

THE REGULAR SESSION OF THE BOARD OF COMMISSION
OF
UNICOI COUNTY, TENNESSEE
OCTOBER 26, 2009

BE IT REMEMBERED that the Unicoi County Board of Commissioners met in Regular Session at the Unicoi County Courthouse on Monday, October 26, 2009, at 6:00 p.m. Present and Presiding, the Honorable Greg Lynch, Chairman and County Mayor, Ruby McLaughlin, County Clerk, Doug Shults, County Attorney, and the following Commissioners:

ROLL CALL: Esq. Ron Arnold, "Here", Esq. David Boone, "Here", Esq. Mitzi Bowen, "Here", Esq. Doug Bowman, absent, Esq. Rick Butler, absent, Esq. Mickey Hatcher, "Here", Esq. Jimmy Erwin, "Here", Esq. Sue Jean Wilson, "Here", Esq. Gene Wilson, "Here".

7- Present

2- Absent

Agenda Item #1 and #2

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

Agenda Item #4

Motion made by Esq. Ron Arnold, said motion seconded by Esq. Mitzi Bowen that the minutes of September 28, 2009 and the minutes of October 8, 2009 (Special Call) be approved upon corrections. Esq. Sue Jean Wilson questioned the cost of the special call meeting on October 8, 2009. Greg Lynch stated the cost was roughly \$200.00, and will get an exact figure.

7- Aye

0- No

2- Absent

Motion approved.

Agenda Item #5

Honorable Greg Lynch recognized visitors and citizens. Garland 'Bubba' Evely, on behalf of the Unicoi County School Board, addressed the commission on a resolution to use monies from the schools General Purpose funds until the state reimburses the school system.

Motion made by Esq. Mickey Hatcher, said motion seconded by Esq. Ron Arnold to waive the agenda to pursue the resolution.

7-Aye

0- No

2- Absent

Motion approved.

Motion made by Esq. Ron Arnold, said motion seconded by Esq. Mitzi Bowen to accept the resolution presented by Mr. Evely.

7-Aye

0- No
2- Absent
Motion approved.

Esq. Sue Jean Wilson asked Mr. Evely if there was any truth to the rumors of a twelve million dollar central office building and a possibility of a playground being placed on the green space on Unaka Way. Mr. Evely stated that neither has been discussed.

Agenda Item #6

Motion made by Esq. Mickey Hatcher, said motion seconded by Esq. Ron Arnold to take all of the quarterly reports with the exception of the Unicoi County Chamber of Commerce and the Unicoi County Health Department. Esq. Mickey Hatcher and Esq. Sue Jean Wilson had questions regarding these quarterly reports, and requested to consider during the next Commission Meeting.

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

Agenda Item #7

Motion made by Esq. Mickey Hatcher, said motion seconded by Esq. Sue Jean Wilson to consider the resolution to delay the Tennessee Voter Confidence Act.

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

Agenda Item #8

Item #8 was pulled from the agenda.

Agenda Item #9

Motion made by Esq. Mickey Hatcher, said motion seconded by Esq. Jimmy Erwin to recommend referring the funding of the Ambulance Service Relocation back to the Jail committee, Ambulance committee, and the Buildings and Grounds committee. Esq. Jimmy Erwin noted that a resolution to solve problem for now that the ambulance crews would be stationed at Southside Fire Department off Carolina Ave. and a camper trailer will be placed outside for a building office if it is regulated by the city until the committees can meet.

