

THE REGULAR SESSION OF THE BOARD OF COMMISSION
OF
UNICOI COUNTY, TENNESSEE
APRIL 22, 2013

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

6- Present

3- Absent

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

Agenda Item #4
Quarterly Reports

Motion made by Esq. Dwight Bennett, said motion seconded by Esq. Doug Bowman to approve Quarterly Reports for Chamber of Commerce, County Mayor Office, County Trustee, Highway Department, Agricultural Extension Office, and the Health Department.

6-Yes

0-No

3-Absent

Motion approved.

Agenda Item #5
Approve Minutes

Motion made by Esq. Loren Thomas, said motion seconded by Esq. Dwight Bennett to approve the minutes of March 25, 2013 (Regular Session). Esq. Doug Bowman asked what the status is on the application to TEMA and FEMA and a meeting with local legislators. County Mayor Greg Lynch stated there is no status on it yet. Esq. Doug Bowman asked if the application has been sent in. Mr. Lynch stated he thought the Resolution had been sent and he will confirm.

6-Aye

0-No

3-Absent

Motion approved. (Copy in file)

Agenda Item #6
Recognize Visitors and Citizens

Mr. Gary Bailey addressed the commission concerning Love Chapel School. Mr. Bailey stated all he hears about the property is that it is condemned and we need to build a new school. Mr. Bailey has asked members of the school board where and what kind of school

will be built and nobody knows anything except it is going to be moved behind the Intermediate School. Mr. Bailey stated he has seen the report done by the engineering company at Love Chapel property and he believes there are three sinkholes that are supposedly emanate danger. Mr. Bailey does not propose putting children in danger, but he does propose there is a more common sense approach to what is going on here. Mr. Bailey stated that during drilling at the Love Chapel site a cavern was found. He proposed that if six acres of land is found in this county that is flat and the same study is done, there will be caverns found under that property. And if ten million plus is going to be abandoned at Love Station to go out and buy new property, first of all it should not come from any member of the school boards family, secondly the same engineering company needs to do the same study on the new property and make sure we're not going to do it again. Mr. Bailey stated his approach to the problem, if the property was his, would be to fill it with red clay which will seal and water can go under it, then have the County Road Superintendent haul river rock instead of paying an outrageous price for a company to haul it, or there are companies that will pump a substance into that cavern and fill it up. Make the property safe, let the insurance company come back and if it has been made safe they will reinsure it, then open that school back up. Mr. Bailey stated he has been told the County Commission has no control over the school board; the County Commission has control over the tax money in this county. And if the County Commission is not in support of our school board, Mr. Bailey doubts very much that state and federal officials will support it. Mr. Bailey asked the commission to remember they are elected to protect the tax payers and he expects the commission to have some common sense about if it was on their property and your kid went to school there, what would you do. Mr. Bailey continued by saying there has been the same sinkhole activity in Carter, Sullivan, and Washington Counties. Carter County and Sullivan County had the problem on school property and filled the sinkholes up and went back to school. Mr. Bailey stated he mows his yard every week he can get to it and keeps it maintained. The school is not being maintained, the grass needs to be mowed and the yellow caution tape put up around the school has broke and is blowing all over other properties. Mr. Bailey stated he would like to see Love Chapel School maintained until something is done with it. Esq. Bill Hensley asked County Mayor Greg Lynch to talk to the School Superintendent and the Sheriff to see if there is something that can be done to clean the property up. Mayor Lynch stated he would.

Esq. Bill Hensley addressed the commission concerning the Purple Heart Trail. The state will put up the signs for the county. Esq. Bill Hensley stated that Rusty Crowe and Steve Southerland are going to do some type of presentation and uncover the signs on Friday, May 25, 2013 morning around 10:00am or 11:00am. There are two signs, one in Unicoi and one in Flag Pond.

Esq. Bill Hensley asked County Mayor Greg Lynch to update the commission on Mr. Ed Herndon's condition. Mr. Lynch stated Ed was in an automobile accident and broke three ribs, did some damage to the vertebrate in his back. He is recuperating now and is in pretty good spirits.

Agenda Item #7

Consider County Base Personnel Policy

Motion made by Esq. Dwight Bennett, said motion seconded by James Howell to approve County Base Personnel Policy. Esq. Bill Hensley stated one day added for grievance for Aunt and Uncle, and also cutting the Holiday schedule. Esq. Dwight Bennett stated that the bereavement on the Aunt and Uncle would only be during working days not on the weekend; and the holiday schedule will be addressed and put back in the policy book. Esq. Dwight Bennett stated there needs to be something about the holiday schedule in the policy book for the employees. Esq. James Howell stated he thought it had been discussed that it be left up to the office holders. Esq. Bill Hensley proposed to put it back like it was. County Mayor Greg Lynch stated the policy didn't say anything about holidays. Esq. Dwight Bennett stated that is what brought this on; there was nothing in the policy book for the employees about their holiday benefits. Esq. James Howell stated he thought the officeholders were the ones that made the decision. Esq.

