mr. Arnold said his first priority would be to have employees start being professional and build integrity; to build the department back up and have the citizens trust the officers.

Esq. Sue Jean Wilson stated that some of the members of the Sheriff's Department have applied for a position with the Erwin Police Department; some of them did not pass their psychological. Esq. Sue Jean Wilson asked how Mr. Arnold would go about taking care of that situation with an employee knowing they have failed psychological. Mr. Arnold stated the law is clear, if there is a problem with the psychological you can not perform your duties as a law enforcement officer. Employees must have the certification in order to have a job with the department.

Esq. Mickey Hatcher asked what makes Mr. Arnold the most qualified candidate. Mr. Arnold responded his dedication to this county and this department, been here for the last 22 years.

Esq. Bill Hensley asked if on the compensation time if Mr. Arnold would allow the employees to take off when they want or if he would tell them when the comp time needed to be taken. Mr. Arnold stated he would not allow the comp time to build; he will expect the supervisors to watch the time and if it is there have the employee take off to prevent a build up.

Esq. Loren Thomas stated that would take care of future comp time but how will he deal with what has already been accumulated. Mr. Arnold replied he will put four people on the road. The fourth person will fill in and take off the comp time as possible.

Esq. Bill Hensley asked how Mr. Arnold will handle the gas issue with the prices continuing to go up. Mr. Arnold stated he would have the officers shutting down the vehicles, in public view for several hours to save on fuel.

Esq. Bill Hensley asked if they patrol the interstate to which Mr. Arnold responded they do periodically, around every two hours.

Esq. Kenneth Garland asked if gas was bid out and if there was some kind of deal the department could get. Mr. Arnold stated there is a Fuel Man card that they get where they are not charged taxes.

Esq. Mickey Hatcher asked about the automobiles that go outside the county. Mr. Arnold stated he believed that the policy states a person has to live inside the county and the vehicle needs to be inside this county.

Esq. Loren Thomas asked if Mr. Arnold had a plan for his administration as far as chief deputy, chief investigators, and so on. Mr. Arnold stated not at this time.

Esq. Dwight Bennett asked how he felt about patrolling the Town of Unicoi, to which Mr. Arnold responded it should stay the same as far as two deputies on day shift and night shift.

Esq. Mickey Hatcher asked what major things could be done in the next five months before election. Mr. Arnold stated that the budget is coming up; he would start working on that. His biggest concern is the employees and they are worried about their jobs. Mr. Arnold state it will be hard to do much in five months, basically just get out there and do the job.

Esq. Doug Bowman asked if there is a plan to reduce the budget. Mr. Arnold stated there is always hope and there are some issues that he believes can be corrected. The biggest concern right now is the gas cost. Mr. Arnold stated he would not jeopardize employee's positions.

Esq. Loren Thomas asked how Mr. Arnold would rate his people skills and ability to get along with others. Mr. Arnold stated he is a strict supervisor.

Esq. Mickey Hatcher asked to take that one step farther, outside the department dealing with the public. What are expectations of you and also of the employees on patrol? Mr. Arnold responded we can all do better everyday. People that don't know me think I am stern and in a sense I am. We need to show respect to the people, no question, and treat them with equal kindness until they give us a reason not to.

Esq. Dwight Bennett asked why Mr. Arnold went into law enforcement and made a career out of it. Mr. Arnold stated it was just something he always wanted to do.

Esq. Loren Thomas asked what Mr. Arnold would do if he caught his wife speeding. Mr. Arnold stated he wouldn't stand here and say he would give here a ticket. He stated that

he doesn't believe in giving everybody stopped a ticket. He believes in giving people a fair break, if they deserve it.

Esq. Dwight Bennett asked if Mr. Arnold would back his deputies for taking the same mentality on that issue. Mr. Arnold responded most definitely. He will back the deputies to the fullest extent as long as they are right. They have cameras that will tell the truth during traffic stops.

