

THE SPECIAL CALL SESSION OF THE BOARD OF COMMISSION
OF
UNICOI COUNTY, TENNESSEE
SEPTEMBER 10, 2013

BE IT REMEMBERED that the Unicoi County Board of Commissioners met in Special Call Session at the Unicoi County Court House on Tuesday, September 10, 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. 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, "Yes", Esq. Marie Rice, "Yes".

9- Present

0- Absent

Esq. Mickey Hatcher opened the meeting with Prayer and the Pledge to the Flag was led by Esq. Marie Rice.

Agenda Item #4
Recognize Visitors and Citizens

None

Agenda Item #5
Elect a Chairperson for the Unicoi County Commission for the 2013-2014 Fiscal Year

Motion made by Esq. Loren Thomas, said motion seconded by Esq. James Howell to Elect a Chairperson for the Unicoi County Commission for the 2013-2014 Fiscal Year.

Motion made by Esq. James Howell to nominate Esq. Bill Henley for Chairman. Esq. Bill Hensley respectfully declined the nomination.

Motion made by Esq. James Howell to nominate County Mayor Greg Lynch for Chairman.

Motion made by Esq. Sue Jean Wilson to nominate Esq. Dwight Bennett for Chairman.

Motion made by Esq. Kenneth Garland to nominate Esq. Marie Rice for Chairman.

County Clerk Mitzi Bowen asked for a roll call vote for County Mayor Greg Lynch.

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

0-Yes

9-No

Motion fails.

County Clerk Mitzi Bowen asked for a roll call vote for Esq. Marie Rice.

ROLL CALL: Esq. Loren Thomas, “No”, Esq. Mickey Hatcher, “Yes”, Esq. Gene Wilson, “Yes”, Esq. Sue Jean Wilson, “No”, Esq. Kenneth Garland, “Yes”, Esq. Bill Hensley, “No”, Esq. James Howell, “Yes”, Esq. Marie Rice, “Yes”.

5-Yes

4-No

Motion approved.

Agenda Item #6

Elect a Vice-Chairperson for the Unicoi County Commission for the 2013-2014 Fiscal Year

Motion made by Esq. James Howell, said motion seconded by Esq. Gene Wilson to Elect a Vice-Chairperson for the Unicoi County Commission for the 2013-2014 Fiscal Year.

Motion made by Esq. Kenneth Garland to nominate Esq. Sue Jean Wilson for Vice-Chairman.

Motion made by Esq. James Howell to nominate Esq. Dwight Bennett for Vice-Chairman.

Esq. Marie Rice asked for a roll call vote for Esq. Sue Jean Wilson.

ROLL CALL: Esq. Marie Rice, “Yes”, Esq. Mickey Hatcher, “No”, Esq. Bill Hensley, abstain, Esq. James Howell, “No”, Esq. Dwight Bennett, “No”, Esq. Kenneth Garland, “Yes”, Esq. Gene Wilson, “No”, Esq. Loren Thomas, “No”, Esq. Sue Jean Wilson, “Yes”.

3-Yes

5-No (Esq. Mickey Hatcher, Esq. James Howell, Esq. Dwight Bennett, Esq. Gene Wilson, and Esq. Loren Thomas)

1-Abstain (Esq. Bill Hensley)

Esq. Marie Rice asked for a roll call vote for Esq. Dwight Bennett.

ROLL CALL: Esq. Mickey Hatcher, “Yes”, Esq. James Howell, “Yes”, Esq. Bill Hensley, “Yes”, Esq. Loren Thomas, “Yes”, Esq. Marie Rice, “Yes”, Esq. Kenneth Garland, “No”, Esq. Gene Wilson, “Yes”, Esq. Sue Jean Wilson, “No”, Esq. Dwight Bennett, “Yes”.

7-Yes

2-No (Esq. Kenneth Garland and Esq. Sue Jean Wilson)

Motion approved.

