

**THE REGULAR SESSION OF THE BOARD OF COMMISSION**  
**OF**  
**UNICOI COUNTY, TENNESSEE**  
**SEPTEMBER 22, 2014**

BE IT REMEMBERED that the Unicoi County Board of Commissioners met in Regular Session at the Unicoi County Court House on Monday, September 22, 2014, 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. Marie Rice, "Yes", Esq. Walter Garland, "Yes", Esq. Jason Harris, "Yes", Esq. John Mosley, "Yes", Esq. Bridget Peters, "Yes", Esq. Kenneth Garland, "Yes", Esq. Gene Wilson, "Yes", Esq. Loren Thomas, "Yes", Esq. Glen White, "Yes".

9- Present

0- Absent

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Esq. Debbie Tittle opened the meeting with Prayer and the Pledge to the Flag was led by Esq. John Mosley.

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Agenda Item #4

Recognize Visitors and Citizens

Jim Bowman, who lives on Spivey, we have been struggling through this budget process for quiet sometime and tonight is discussion night. I understand it at this point, eight office holders have come to you and handed their budgets, explained them, argued for them, negotiated and came to an agreement. All of the office holders except one and that is the sheriff. Read in the paper that he is a wits end and tried to do everything he could. I conclude from that his acclamation is that the commission is unreasonable. This is the same commission that was able to come to a reasonable agreement with eight other office holders. That causes me to question who it is being unreasonable. So tonight the sheriff tells the commission to talk to his lawyer, he is going to sue. He says it's going to be a friendly law suit. I can say Mr. Chairmen there is nothing friendly about picking the pockets of the public for thousands of dollars in attorney fees. I would also say friends don't sue friends they work it out. I have been in hundreds of law suits, maybe thousands and I have not seen that friendly law suit yet. At an earlier meeting one of the commissioners said, that we were going to force the sheriff to sue the county. Number one, the sheriff is not forced to do anything, he chooses to sue. Number two, he is not suing the county I think the title of the law suit is, Mayor. (Sheriff vs. Mayor) But he is not suing the mayor, he is not suing this county commission, he is suing the people of this county. Because we are the ones who have to pay and we indecently are the people that just recently just gave him his job. Some might like the biting of the hands that feeds you and if you bite the hands that feed you, the hand may take your food bowl away next election. The sheriff was elected as a Republican but a rumor he has went over to the dark side and has become one of those Democrats. If so, I would like to welcome him to the party. We gave him the job as chief law enforcement officer and at the same time we gave nine commissioners the job representing us, speaking and deciding issues for us.

Esq. Loren Thomas stated Mr. Chairman his time was up about two minutes ago.

Esq. Gene Wilson said he would award him his time tonight, please.

Esq. Chairman Marie Rice stated she believes we have some leeway with that since we don't have anyone else speaking tonight.

Mr. Bowman continued to say that the sheriff and these commissioners hold their positions to parliamentary will of the majority that is called democracy. I'm sure the sheriff was impressed with the wisdom of the majority on election night and now he is not so impressed. He wants to take it away from nine people here, the people that we elected to reflect our will and he wants to give it to a judge that doesn't live in this

county, doesn't care or understand about the needs or wants of the county. He will not need to be paying the taxes that we will have to pay. In 1776 we wrote the Declaration of Independence and complained that the King of England was doing exactly what this sheriff is trying to do to us today. From the Declaration of Independence for imposing taxes on us without our consent, that judge cannot give our consent, we did not elect him for that. For suspending our legislators and declaring themselves invested with power of legislators for us and that is exactly what this sheriff is asking that judge to do. He is asking that judge to suspend your judgment on our behalf and impose his will on us. There is a law that allows him to do that but any office holder that got elected by the democratic process should be ashamed to use that law.

Esq. Gene Wilson spoke on behalf of Mr. Bowman statement. I spoke to an attorney that represented Sheriff Anderson in Sullivan County 2 yrs ago in a law suit against the taxpayers. The sheriff ended up with \$56,000 and the attorney fees and court cost was \$90,000. That is where we are at Gene, stated.

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Agenda Item #5

Approve Minutes of Prior Session

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Motion made by Esq. Gene Wilson, said motion seconded by Esq. Kenneth Garland to approve the minutes of August 25, 2014 (Regular Session) and Special Call September 8, 2014

ROLL CALL: Esq. Marie Rice, "Yes", Esq. Walter Garland, "Yes", Esq. Jason Harris, "Yes", Esq. John Mosley, "Yes", Esq. Bridget Peters, "Yes", Esq. Kenneth Garland, "Yes", Esq. Gene Wilson, "Yes", Esq. Loren Thomas, "Yes", Esq. Glen White, "Yes".