Esq. James Howell asked if Mr. Arnold would have favorites or if they would all be treated the same. Mr. Arnold stated that there is equal opportunity employment and it's about time to get back to that and quit showing favoritism.

Esq. Bill Hensley asked how many sheriffs Mr. Arnold has worked for. Mr. Arnold stated four. Esq. Bill Hensley asked if he has ever received any reprimands. Mr. Arnold stated that yes he has been demoted before. Esq. Hensley said if Mr. Arnold wanted to elaborate that was up to him. Mr. Arnold said he would rather not.

Esq. Mickey Hatcher asked how Mr. Arnold would get a handle on what is available to the department, exactly what was there and doing an inventory of the property. Esq. Hatcher stated he expects this and to have communication between the Sheriffs Department and the County Commission as a funding body, it is imperative. Mr. Arnold responded that he was glad this question was asked. Mr. Arnold stated that there is so much Unicoi County Sheriff's Department equipment in this county he bets they can't even account for it. If appointed he will assign someone to inventory all property of the department including uniforms, and make a list showing these items that belong to the county. Mr. Arnold stated a lot of items probably are not marked. He has new vehicle with all kinds of equipment in the vehicle and no one has taken the initiative to inventory the vehicle and place the stickers showing it is county property. Mr. Arnold stated that anytime items are purchased, before they are given out to anyone, there needs to be someone that will tag the property, log it into a book, and assign the sticker so that there is accountability for these items.

Esq. Dwight Bennett asked Mr. Arnold if he would have a problem working for either of the other gentleman if one of them were appointed as Sheriff. Mr. Arnold stated no sir, he would be glad to work for them.

Esq. Dwight Bennett asked Mr. Arnold if on promotions, would he set it up sort of like a military or would it just be with resumes, so employees know if prepared they are able to earn promotions. Mr. Arnold stated that he would like to go back to supervisors doing evaluations. Mr. Arnold stated that the Civil Service Board would require testing, and from that point anyone who passes would be put on a grade system. He would like to have an interview board also, and involve citizens of the county, and possibly included outside law enforcement officers from other agencies to sit on the board. They would interview the person and give their opinion on how they would respond as a supervisor, it's about leadership.

Esq. Kenneth Garland stated he has worked with Ron Arnold and he is a good officer. Mr. Arnold stated he appreciates the commissioner's consideration in the matter and thanked them for doing this, and he has been in the same situation appointing a Circuit Court Clerk and it is not an easy task. Mr. Arnold was thanked by the commission and asked to be seated.

Major Mike Hensley addressed the commission stating he has put a lot of thought into this position. He has 25 years experience in law enforcement starting as a dispatcher and jailer and worked up to captain, investigator, first judicial drug task force, governors task force, and criminal investigator. Unicoi County is a small county and must work within limits. Mr. Hensley stated that if he is appointed sheriff he has chosen Mr. Craig Masters as his administrative assistant and Mr. Frank Rogers as his Chief Deputy. Mr. Hensley stated qualifications and reasons for choosing these men for the positions. He wants to restore the trust in the Sheriffs Department. Mr. Hensley stated he will boost the moral

among the employees within the department, and place responsibility and accountability with those who hold rank and supervisors of the department. Mr. Hensley also stated his plans for the Sheriff's Department if appointed Sheriff including: forty hour work week for employees, affidavit by new employees to stay on for at least two years in county after completing academy or they will reimburse the county for their training, narcotics division, DARE program to continue in school system, continue programs already in place, close working relationship with law enforcement in bordering counties both in state and in other states, homeland security training and continue to work with NFS. Mr. Hensley stated that as a native of the county he has well based knowledge of the trails and mountainous areas that would help in search and rescues and apprehension of suspects. Mr. Hensley also plans to issue a financial report to show how tax dollars are spent on a monthly basis. Mr. Hensley will be a working sheriff, available 24/7 to the public, and have an open door policy to the citizens, work with the towns of Erwin and Unicoi, and if appointed his department head will consist of over 100 years of combined experience.

