

THE REGULAR SESSION OF THE BOARD OF COMMISSION
OF
UNICOI COUNTY, TENNESSEE
OCTOBER 22, 2012

BE IT REMEMBERED that the Unicoi County Board of Commissioners met in Regular Session at the Unicoi County Court House on Monday, October 22, 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, absent, Esq. James Howell, "Yes", Esq. Loren Thomas, "Yes", Esq. Gene Wilson, absent, Esq. Sue Jean Wilson, "Yes".

7- Present

2- Absent

Esq. James Howell opened the meeting with Prayer and the Pledge to the Flag was led by Esq. Sue Jean Wilson.

Agenda Item #4
Approve Minutes

Motion made by Esq. Doug Bowman, said motion seconded by Esq. Dwight Bennett to approve the minutes of September 24, 2012 (Regular Session).

7-Aye

0-No

2-Absent

Motion approved.

Agenda Item #5
Recognize Visitors and Citizens

Mr. Sahli addressed the commission asking when the tax increases are going to stop and with the 911 problem, this is a problem that the county created, why are the taxpayers getting charged with this. Esq. Dwight Bennett stated there were two meetings in Unicoi concerning this matter. Esq. Dwight Bennett also stated that in regards to 911 somebody has to be responsible, the commission is responsible. Sometimes these things happen. Esq. Sue Jean Wilson addressed Mr. Sahli by stating that 51% of the county is owned by the federal government. Property taxes are the only way to collect funds to operate the county, until the State of Tennessee wants to change the regulations and give us some other relief financially. Esq. Dwight Bennett stated one of the problems in the county is little tax revenue coming in. Mr. Sahli asked why the 911 problem had to go to a lawsuit. Esq. Loren Thomas stated that it was brought before the commission to pay for half of it; however the commission did not have time to consider where the money was going to come from. There was a vote not to pay until it could be decided where the money would come from and was tabled until the next month until this decision could be made. Esq. Loren Thomas stated that the commission pretty much agreed they were owed the money, and were going to be paid. The dispatchers filed a lawsuit before that next meeting. Esq. Doug Bowman stated that once the budget meetings start, citizens are welcome to attend them and be involved in the process.

Esq. Mickey Hatcher welcomed County Commissioners from Washington County in attendance.

Agenda Item #6
Quarterly Reports

Motion made by Esq. Doug Bowman, said motion seconded by Esq. Kenneth Garland to approve Quarterly Reports (Chamber of Commerce, UT Extension, Unicoi County Trustee, Unicoi County Schools, Health Dept. and Unicoi County Hwy Dept).

7-Aye
0-No
2-Absent

Motion approved. (Copy in File)

Agenda Item # 7
Consider Bond- Denise Brown

Motion made by Esq. James Howell, said motion seconded by Esq. Dwight Bennett to approve the bond for Denise Brown. Esq. Sue Jean Wilson asked if the school board is bonded. County Mayor, Greg Lynch stated he would find out the answer to this question. County Attorney, Doug Shults stated he didn't think the school board would be bonded but he will check the statue on it. County Mayor, Greg Lynch stated that the commissioners are not bonded. Esq. Sue Jean Wilson stated that with 911, they are all bonded and it seems strange that one group would be and others are not.

7-Yes
0-No
2-Absent

Motion approved.

Agenda Item #8
Consider Hospital Board reappointments- Sue Jean Wilson, Todd Love

Motion made by Esq. Dwight Bennett, said motion seconded by Esq. Doug Bowman to approve Sue Jean Wilson and Todd Love reappointments to the Hospital Board. Esq. Sue Jean Wilson stated that during the planning session, Esq. Kenneth Garland asked that the reappointments be taken separately, would he like to change that or would he still prefer separate motions. Esq. Kenneth Garland stated he would still like to have them separated but as long as the chairman wants Esq. Sue Jean Wilson to stay on the board, it is okay with him (to consider them together). Esq. Loren Thomas asked if this was temporary, just until the hospital is sold. Esq. Loren Thomas had asked earlier if all three districts are represented on the hospital board. As he understands, Mr. Love represents the third district, Mrs. Wilson represents the second district, and Mr. Erwin represents the first, is this correct.

7-Yes
0-No
2-Absent

Motion approved.

Agenda Item #9
Recognize Mitch Manuel, Brenda Hawley, Patsy Bennett-Tax on Market Square Property

Item removed from agenda.