9- Yes

0-No

0- Absent

Motion Approved (Copy in file)

**\*\*NOTE\*\*** Esq. Glen White, (Unicoi County School System), read the Conflict of Interest Pledge before casting his vote. The Pledge is as follows: ***Because I am an employee of (Unicoi County School System) I have a conflict of interest in the proposal about to be voted. However, I declare that my argument and my vote answer only to my constituents and the citizens this body represents...***

9-Yes

0-No

0-Absent

Motion approved. (Copy in file)

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Agenda Item #6

Recognize Mike Hensley's attorney Mr. Logan

Sheriff Mike Hensley addressed the commission stating that Mr. Logan is not here tonight but he did present a letter. At this time Sheriff Mike Hensley gave copies of the letter to the county commissioners.

Esq. Chairman Marie Rice said at this time we will take a few minutes to look over the letter since it's the first time we have seen it.

The audience (taxpayers) asked to have copies of the letter. (Copies were given out) At this time the audience requested to have the letter read aloud. Esq. Marie Rice read the letter to the audience.

Esq. Kenneth Garland stated he has been on the county commission going on 17yrs and this is the first time I have heard of to sue the court above to get paid, this is ridiculous. Suing the people who gave him a job, as far as I am concerned he will be a one term man. We have done the best we can and leave it at that. I have always supported the sheriff department, we have given him half million dollars year before last half million last year and wanting more this year. If you cannot operate with the budget you get then you need to cut back some place these office holders cut back. The taxpayers cannot afford no more.

(Copy in file)

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Agenda Item # 7

Present Inter-Fund Loan Documents, including, Notes and Report on Debt Obligations  
(No Vote needed)

Noted

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Agenda Item #8

Approve Officials' Four Year Bonds

Motion made by Esq. Kenneth Garland, said motion seconded by Esq. Gene Wilson to approve the Officials' Four Year Bonds

Chairman Marie Rice stated the bonds total to \$22,000.00 for a four year term.

ROLL CALL: Esq. Marie Rice, "Yes", Esq. Walter Garland, "Yes", Esq. Jason Harris, "Yes", Esq. John Mosley, "Yes", Esq. Bridget Peters, "Yes", Esq. Kenneth Garland, "Yes", Esq. Gene Wilson, "Yes", Esq. Loren Thomas, "Yes", Esq. Glen White, "Yes".

9- Yes

0-No

0- Absent

Motion Approved (Copy in file)

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Agenda Item #9

Consider and Act Upon the Adoption of the Estimated Budget Resolution for Fiscal Year 2014-2015

Motion made by Esq. Gene Wilson, said motion seconded by Esq. Kenneth Garland to approve the Estimated Budget for Fiscal Year 2014-2015.

ROLL CALL: Esq. Marie Rice, "Yes", Esq. Walter Garland, "Yes", Esq. Jason Harris, "Yes", Esq. John Mosley, "No", Esq. Bridget Peters, "Yes", Esq. Kenneth Garland, "Yes", Esq. Gene Wilson, "Yes", Esq. Loren Thomas, "No", Esq. Glen White, (Conflict Pledge Recited Before Vote ) "Yes".

7-Yes

2-No (John Mosley and Loren Thomas)  
0-Absent  
Motion approved. (Copy in file)

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Agenda Item #10

Consider and Act Upon a Resolution Fixing the Tax Levy to Fund the Estimated Budget for Fiscal Year 2014-2015

Motion made by Esq. Gene Wilson, said motion seconded by Esq. Kenneth Garland to approve the Resolution fixing the tax levy to 2.6838% to fund the estimated budget for Fiscal Year 2014-2015

ROLL CALL: Esq. Marie Rice, "Yes", Esq. Walter Garland, "Yes", Esq. Jason Harris, "Yes", Esq. John Mosley, "No", Esq. Bridget Peters, "Yes", Esq. Kenneth Garland, "Yes", Esq. Gene Wilson, "Yes", Esq. Loren Thomas, "No", Esq. Glen White, "Yes".

7-Yes

2-No (John Mosley and Loren Thomas)

0-Absent

Motion approved. (Copy in file)

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Agenda Item #11

Elect Notaries

Motion mad by Esq. Kenneth Garland, said motion seconded by Esq. Gene Wilson to approve Robin Louise Bryant's notary

ROLL CALL: Esq. Marie Rice, "Yes", Esq. Walter Garland, "Yes", Esq. Jason Harris, "Yes", Esq. John Mosley, "Yes", Esq. Bridget Peters, "Yes", Esq. Kenneth Garland, "Yes", Esq. Gene Wilson, "Yes", Esq. Loren Thomas, "Yes", Esq. Glen White, "Yes".

9-Yes

0-No

0-Absent

Motion approved. (Cop in File)

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Agenda Item #17

Motion for adjournment

Motion made by Esq. Kenneth Garland, said motion seconded by Esq. Jason Harris to adjourn the September 22, 2014 meeting

Motion unanimously approved.

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GREG LYNCH, COUNTY MAYOR

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MITZI BOWEN, COUNTY CLERK

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MARIE RICE, CHAIRMAN