Esq. Kenneth Garland asked how Mr. Hensley planned on paying his new employees. Mr. Hensley stated the positions and pay are already budgeted.

Esq. Doug Bowman asked if Mr. Hensley has a plan in mind to reduce the budget. Mr. Hensley stated yes he will evaluate the budget, cut down on some of the vehicles going out of county, utilize more down time of vehicles due to rising gas prices.

Esq. James Howell asked Mr. Hensley if he could keep enough officers on duty if shifts are eight hours. Mr. Hensley yes, there will be a minimum of three officers per shift. On Fridays everyone is working, this day will be utilized to cut down the accumulated comp time. Comp time and over time will have to be used within six months of accumulation. Vacation time and holiday time will no longer be carried over to the next year.

Esq. Dwight Bennett asked Mr. Hensley are you, or do you see any reason you may be under investigation. Mr. Hensley stated absolutely not.

Esq. Loren Thomas asked how long before Mr. Hensley could have the comp time under control. Mr. Hensley responded with this plan the maximum comp time that could be used a week is 92 hours off the accumulated time.

Esq. Dwight Bennett asked Mr. Hensley if appointed what his first priority would be. Mr. Hensley stated his top priority is to get the narcotics division back up and running.

Esq. Dwight Bennett asked if Mr. Hensley would come up with a formula for filling vacancies or giving promotions. Mr. Hensley stated the department is under Civil Service and there is a process for that, then the sheriff can accept or decline the applicant. Esq. Dwight Bennett asked if there are multiply people who complete the process, what criteria would be used then. Mr. Hensley stated that county citizens would be considered first, then qualifications and backgrounds would be looked at, and there would be a six month probation period.

Esq. Bill Hensley asked Mr. Hensley what civic activities he is involved in. Mr. Hensley responded he is a bluegrass musician. He plays the banjo for the Spivey Mountain Boys and they play benefits to help people in the county that need it.

Esq. James Howell asked Mr. Hensley if he could ask a personal question. Mr. Hensley stated yes sir. Esq. James Howell when he was saved. Mr. Hensley stated he was saved in 2006.

Esq. Kenneth Garland asked why people with full time jobs are being hired to do the grants instead of finding citizens within the county that need a job to work on the grants. Mr. Hensley stated that if appointed sheriff the people in Unicoi County will have the first opportunity for a job with the Unicoi County Sheriff's Department.

Esq. Dwight Bennett asked Mr. Hensley if new vehicles are purchased how the vehicles would be distributed. Mr. Hensley stated that he believes that the officer with the worst car should receive the new care.

Esq. Bill Hensley stated the county lost a valuable employee, Cozy Silvers, and asked Mr. Hensley if he had any plans on how to try and find someone to replace him. Mr. Hensley stated if appointed he would post it in the newspaper and let people apply for the job. The person with the best qualifications would be given the job.

Esq. Mickey Hatcher asked what makes Mr. Hensley the best man for this job. Mr. Hensley stated he knows the people of the county, the criminal element of the county, and the counties terrain. Mr. Hensley stated that his experience, the team he has selected, and his good relations with other agencies that have assured him if needed they would be a phone call away, including the FBI, TBI, US Forest Services, CSX police, surrounding sheriffs, and surrounding police chiefs.

Esq. Sue Jean Wilson asked Mr. Hensley about concerns citizens have had regarding his use of an inmate at some point in the past to work on his property, and the use of a county generator to run his molasses. Mr. Hensley addressed the issue of the generator stating it had never been used by the department and Sheriff Harris asked him to see if he could get it to work. The generator was stored at Mr. Hensley's home, and he used money out of his pocket to get it running and for the fuel to run it. It was used during the winter of 2009 during a power outage at a church. Since then it has been at the sheriff's department garage. Mr. Hensley stated he did have it at his home and did use it periodically to keep it running. Mr. Hensley addressed the issue about the inmate. He had a cane patch and in 2007 request inmates to work in his cane patch. Sheriff Harris approved the request as long as they were paid and supervised. Mr. Hensley hired two inmates, paid them, provided them with meals, and took them back to jail each night. Had he known at the time it would be a problem, then and now, he never would have hired them.