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

Agenda Item #10

Motion made by Esq. David Boone, said motion seconded by Esq. Sue Jean Wilson to move to the Road Committee. The Planning Committee made a recommendation which was included in the commissioner's packets. Mr. Dean Smith addressed the commission on request to change Hammy Smith Rd. to a private road. Mr. Smith stated the road is

around a hundred years old and has been in the family for three generations. Mr. Smith provided photos of the road and explained problems with the road. In 2003 when the 911 mapping was done, Hammy Smith Rd. was a private road. Then in 2004 it was changed to a county road. Road Superintendent, Terry Haynes explained that the Unicoi County Court decided to take Hammy Smith Rd. in as a county road. Mr. Tom Smith lives at the end of Hammy Smith Rd. wants the road to be left as is. Doug Shults explained that the policy of the County Commission to close a county road is that everyone who lives on that road must be in agreement to close a road. If everyone that is adjacent to or served by the road is not in agreement then County Commission must first get a recommendation from the Superintendent of Roads the Unicoi Planning Commission to close the road. A lawsuit would then have to be filed to close the road. All effected parties would be named in a lawsuit and would also be paid damages. Ms. Lynette Tuttle also addressed the commission stating her father Tom Smith does not want the road to be removed as a county road due to the mail delivery and the maintenance of the road.

7- Aye

0- No

2- Absent

Motion approved.

Agenda Item #11

Committee Reports

Esq. Ron Arnold of the Solid Waste Committee addressed the commission about update on gathering information needed by the State of Tennessee. A copy of the law was handed out to commissioners. A meeting will be scheduled with the solid waste committee and give time to go over the law. It will then be brought back to the County Commission.

Esq. Sue Jean Wilson of the Animal Welfare Board stated that in the October meeting, Tim Shelton was hired a full time animal control officer for the county and the town of Unicoi at a salary of \$23,955.15. Other salaries and budget amounts, shelter income donations and miscellaneous incomes are all estimates. Mr. Shelton signed a form stating he did not need county medical insurance.

Agenda Item #12

Budget Amendments

Esq. Sue Jean Wilson asked to take budget amendments individually. Motion made by Esq. David Boone, said motion seconded by Esq. Sue Jean Wilson to approve the budget amendment from the Election Commission.

ROLL CALL: Esq. Ron Arnold, "No", Esq. David Boone, "Yes", Esq. Mitzi Bowen, "No", Esq. Doug Bowman, absent, Esq. Rick Butler, absent, Esq. Mickey Hatcher, "No", Esq. Jimmy Erwin, "No", Esq. Sue Jean Wilson, "Yes", Esq. Gene Wilson, "No".

2- Yes

5- No

2- Absent

Motion failed.

Motion made by Esq. Mickey Hatcher, said motion seconded by Esq. Jimmy Erwin to consider and approve remaining budget amendments except the one for the bike trail. Amendments include County Clerk \$13,643.80, Sheriff Department \$11,483.14, Health Department \$49,679.00, Industrial Development \$430.60.

7- Aye

0- No

2- Absent

Motion made by Esq. Mickey Hatcher, said motion seconded by Esq. Jimmy Erwin to accept the budget amendment from General Fund 101 concerning the bike trail. Budget Amendment amount is \$110,000.00. Esq. Mickey Hatcher stated that money is being pulled from Debt Services because the money is not in the General Fund. Also questioned was the two week turn around of payment from the state and there is no guarantee. Final payment for the project will be made only after Tysinger approves the completion of the project.

ROLL CALL: Esq. Ron Arnold, "Yes", Esq. David Boone, "No", Esq. Mitzi Bowen, "Yes", Esq. Doug Bowman, absent, Esq. Rick Butler, absent, Esq. Mickey Hatcher, "Yes", Esq. Jimmy Erwin, "Yes", Esq. Sue Jean Wilson, "No", Esq. Gene Wilson, "Yes".

5- Yes

2- No

2- Absent

Motion passed.

Agenda Item #13

Elect Notaries:

Motion made by Esq. David Boone, said motion seconded by Esq. Sue Jean Wilson to approve the following notaries Sara Fain Bailey of the Unicoi County Election Commission, Janet M. Green of Mountain Commerce Bank, and Amy Louise Tilley of the Johnson City Public Library.

7- Aye

0- No

2- Absent

Motion approved.

Agenda Item #14

Motion made by Esq. Sue Jean Wilson, said motion seconded by Esq. David Boone to adjourn the meeting of October 26, 2009.

GREG LYNCH, CO. MAYOR AND CHAIRMAN

RUBY MCLAUGHLIN, COUNTY CLERK