Esq. Bill Hensley addressed County Clerk Mitzi Bowen stating he thinks we are voting on these nominees incorrectly. Esq. Bill Hensley stated he thinks it should go from commissioner to commissioner and that commissioner, when it’s his turn, says the name of the nominee that he wants to elect. County Clerk Mitzi Bowen stated that a yes or no vote is pretty much the same, is that correct Doug. County Attorney Doug Shults stated that any methodology you all choose is fine.

Agenda Item #7

Set 2013-2014 Fiscal Year Unicoi County Tax Rate

Motion made by Esq. Loren Thomas, said motion seconded by Esq. Dwight Bennett to set 2013-2014 Fiscal Year Unicoi County Tax Rate at \$2.6838. Esq. Loren Thomas stated the tax rate will be the same as last year.

7-Yes

2-No (Esq. Gene Wilson and Esq. Mickey Hatcher)

Motion approved.

Agenda Item #8

Consider 2013-2014 Fiscal Year Proposed Budget

Motion made by Esq. Loren Thomas, said motion seconded by Esq. Dwight Bennett to approve 2013-2014 Fiscal Year Proposed Budget. Esq. Mickey Hatcher addressed the commission stating in the planning meeting prior to this I expressed my opinion concerning this budget. Overall, this budget has kind of been ramrodded. Esq. Mickey Hatcher continued stating I'm not convinced this is the best route to go, however we are in the eleventh hour. We have to move forward, we have to pass some kind of budget tonight, but I don't feel like the one we've got is the right one. Esq. Kenneth Garland asked, don't we have time to talk about it before the next meeting and pass it at the next meeting. Esq. Mickey Hatcher stated it would be awful tight to getting it in to Nashville. Esq. Dwight Bennett stated we have been meeting for about two months. Esq. Mickey Hatcher stated we've been arguing this and not all came to a consensus either, sometimes it's been one person's opinion and that's the way it stood. Esq. Bill Hensley stated we have a motion and a second we need to vote this up or down. Esq. Kenneth Garland stated he can't vote for something you've got in the budget and you don't know whether you are going to have the money to pay for it or not, you're talking about \$180,000.00. You might get it you might not. Esq. Dwight Bennett asked Esq. Kenneth Garland if he wanted to raise taxes. Esq. Kenneth Garland stated no, I think the budget needs to be last year's budget. Esq. Dwight Bennett asked Esq. Kenneth Garland how many meetings you come to express your opinion. Esq. Kenneth Garland stated I've been to enough meetings to know. I've tried to get things cut, I didn't have nobody go along with anything I asked to cut, it's always give it, give it, more money. Esq. Kenneth Garland continued stating this is the biggest budget I've seen in the last twenty years. You can't just keep giving taxpayers money away. Esq. Garland stated I've asked for cuts and things, no they don't want to cut nothing. But they want to raise taxes. Esq. Dwight Bennett asked are we raising taxes. Esq. Kenneth Garland asked what's going to happen if you don't get the \$180,000.00. Esq. Dwight Bennett asked what's going to happen if we have a major disaster. Esq. Kenneth Garland stated that's a different thing, this thing we can control, but we can't control this \$180,000.00. Esq. Gene Wilson called for question. Esq. Kenneth Garland stated we can just spend what we know we're going to get and that's it. Esq. Bill Hensley called for question. Esq. Marie Rice addressed the commission stating I feel like this budget has been unfair from the beginning, since I come on board. I want to apologize to the taxpayers and county employees. I feel like as a commission we've not done our due diligence in doing what's fair for the taxpayers. Esq. Marie Rice continued stating I have only been on this commission for a short period of time, I wasn't able to participate in the complete process, and I wish I could have. I just don't feel like it's a fair budget for everyone involved. I feel like as the county commission we need to be looking out for the entire county, we can't look out for just one group of people of a certain office over other offices. Esq. Gene Wilson stated I attended a meeting last night at Temple Hill and I want to apologize to the people of the first district. I made a commitment up there last night that I was for this budget. And what went on last night, there were some things that went on and phone calls I got last night and today I will not vote for this budget. Esq. Marie Rice stated I feel like a lot of times we were mislead, especially in the meetings I've been attending. We have not had true facts and figures to deal with for these proposed numbers that we have. And our requests have been ignored. Esq. James Howell stated we voted to pass a tax rate, so that says no higher taxes, all we can do is go back and adjust. Esq. Dwight Bennett stated the five or six that votes it down; they're the ones that can do the budget. There have been a few of us at all the meetings that have worked hard on it, if it's voted down, that's going to be it. Esq. Bill Hensley addressed the commission stating he would like to say to the officeholders out there, if this passes it's by no means over. I am still working diligently for some money for your people that got left out; I'll put it that way. And if I can find \$60,000.00 or \$65,000.00, I come in and do a budget amendment and ask for that money into the court provided that they give those people, your employees that were left out, those raises that you asked for. Esq. Kenneth Garland asked County Attorney Doug Shults is it legal for us to use money we don't know we're going to get. Mr. Doug Shults stated all revenue is projected. Yes, it is projected. Esq. Kenneth Garland asked if we can't use it what's going to happen. Mr. Shults responded I've already told you I recommended you not count it in there. You can