Esq. Bill Hensley asked if Mr. Hensley had permission from the Sheriff to use the generator at his home. Mr. Hensley stated yes. Esq. Bill Hensley asked Mr. Hensley if he had just took it to his house on his own. Mr. Hensley stated absolutely not.

Esq. James Howell asked Mr. Hensley what he intends to do about the other county property spread out all over the county. Mr. Hensley stated that when Sheriff Harris resigned, the auditor came in and an inventory had to be done. Mr. Hensley stated he could not say everything was accounted for, but all of the guns, all the evidence in the evidence room, vehicles were all accounted for. The only thing that can not be accounted for is the military stuff that was picked up from the military. There should be a record from where it was obtained from. Mr. Hensley stated that he has not seen a full inventory report.

Esq. James Howell then asked if Mr. Hensley intended gather the items if he finds the location of them. Mr. Hensley stated yes.

Esq. James Howell asked Mr. Hensley concerning drugs what he intended to do. Mr. Hensley stated he would not back down on the drug issue and he could not be bought or scared away.

Esq. Kenneth Garland asked if Mr. Hensley was appointed if he would have an audit of all the equipment and provide the commission with a copy. Mr. Hensley stated yes, there needs to be an audit, and he will not sign anything until he sees it himself.

Esq. Kenneth Garland asked about bullet proof vest. Mr. Hensley stated that they vest are dated, and can become out dated. Esq. Kenneth Garland stated that they should be sold at auction. Mr. Hensley responded that they are not allowed to sell the vest.

Esq. Sue Jean Wilson asked Mr. Hensley about some deputies going to the Erwin Police Department to apply for a position and failed the psychological test, can you check on that and do something about it if it's true, and what would you do. Mr. Hensley responded that every officer with the Unicoi County Sheriff Department has to pass a

psychological evaluation and a physical. This is a concern, and needs to be addressed as to why they could not pass.

Esq. Mickey Hatcher asked Mr. Hensley what he could do in five months as Sheriff until the election for the position. Mr. Hensley stated he would get the department back up as his first priority, boost the moral of the officers, drugs, initiate the forty hour work week and cut out the comp time. The supervisors have to be accountable.

Esq. Mickey Hatcher asked Mr. Hensley how his people skills are, dealing with the public, and his expectations of the officers. Mr. Hensley responded a police officer should have a higher standard. Officers would have a set of guidelines: be professional, courteous, and respectful. The deputies represent the sheriff and the sheriff represents the county.

Esq. Loren Thomas asked Mr. Hensley his plans for community involvement programs. Mr. Hensley stated that inmate labor can be used on any public building; the litter grant can only be used for picking up litter. Mr. Hensley plans on getting community watches back up and says they work. He will continue the call list for the elderly.

Esq. Mickey Hatcher asked Mr. Hensley if he would be able to work with the other gentleman if one of them was appointed. Mr. Hensley stated that he has worked with Ron Arnold, and he does not know Mr. Lengel.

Mr. Jim Lengel addressed the commission stating he was interested in the position because he can bring a broad base of experience to the job and the table. He is a resident of Unicoi and would like to give back to the community. Mr. Lengel feels he may be the right man at the right time for the job.

Esq. Loren Thomas asked Mr. Lengel if he could tell about his back ground and experience that relates to this position. Mr. Lengel stated he served as chief deputy sheriff for eight years. Prior to that position he was Detective Sergeant for eighteen years. Mr. Lengel stated he had previously worked for the United States Secret Services. After retiring from the sheriffs department he was a United States Marshall and did some traveling with that.

Esq. Sue Jean Wilson asked Mr. Lengel if he was appointed to this job what would be one of the first things he would do. Mr. Lengel stated he would want to assess the department as far as its strengths, weaknesses, and the personnel. He would also want to meet with the commissioners either individually or collectively to see what their wants and needs are, as well as meeting with community groups to see what they want from the department.