Agenda Item # 10

Discuss Noise pollution on I-26- Recognize John Gribble

Mr. John Gribble addressed the commission concerning noise pollution on I-26 due to the tractor trailers not using properly muffled engine brakes. Mr. Gribble believes this is both a safety and health hazard to other motorists and property owners near the interstate. Federal Law mandates that new trucks be equipped with effective mufflers when first sold. Mr. Gribble stated that many truckers have purposefully modified their muffler system after purchase to make them ineffective. Federal regulations specifically prohibit tampering with or removing any truck noise control device and federal noise regulations require trucks to meet specific noise emissions standards. States, counties, and cities are to enforce these laws. In 2005 the General Assembly of Tennessee enacted and amended such a law. Mr. Gribble has spoken with state troopers on the matter and has been informed they can enforce the law and will if there is signage up. The county must request and pay for the signage from DOT. Mr. Gribble believes that considering the number of violations committed and the number of citations that could be imposed; he feels this would be a good investment for the county.

Motion made by Esq. Loren Thomas to approve the signs for I-26. Mr. Gribble stated that this matter is so serious to him that he is willing to make a donation to the purchase of the signs himself. Esq. James Howell asked if it was a state law to have the signs up in order to enforce this. Mr. Gribble responded yes. Esq. Doug Bowman stated he would like to refer the matter to the Road Committee for research on the price of the signs. Esq. Loren Thomas asked if there would be just one sign or if there would need to be multiple signs. Road Superintendent, Terry Haynes addressed this matter stating he believed more than likely there would have to be several signs on the interstate just like speed limit signs. Esq. Mickey Hatcher stated he thought it would be appropriate to find out more details and then talk further about this, before getting into a cost item. Esq. Loren Thomas retracts his previous motion.

Motion made by Esq. Loren Thomas, said motion seconded by Esq. Dwight Bennett to refer this matter to the Road Committee and for it to be brought back before the commission on next month's agenda to be voted on.

7-Yes

0-No

2-Absent

Motion approved.

Agenda Item #11

Consider Resolution to transfer money from debt service to the general fund

Motion made by Esq. Dwight Bennett, said motion seconded by Esq. James Howell to approve Resolution to transfer money from debt service to the general fund.

7-Aye

0-No

2-Absent

Motion approved.

Agenda Item # 12

Consider Sheriff's Office request for funding additional jailer positions

Motion made by Esq. Dwight Bennett, said motion seconded by Esq. James Howell to adjust original budget amendment in the amount of (\$110,804.00) to the amount of \$40,000.00 and to approve.

7-Yes

0-No

2-Absent

Motion approved.

Agenda Item #13

Discuss contract with Valley Food Service for Jail-Recognize Sheriff Mike Hensley and Craig Masters

Motion made by Esq. Doug Bowman, said motion seconded by Esq. Dwight Bennett to proceed with the contract with Valley Food Service with suggested changes in the contract, with those changes being forwarded back to the commission for review.

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

Addendum to Agenda

Recognize Craig Master's regarding training money for Sheriff's Department

Motion made by Esq. Doug Bowman, said motion seconded by Esq. Kenneth Garland to approve \$13,000.00 for training money for the Sheriff's Department.

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

Agenda Item #14

Committee Reports

None

Agenda Item #15

Budget Amendments

Motion made by Esq. Dwight Bennett, said motion seconded by Esq. Kenneth Garland to approve budget amendments all together: Election Commission (\$500.00), Sheriff's Dept (\$16,266.30), County Coroner/Medical Examiner (\$365.00), School Board (\$736,883.79).

7-Aye
0-No
2-Absent
Motion approved. (Copies in file)

Agenda Item #16

Elect Notaries

Motion made by Esq. Kenneth Garland, said motion seconded by Esq. Dwight Bennett to approve Sonja Campbell (Borla Performance Industries), William Branch Lawson (Lawson Attorney at Law), and Elise Lonon (Shults & Shults) as Notary Publics.

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

Agenda Item #17
Motion for adjournment

Motion made by Esq. Dwight Bennett, said motion seconded by Esq. Kenneth Garland to adjourn the meeting of October 22, 2012.

GREG LYNCH, COUNTY MAYOR

MITZI BOWEN, COUNTY CLERK

MICKEY HATCHER, CHAIRMAN