

THE REGULAR SESSION OF THE BOARD OF COMMISSION
OF
UNICOI COUNTY, TENNESSEE
MARCH 25, 2013

BE IT REMEMBERED that the Unicoi County Board of Commissioners met in Regular Session at the Unicoi County Court House on Monday, March 25, 2013, 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, absent.

8- Present

1- Absent

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

Agenda Item #4
Approve Minutes

Motion made by Esq. Dwight Bennett, said motion seconded by Esq. Bill Hensley to approve the minutes of February 25, 2013 (Regular Session).

8-Aye

0-No

1-Absent

Motion approved.

Agenda Item #5
Recognize Visitors and Citizens

Ms. Barbara O'Neal addressed the commission stating she would like to ask a few questions concerning the sinkhole issue at Love Chapel when the subject comes up in the meeting.

Motion made by Esq. Dwight Bennett, said motion seconded by Esq. Doug Bowman to waive the agenda.

8-Yes

0-No

1-Absent

Motion approved.

Motion made by Esq. Doug Bowman, said motion seconded by Esq. Bill Hensley for the county to make a written, official request-application to TEMA and FEMA to declare Love Chapel area a disaster area and a study be done on surrounding properties. A copy of the request should be sent to the state and federal representatives and legislators. Mr. Ed Herndon stated we attempted to apply back in August. FEMA informed us they did

not cover sinkholes, they consider it not a disaster but a pre-existing condition that was just aggravated by a disaster. Esq. Doug Bowman stated we need to go ahead and make an official request for the property owners and do everything we can to help the county and the property owners. Esq. Bill Hensley stated it isn't going to hurt to go ahead and make a written request. Esq. Mickey Hatcher stated he feels there is the potential for a lot of other property to be affected by this other than just the property sitting there. We really don't know what the ground situation is around any of the properties. Esq. Mickey Hatcher stated we have already had one private home, very close and adjacent to the school that the swimming pool fell in. The drilling they have done has all been on the school property. It might be beneficial if we can get them involved, maybe they can do further drilling and study at least and put some peoples mind at ease if nothing else. Esq. Mickey Hatcher went on to say that would be a good insurance policy to have to know your property wasn't affected. Also, if we can get any kind of relief at all in matching monies and so forth or low interest loans, it would benefit us all. Esq. Bill Hensley asked if there is an avenue that can be pursued to see if other cities or counties that have had a similar problem and what they have done. Esq. Mickey Hatcher stated he did not know the answer to that question, but this at least gives us the opportunity to say the commission is behind this and would at least like some further discussion, rather than just saying no we are not going to do that. Mr. Terry Haynes stated he knows that the matter is really hurting property sales and the land owners in the area; it is really defacing the value of the property out there. That's part of the land that we can count on to build on in the future and it's really going to take a toll on what we build out through there now. There is just no way unless you get some kind of stabilization or information on what you have underneath that ground. Esq. Loren Thomas asked if it was declared a disaster area, how that would affect the insurance settlement. Esq. Bill Hensley state it would just depend on money. Esq. Doug Bowman stated when the county loses fifteen million dollars and it isn't considered a disaster, what definition would be required. Mr. Ed Herndon stated their explanation for that is if they did it through out the country, there are so many sinkholes it would bankrupt the federal government. County Mayor Greg Lynch stated at Esq. Bill Hensley's request it could be put it out to the association of County Mayors and a lot of times mayors from other counties send questions about problems. Mayor Lynch stated he will get a letter out to them to see if anybody has any ideas. Mayor Lynch also stated there was a similar one several years ago in the Industrial Park about the same size as this one, so there is obviously a pattern. Esq. Bill Hensley stated another thing to consider is the properties in that area are devaluing and if he was out there, he would have the Tax Equalization Board to cut his assessment. Esq. Dwight Bennett stated someone will have to rule on how big of an area it is, and there is a lot more to it then just going out to a few houses, but you have to start somewhere. Esq. Bill Hensley stated he would hate to be living there and try to sell a house. Ms. Barbara O'Neal addressed the commission asking in the request is there going to be a certain radius requested. Esq. Mickey Hatcher stated right now we are just trying to get on the chart. We are going to have to look at it as we go as well; right now we just want to let them know that we feel like this is a problem. Ms. O'Neal stated what if something happen at Nuclear Fuel, you have the soul source for Navy fuel, and you would think that the federal government would be concerned about that. Mr. Ed Hernadon stated the federal government studied Nuclear Fuel and determined it is not on sinkhole trap, and so has a geologist with the State of Tennessee. We did that last year. Ms. O'Neal asked how far down they drilled. Mr. Herndon stated they did not go into that detail. Ms. O'Neal stated she thinks that is something that needs to be asked. Ms. O'Neal also stated she has read a copy of the engineer report, the HSA report, and in some cases they drill down 175 feet. Esq. Mickey Hatcher stated that once we get some recognition maybe there could be some forums, but we have to get some attention to this situation first. Ms. O'Neal stated that if something happen there it would not only be a environmental disaster but a security disaster as well.