Esq. Bill Hensley asked Mr. Lengel to elaborate on what he meant by the present circumstances and to define what he means. Mr. Lengel stated he feels the department needs some creditable leadership; it has taken some hits/negative publicity because of the events surrounding the former sheriff. This isn't fair and he looks forward to meeting and working with these people.

Esq. Bill Hensley asked about Mr. Lengels civic activities in Unicoi County. Mr. Lengel stated his entire social life probably revolves around his neighbors and the Unicoi Methodist Church.

Esq. Bill Hensley asked if Mr. Lengel would be up for election. Mr. Lengel stated absolutely. Esq. Bill Hensley asked if he was appointed or not appointed. Mr. Lengel responded if he was not appointed he would have to assess the situation, I am the new comer that no one knows very well. If appointed, absolutely, and will give full effort. Mr. Lengel stated he feels the law is black and white.

Esq. Dwight Bennett asked Mr. Lengel how he would address the problem in the department with comp time. Mr. Lengel stated he would have to take a look at the twelve

hour shifts. Some people are in favor of them but Mr. Lengel feels that police officers lose their edge after eight hours. He would have to take a look at personnel, schedules, and even a possible overlap in shifts.

Esq. Dwight Bennett asked Mr. Lengel how he would issue new vehicles to the employees. Mr. Lengel stated the newer patrol vehicles should go to the men on the road. Esq. Dwight Bennett asked which employee they would be given too. Mr. Lengel responded he would have to take a look at that.

Esq. Doug Bowman asked Mr. Lengel if he has a plan in mind to reduce the budget. Mr. Lengel stated he doesn't have a plan in mind, that he has never even seen the budget. There are ways you can reduce the budget. Utilizing inmates can be a successful program.

Esq. Kenneth Garland asked what the population was where Mr. Lengel was chief deputy. Mr. Lengel stated the population was 100,000 people and 409 square miles.

Esq. Kenneth Garland asked Mr. Lengel if he knew very much about Unicoi County. Mr. Lengel stated he knows Unicoi County is not that big. Esq. Kenneth Garland asked Mr. Lengel if he knows where Pete Creek is. Mr. Lengel stated he has never heard of it.

Esq. Loren Thomas asked Mr. Lengel if he was familiar with geography of the county. Mr. Lengel replied basically, not every road. But as sheriff he could certainly learn in a short period of time.

Esq. Bill Hensley asked Mr. Lengel what brought him to Unicoi County. Mr. Lengel responded a snowstorm. He and his wife looked at several states before moving here.

Esq. Dwight Bennett asked if Mr. Lengel is satisfied with road problem that he had before. Mr. Lengel stated yes.

Esq. Loren Thomas asked Mr. Lengel if he could familiarize himself with all the officers, the everyday operation of the department, and submit a 2012-2013 budget in five months. Mr. Lengel stated yes. He said he can read people very well, and that skill will help him. Mr. Lengel stated he will have an open door policy, if someone wants to talk to him they will be able to.

Esq. Loren Thomas asked if Mr. Lengel could elaborate on what kind of sheriff he would be as far as being out with the officers or primarily be working in the sheriff's office. Mr. Lengel replied he will be a very visible sheriff, people would not be afraid to come up and talk to. Our title is Peace Officer, we work for you, and some police officers have forgotten that. Mr. Lengel stated there will be courtesy and equal enforcement of the law.

Esq. James Howell asked Mr. Lengel what he meant by he could read people. Mr. Lengel stated he feels he can size someone up pretty good as far as what type of person they are and where they are coming from.

Esq. Loren Thomas asked Mr. Lengel if appointed what would the top priority be. Mr. Lengel responded to assess the department immediately, to work with commissioners to see what the wants and needs are, talk to the staff and assure them that as long as they are doing their job they have nothing to worry about.