make the projection. If you don't have enough money, you will have to redo the budget. But there is nothing illegal; it's not a legal issue. Esq. Marie Rice asked so we would be back to the drawing board if that money didn't come in. Esq. Loren Thomas addressed the commission stating about three months ago we were facing a double digit property tax increase for this coming year. We have been faced with several challenges in preparing this budget such as jail certification mandates, additional school Resource Officers, health insurance increases, and fairness concerning raises for county employees. But through the efforts of many here tonight we were able to eliminate that shortfall, which was almost .20 cents when we started. Esq. Loren Thomas continued stating the reoccurring topic of discussion over the pass few weeks was raises for county employees. County employees deserve an increase in pay this year and they got one as well as a decrease in their portion of their health insurance cost. So they got a good raise this year. But they also deserve fair salaries. When you have one office paying employees \$23,000.00 that have been here for a couple of years and then you have another office that is starting a brand new employee out at the top level of \$28,000.00, that's not fair. Esq. Loren Thomas stated the commission has for three years, made it very clear that we want a structured step raise plan that is agreeable to the officeholders as well as to the commission. I think this commission needs to stand together on this until a step raise plan has carefully and thoughtfully been worked out. Now to strangle up something at the last hour is not going to fair to the employees or the taxpayers. With a well laid out a salary plan next year we can know up front what it will cost the county. Esq. Loren Thomas continued I want to send the kind of message to the officeholders that says if you put forth the effort to help us develop this increase, yes we will do likewise. Not a single one of us will ever totally agree on each detail of this budget, but it has to be passed. It's time to lay down the hatchets and move forward. As we stand tonight this is the first time in five years that there will be no tax increase and we achieved that all while including raises, bonuses, and better health insurance for each of the county employees. Esq. Loren Thomas stated I for one am proud of the work we have accomplished with this budget, I am proud that we were finally able to help our county employees, and I am very proud that we did not have to raise taxes. And your remarks, Mrs. Rice offends me because you have not been here the length of time that we have. Esq. Gene Wilson calls for question. Esq. Loren Thomas stated I'm not done talking. I've got the floor, you can keep your mouth shut. Esq. Marie Rice stated we have had enough discussion and we can go to the vote. Esq. Loren Thomas stated I think a lot of hard work has been put into the budget by some. Esq. Marie Rice stated that is true Mr. Thomas, but the problem is the plans of the commission is not being reached and that's not the way it should be happening.

4-Yes

5-No (Esq. Kenneth Garland, Esq. Sue Jean Wilson, Esq. Marie Rice, Esq. Gene Wilson, Esq. Mickey Hatcher)

Motion fails.

Agenda Item #9

Motion for Adjournment

Motion made by Esq. Dwight Bennett, said motion seconded by Esq. Bill Hensley to adjourn the Special Call Meeting of September 10, 2013.

GREG LYNCH, COUNTY MAYOR

MITZI BOWEN, COUNTY CLERK

MARIE RICE, CHAIRMAN