8-Yes

0-No

1-Absent

Motion approved.

Esq. Mickey Hatcher asked the County Mayor, Greg Lynch, once this is sent in to ask our legislators to meet with us concerning this issue.

Agenda Item #6
Discuss Tysinger, Hampton and Partners Addendum #4

Mr. Tysinger addressed the commission regarding Addendum #4 stating right now part of the old jailing behind the jail annex is being used as 911 relocation. The Sheriff, with the operation he uses with 911, is going to use the other part of that shed. A proposal was submitted to do the Sheriff's part. Mr. Tysinger stated there are a couple of things that have happen between the 911 proposal and this proposal for the Sheriff. The first thing is a new roof will have to be put on the building, it does leak. The other thing is the amount for the Sheriff's office is not quite as much as for 911, it is a little bit less money. The reason for this is there are many things that can be used interchangeable so what we did was try to take the saving from 911 and apply it to the Sheriff's operation. Mr. Tysinger stated this will complete that building. Mr. Tysinger continued by giving a review of what the old contract looks like stating the first amendment is for the jail roof next to the courthouse, amendment #2 wasn't used at all, that was when there was going to be extensive work done at the jail annex, amendment #3 is for 911, and amendment #4 is for the Sheriff Department. Esq. Mickey Hatcher asked if that was the second part. Mr. Tysinger responded it was the second part; the Sheriff is okay with the layout. We are in the process now of starting on this so we can get 911 done, 911 is the first project.

Addendum to the Agenda #1
Approve the contract with Tysinger, Hampton and Partners as the architect and project engineer for the jail roof renovations and the 911/Sheriff's Office relocation to the Unicoi County Jail Annex

Motion made by Esq. Kenneth Garland, said motion seconded by Esq. James Howell to approve the contract with Tysinger, Hampton and Partners as the architect and project engineer for the jail roof renovations and the 911/Sheriff's Office relocation to the Unicoi County Jail Annex. Esq. Dwight Bennett asked Mr. Tysinger what it will cost to replace the roof or will it be sanded down and sealer put on it. Mr. Tysinger responded a new roof would probably be put on. It had been estimated in Building and Grounds the two together would be about \$370,000.00 for everything on both sides. Esq. James Howell asked if that included pouring a new floor. Mr. Tysinger stated yes, a floor would be poured because of the fact the building was built to low. Esq. Dwight Bennett asked Mr. Tysinger what the price was on amendment #1 (new roof on the existing jail) to which Mr. Tysinger responded the price was about \$100,000.00 to \$120,000.00. Esq. Dwight Bennett then asked what kind of roof it would be, the new rubberized or will it be covered up with a slanted roof. Mr. Tysinger stated it would probably be a rubberized roof. Esq. Dwight Bennett asked how long that would be guaranteed. Mr. Tysinger said it would probably be for twenty years, it would basically be the same type that was put on the roof at the courthouse. Esq. Dwight Bennett asked if Mr. Tysinger has done a study on what a gable roof would cost. Mr. Tysinger stated it would cost more. Esq. Dwight Bennett asked if Mr. Tysinger could get a figure on that, Mr. Tysinger stated yes. Esq. Dwight Bennett stated he would like to see that figure and feels that if there is water there and it doesn't run off it will find a way in sooner or later. Mr. Tysinger stated with the courthouse roof was to create a drainage path and you will be a lot better off maintenance wise. Esq. Dwight Bennett stated he would still like to see the figures on what that would cost.

7-Yes

0-No

1-Abstain (Esq. Doug Bowman)

1-Absent

Motion approved.

Addendum to the Agenda #2
Consider County Base Personnel Policy

Motion made by Esq. Kenneth Garland, said motion seconded by Esq. Bill Hensley to approve the county base personnel policy.

Esq. Kenneth Garland and Esq. Bill Hensley withdraw the motion and seconded.

Motion made by Esq. Dwight Bennett, said motion seconded by Esq. James Howell to table this item. Esq. Bill Hensley asked Mrs. Phyllis Bennett if we are under any urgency to go ahead and approve this. Mrs. Bennett stated there are some things and the longer we wait the closer it gets, there are things that need to be lined up. Esq. Dwight Bennett stated that doesn't start until next fiscal year. Mrs. Bennett responded we have to have it done prior to that; the deadline is no later than May 1, 2013.