Esq. Bill Hensley asked Mr. Lengel if he has applied for any other law enforcement position in this area anywhere and if the answer is no, why not. Mr. Lengel stated no, because he is happy where he is with his job and feels this is an opportunity where he may be the right man for the job.

Esq. Bill Hensley asked Mr. Lengel if he wants to be the Sheriff or not at all. Mr. Lengel responded pretty much.

Esq. Dwight Bennett asked Mr. Lengel if appoint how would he fill a position. Mr. Lengel stated he would work with anyone who wanted to better themselves. As far as promotions go he would look at the total person, not just who scored highest on a test.

Esq. Loren Thomas asked what plans Mr. Lengel has for community involvement, programs such as neighborhood watch and welfare checks that are in place. Mr. Lengel stated he would absolutely continue to have welfare checks. Mr. Lengel stated he could visualize if there is interest, getting a mounted posse going, and there may be a need for that.

Esq. Sue Jean Wilson asked Mr. Lengel to be seated.

Esq. Sue Jean Wilson stated that at this time someone from the audience would need to nominate Captain Arnold. Mr. Ronald Reed nominated Mr. Ron Arnold, seconded by Esq. Dwight Bennett.

Esq. Sue Jean Wilson asked for a citizen to come forward and nominate Major Hensley. Mr. Joey Bailey nominated Mr. Michael K. Hensley, seconded by Esq. Loren Thomas.

Esq. Sue Jean Wilson asked for a citizen to come forward and nominate Mr. Jim Lengel. Mrs. Patty Roller nominated Jim Lengel, seconded by Esq. Sue Jean Wilson.

Esq. Sue Jean Wilson stated this would be a roll call vote starting with Mr. Lengel.

ROLL CALL: Esq. Loren Thomas, "No", Esq. Mickey Hatcher, "No", Esq. James Howell, "No", Esq. Sue Jean Wilson, "Yes", Esq. Doug Bowman, "No", Esq. Dwight Bennett, "No", Esq. Bill Hensley, "No", Esq. Gene Wilson, absent, Esq. Kenneth Garland, "No".

1-Yes

7-No

1-Absent

Motion fails.

Esq. Sue Jean Wilson asked for roll call for Mr. Mike Hensley.

ROLL CALL: Esq. Mickey Hatcher, "Yes", Esq. Bill Hensley, "Yes", Esq. Gene Wilson, absent, Esq. Loren Thomas, "Yes", Esq. James Howell, "Yes", Esq. Sue Jean Wilson, "No", Esq. Dwight Bennett, "Yes", Esq. Doug Bowman, "Yes", Esq. Kenneth Garland, "Yes".

7-Yes

1-No

1-Absent

Motion approved.

Esq. Sue Jean Wilson stated that the ruling at the last commission meeting was that the first person to receive five or more yes votes would be the appointee. Therefore no vote is needed for Captain Arnold. Esq. Sue Jean Wilson congratulated Major Hensley on his appointment to sheriff. Esq. Sue Jean Wilson then called for a recess.

Esq. Sue Jean Wilson reconvened the meeting asking County Attorney, Doug Shults to address the commission as to the swearing in of Mr. Mike Hensley as Sheriff. Mr. Shults stated it is a crime to assume the duties of an office until a bond is in place. The County Mayors office is in the process of getting the bond in place. Mr. Shults stated there are a variety of offices; it is at Mr. Hensley's discretion that will administer the Oath of Office. Esq. Sue Jean Wilson stated that the bond would need to be secured tomorrow. Mr. Shults stated that a bond must be in place before assuming the duties of the office. County Mayor, Greg Lynch stated Mr. Hensley could come by the office tomorrow and Phyllis would fill out the paperwork for the bond. Esq. Loren Thomas stated that he

would like to take the time to thank Mr. Ronnie Adkins for the great job he has done filling in for the past seventeen months.