Dwight Bennett responded that was right but it needs to be state in the policy book. Esq. Loren Thomas stated it is state law. Esq. Dwight Bennett verified with the County Clerk the correct information on the holiday schedule; the holiday schedule will stay in the policy book and go with the state holiday schedule, then the officeholders and the mayor will sit down to see if there are any changes to it in January of that year. County Clerk, Mitzi Bowen stated that is the same thing we are already doing. Esq. Bill Hensley stated he is not comfortable with the phrase, 'and to also cut the holiday schedule'. Esq. Dwight Bennett stated the holiday policy will be by the state schedule plus any other holidays that the officeholders and the mayor name feasible. Esq. Bill Hensley asked County Trustee, Paul Berry, County Clerk, Mitzi Bowen, County Mayor, Greg Lynch if they are happy with the way it is phrased now, to which they all responded yes.

5-Yes

1-No (Doug Bowman)

3-Absent

Motion approved.

Esq. Wilson exits the meeting.

Agenda Item # 8

Consider Litter Grant Resolution

Motion made by Esq. Dwight Bennett, said motion seconded by Esq. James Howell to approve the Litter Grant Resolution.

5-Yes

0-No

4-Absent

Motion approved.

Agenda Item #9

Budget Amendments

Motion mad by Esq. James Howell, said motion seconded by Esq. Dwight Bennett to approve the budget amendments all together; Assessor of Property (\$700.00), County Commission (\$338.00), Circuit Court Clerk (\$1,500.00), and Sheriff's Department (\$20,000.00). Esq. Doug Bowman stated money was put into uniforms about three meetings ago, now we are taking it back out, we're just moving money around in the budget.

5-Yes

0-No

4-Absent

Motion approved. (Copies in file)

Addendum to the Agenda #1

Consider Resolution to authorize the County Mayor to make and sign an application for Community Development Block Grant Funds

Motion made by Esq. Doug Bowman, said motion seconded by Esq. Dwight Bennett to approve resolution to authorize the County Mayor to make and sign an application for Community Development Block Grant Funds. Esq. Loren Thomas asked if the residence within 200 feet of the sewer line have been advised that they have to pay a \$2,000.00 hook-up fee. County Mayor Greg Lynch stated Love Chapel is being taken out so it will basically just go to Temple Hill School. It already goes to Temple Hill School so there will be some people affected, but not many. Mr. Gary Bailey addressed the commission asking if it was \$2,000.00 for each house that does not connect. Esq. Loren Thomas stated it is \$2,000.00 to connect and if the person can not afford it or chooses not to connect they still have to pay a monthly charge to Erwin Utilities. Esq. Loren Thomas stated he has been against this because he doesn't feel like it is right to force people to

pay. Mr. Gary Bailey stated that some people cannot qualify as poverty stricken level. Mr. Gary Bailey asked if he would be charged due to multiple sites at Love Chapel area. County Mayor Grey Lynch stated that Love Chapel has been pulled off the table.

5-Yes

0-No

4-Absent

Motion approved. (Copy in file)

Addendum to the Agenda #2

Consider Resolution for renewal/extension of Capital Outlay Note

Motion made by Esq. Loren Thomas, said motion seconded by Esq. James Howell to approve resolution for renewal/extension of Capital Outlay Note. Esq. Loren Thomas stated that Esq. Gene Wilson had made the comment during the work session on how interest has killed the county due to all the loans the county has, if we keep paying interest like we are, we will never get out of debt. Esq. Loren Thomas continued by saying he didn't see how this could not be done. County Mayor Greg Lynch stated the Debt Service is set up to service our debt.

4-Yes

0-No

1-Abstain (Esq. Doug Bowman)

4-Absent

Motion fails.

Esq. James Howell asked if it had to be a 100% vote. County Clerk, Mitzi Bowen stated majority votes; you have to have five votes from the commission. Esq. Dwight Bennett stated he thought majority did vote. County Attorney, Doug Shults stated there has to be a quorum, the County Clerk is right. Esq. Doug Bowman was asked his reason for abstaining. Esq. Doug Bowman stated he would like to be able to bid on the work. Esq. Bill Hensley asked if anyone that vote no reconsider their vote. Esq. Doug Bowman stated to change his vote to yes. County Clerk, Mitzi Bowen reset the votes.

5-Yes

0-No

4-Absent

Motion approved. (Copy in file)

Agenda Item #10

Committee Reports

Esq. Dwight Bennett handed out information on the Animal Shelter and stated that the 2014 budget is enclosed and they are in the red \$6,000.00 starting the next year. They aren't going to ask for any more money, they plan to have some fund raisers.

Agenda Item #11

Elect Notaries

Motion made by Esq. Dwight Bennett, said motion seconded by Esq. Loren Thomas to approve Katie Anders (Shults & Shults Law Office), Rena' Diane Bailey (Unicoi County Gas Utility District), Angela Kay Casey (William Lawson), and Katrina V. Duncan (Farm Bureau) as Notary Publics. Esq. Dwight Bennett asked if any of the notaries are new notaries. County Clerk, Mitzi Bowen stated yes, Katie Anders, Rena' Bailey, and Angela Casey are all new applications.

5-Yes

0-No

4-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