Agenda Item # 7
Consider Senior Citizens Lease

Motion made by Esq. Dwight Bennett, said motion seconded by Esq. Kenneth Garland to approve the Senior Citizens Lease. County Attorney, Doug Shults addressed the commission on the matter stating he has no financial interest but he is on the board of the senior citizens. Mr. Shults stated there is a long term lease with them and at the time the Boy Scout building was still being used for storage purposes, and the strip between the dance building and the present senior citizen building was just excluded in the long term lease. Basically we would just be amending the existing lease to add the Boy Scout building. Then maybe next budget year consider deeding it over to them or consider it through the charitable donations. Esq. Kenneth Garland stated all that is being asked for is the block building that was built onto the rock building. County Mayor Greg Lynch stated yes the addition part. Esq. Kenneth Garland stated it didn't have anything to do with the Boy Scout building does it. Mayor Lynch stated part of it is being used by 4H. Mr. Shults asked are we not talking about the whole building. Esq. Kenneth Garland stated no just the rock part. Mr. Shults stated he doesn't know how that would be described, he wasn't aware of that, your going to keep a little piece of that existing building. Esq. Kenneth Garland stated they can't do anything with the rock part. Esq. Bill Hensley stated to just go with what the attorneys suggestion. Esq. Mickey Hatcher stated he believes they would be amenable and allow it to be used by the Boy Scouts. As long as that is an understanding, it should be alright. Mr. Shults stated he wasn't aware it wasn't the entire building. Esq. Kenneth Garland stated the rock building is for the Boy Scouts and they do not want that part just the block part. It's on the same property.

8-Yes

0-No

1-Absent

Motion approved.

Agenda Item #8
Discuss and Recommend date change for May's County Commission Meeting

Motion made by Esq. Dwight Bennett, said motion seconded by Esq. Loren Thomas to change May's County Commission meeting to Tuesday, May 28, 2013 at 6:00pm Esq. Dwight Bennett asked why the date needed to be changed. Esq. Bill Hensley also asked who put it on the agenda and why it is being changed. County Mayor Greg Lynch asked if the commissioners wanted to meet on Memorial Day. Esq. Kenneth Garland asked what the chairman recommended. Esq. Mickey Hatcher stated he doesn't think the commission should meet on a holiday.

8-Yes

0-No

1-Absent

Motion approved.

Agenda Item # 9
Budget Amendments

Motion made by Esq. Loren Thomas, said motion seconded by Esq. Bill Hensley to approve the budget amendments all together; Election Commission (\$3,676.00), Register of Deeds (\$1,100.00), Sheriff Department (\$3,000.00), Health Department (\$1,811.75), Other General Government Projects (\$10,000.00), and Sheriff Department Drug Fund (\$4,000.00).

8-Yes

0-No

1-Absent

Motion approved. (Copies in File)

Agenda Item #10
Committee Reports

Esq. Dwight Bennett addressed the commission on the Animal Shelter, giving a handout on the shelter totals for January 2013. Esq. Dwight Bennett also stated on the “Cat House”, we’ve lost it. There will have to be some changes made or put up another building, the reason being to try and get the cats away from the dogs.

Esq. Doug Bowman addressed the commission on the Planning Commission stating they are rewriting the subdivision regulations and should be ready for the county commission next month. Esq. Mickey Hatcher asked if there was going to be any major changes. Esq. Doug Bowman stated yes.

County Mayor Greg Lynch stated Esq. Sue Jean Wilson ask that he announce the Hospital Board will be meeting Thursday March 28, 2013 at 1:00pm at Erwin Town Hall to sign the purchase agreement with Mountain States.

Agenda Item #11
Elect Notaries

Motion made by Esq. Kenneth Garland, said motion seconded by Esq. Bill Hensley to approve Elisa Fazio (Caregiver) as a Notary Public. Esq. Loren Thomas asked if it is a renewal. County Clerk, Mitzi Bowen responded no she is applying for a new one.

7-Yes

1-No (Esq. Loren Thomas)

1-Absent

Motion approved.

Agenda Item #12
Motion for adjournment

Motion made by Esq. Dwight Bennett, said motion seconded by Esq. James Howell to adjourn the meeting of March 25, 2013.

GREG LYNCH, COUNTY MAYOR

MITZI BOWEN, COUNTY CLERK

DR. JAMES M. HATCHER, CHAIRMAN