Agenda Item # 7

Consider Resolution for a Capital Outlay Note to finance the Rail Spur Rehabilitation Grant

Motion made by Esq. Kenneth Garland, said motion seconded by Esq. Bill Hensley to approve the Resolution for a Capital Outlay Note to finance the Rail Spur Rehabilitation Grant. Esq. Sue Jean Wilson asked County Mayor Lynch if he had anything to add. Mr. Lynch stated only if there are questions. Esq. Mickey Hatcher asked what portion the county would have to pay for. Mr. Lynch stated that the grant is for \$80,000.00. The county will end up getting a Capital Outlay Note for \$169,000.00 counting the interest, roughly. There is an estimate of 2% interest; the Capital Outlay Note will have to be bid out. Mr. Lynch stated the county through the Economic Development Board, who will reimburse the county, will technically end up paying 65% roughly. The first payment will be due in 2013 and will be for \$5,550.00. The rest will be paid by the Town of Erwin and the Town of Unicoi as part of the formula for the Economic Development Board. Mr. Lynch stated this is technically an Economic Development Board project. They have agreed to pay the county back, and this will help the county to share with the other entities because we will all benefit from it. Esq. James Howell asked if there was anyway to put a fee on it to possibly bring in extra revenue. County Mayor Lynch stated that there cannot be a fee charged on it. Esq. Sue Jean Wilson asked for roll call.

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

8-Yes

0-No

1-Absent

Motion approved.

Esq. Mickey Hatcher asked about the roll call and the order changing. County Clerk Mitzi Bowen stated she was asked to change it from alphabetical order, therefore she changed it. Roll call will now be different every time.

Agenda Item #8

Recognize Debbie Tittle, County Records Commission Chairman

Mrs. Debbie Tittle stated she just wanted to share a letter that the Records Commission received from East Tennessee Management, dated March 14, 2013. They have been given sixty days notice to vacate the premise. Mrs. Tittle asked for a time to meet with the Buildings and Grounds committee. Esq. Mickey Hatcher asked if Mrs. Tittle had any recommendations as to where the records could go. Mrs. Tittle stated no sir, hoping the County Commission would make a recommendation to the Records Commission. Esq. Mickey Hatcher stated that the building on Elm Street that belongs to the city is in the process of being vacated and that possibly the second floor could be leased from the City of Erwin. This would be another temporary solution but an option the Esq. Mickey Hatcher thinks should be looked into. Esq. Doug Bowman asked to schedule a Buildings and Grounds meeting Thursday, March 29, 2012, at 5:00pm in the conference room.

Agenda Item #9

Discuss and Recommend Date Change for May's County Commission Meeting

Motion made by Esq. Loren Thomas, said motion seconded by Esq. Dwight Bennett to set the May meeting for May 14, 2012 at 5:00pm due to Memorial Day falling on the fourth Monday of the month.

8-Aye

0-No

1-Absent

Motion approved.

Agenda Item # 10

Committee reports

None

Agenda Item #11

Budget Amendments

Motion made by Esq. Kenneth Garland, said motion seconded by Esq. Bill Hensley to approve budget amendments all at one time: Preservation of Records (\$5,0000.00), Juvenile Court (\$300.00), Sheriff Department (\$6,500.00), Sheriff Department Drug Fund (\$1,000.00), Health Department (\$311.75).

8-Aye

0-No

1-Absent

Motion approved.

Agenda Item #12

Elect Notaries

Motion made by Esq. James Howell, said motion seconded by Esq. Loren Thomas to approve Vicki L. Buckles (New Century Coal), Lisa S. Davis (Brandt and Beeson, P.C.), Austin Lee Gouge (Chaparral Buick GMC), Penny Hicks (Unicoi County Circuit Court), Darren Shelton (Unicoi County Circuit Court) as Notary Publics.

8-Aye

0-No

1-Absent

Motion approved.

Agenda Item #13

Motion for adjournment

Esq. Sue Jean Wilson adjourned the meeting of March 26, 2012.

GREG LYNCH, COUNTY MAYOR

MITZI BOWEN, COUNTY CLERK

SUE JEAN WILSON, CHAIRMAN

