

THE REGULAR SESSION OF THE BOARD OF COMMISSION
OF
UNICOI COUNTY, TENNESEESS
SEPTEMBER 27, 2010

BE IT REMEMBERED that the Unicoi County Board of Commissioners met in Regular Session at the Unicoi County Court House on Monday, September 27, 2010, at 6:00 p.m. Present and Presiding, the Honorable Mitzi Bowen, County Clerk, Doug Shults, County Attorney, Greg Lynch, County Mayor 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. Loran Thomas, "Yes", Esq. Gene Wilson, "Yes", Esq. Sue Jean Wilson, "Yes".

9- Present

0- Absent

Agenda Items #1 and #2

Esq. Sue Jean Wilson opened the meeting with Prayer and the Pledge to the Flag was led by Esq. Dwight Bennett.

Agenda Item #4

Motion made by Esq. Sue Jean Wilson, said motion seconded by Esq. Gene Wilson that the minutes of August 30, 2010 be approved.

9- Aye

0- No

Motion unanimously approved.

Agenda Item #5

Honorable Mitzi Bowen recognized visitors and citizens and requested anyone there about the budget wait until that agenda item was discussed.

Agenda Item #6

Motion made by Esq. Mickey Hatcher to nominate Esq. Doug Bowman as chairman of the Unicoi County Commission for fiscal year 2010-2011.

Motion made by Esq. Gene Wilson to nominate Esq. Bill Hensley as chairman of the Unicoi County Commission for fiscal year 2010-2011. Esq. Bill Hensley stated he did not accept the nomination for chairman and could not serve as chairman.

Motion made by Esq. Kenneth Garland, said motion seconded by Esq. Loran Thomas to nominate Esq. Sue Jean Wilson as chairman of the Unicoi County Commission for fiscal year 2010-2011.

ROLL CALL: Esq. Dwight Bennett, "Wilson", Esq. Doug Bowman, "Doug Bowman", Esq. Kenneth Garland, "Wilson", Esq. Mickey Hatcher, "Bowman", Esq. Bill Hensley, "Wilson", Esq. James Howell, "Wilson", Esq. Loran Thomas, "Wilson", Esq. Gene Wilson, "Bowman", Esq. Sue Jean Wilson, "Sue Jean Wilson".

3- Doug Bowman

6- Sue Jean Wilson

Esq. Gene Wilson stated he had a problem with electing a chairman who does not live in their district. Esq. Kenneth Garland asked if that wasn't the election commission's duty and not the county commissions. Esq. Dwight Bennett stated that the people voted her into office.

Esq. Sue Jean Wilson elected chairman of the Unicoi County Commission for fiscal year 2010-2011. Esq. Sue Jean Wilson thanked the commission for their support and stated that the commission would work for the betterment of the county and the citizens.

Agenda Item # 7

Motion made by Esq. Gene Wilson to nominate Esq. Doug Bowman as Vice Chairman of the Unicoi County Commission for fiscal year 2010-2011.

Motion made by Esq. Dwight Bennett to nominate Esq. Mickey Hatcher as Vice Chairman of the Unicoi County Commission for fiscal year 2010-2011. Esq. Mickey Hatcher declined nomination due to the possibility of being elected chairman of the Finance Committee.

Motion made by Esq. Bill Hensley to nominate Esq. Loran Thomas as Vice Chairman of the Unicoi County Commission for fiscal year 2010-2011. Esq. Loran Thomas declined nomination.

Motion made by Esq. Loran Thomas, said motion seconded by Dwight Bennett to nominate Esq. Doug Bowman as Vice Chairman of the Unicoi county Commission for fiscal year 2010-2011.

Motion to cease nominations made by Esq. Dwight Bennett, said motion seconded by Esq. Mickey Hatcher.

9- Aye

0- No

Nominations ceased.

Esq. Doug Bowman elected Vice Chairman of the Unicoi County Commission for fiscal year 2010-2011.

Chairman Sue Jean Wilson was asked to adjust the agenda to move item #11 up above item #8.

Motion made by Esq. Dwight Bennett, said motion seconded by Esq. Bill Hensley to adjust agenda to move item #11 before Item #8.

9- Aye

0- No

Motion approved.

Agenda Item #11

Motion made by Esq. Mickey Hatcher, said motion seconded by Esq. Doug Bowman to approve the Resolution in honor of Herbert William "Bill" Powley.

9- Aye

0-No

Motion approved.

Colonel Herbert William "Bill" Powley told the commission how the flight program began in Unicoi County. He also stated that the kids are the reason for his years of service in the program. Mr. Powley then thanked everyone.

Agenda Item #8

Motion made by Esq. Mickey Hatcher, said motion seconded by Esq. Loran Thomas to consider Resolution fixing the tax levy for fiscal year 2010-2011. Esq. Kenneth Garland stated that the Budget needed to be voted on before setting a tax rate. Agenda item #8 skipped to address agenda item #9.

Agenda Item #9

Chairman Sue Jean Wilson recognized citizens who would like to speak before voting on Estimated Budget Resolution for the fiscal year 2010-2011.

Mr. Rick Morris addressed the commission stating he is a retired business man and that the cost of things goes up and that the money has to come from the people who are served. Mr. Morris does not think that an increase in the tax rate is inappropriate. He also stated that as a county we need to maintain the quality services we have been getting, and from a business stand point prices go up and you have to charge more.

Ms. Rosanna Aldrich addressed the commission stating that she is opposed to a tax increase. Her mother lives on a limited income and over one month of her salary goes to paying her taxes. She also stated that the commissioners should know the citizens that voted them into office and know their situations.

Mr. Garland James addressed the commission stating we have commitments to meet and that we should hold taxes where they are. Since 2005 when moving to Unicoi County Mr. Garland said his taxes have increased 80% during that period of time. Mr. Garland challenged the commission to hold the taxes where they are and not make any new commitments.

Mr. Ron English address the commission stating that 53% of the county is owned by the Federal government and that 47% is expected to keep the rest of it going. He asked the commission to get on the 53% and make them pay their share. Esq. Gene Wilson stated that they won't do it. Mr. English said to go to the congressman, senators, the president or somebody. Esq. Doug Bowman informed that Esq. Mickey Hatcher goes to Washington every year in an effort to collect property tax. Esq. Mickey Hatcher stated that the Federal government tries to subsidize some things but they will not subsidize what their debt obligation is. Esq. Hatcher also stated that Mr. English made a good point that if they paid their property tax Unicoi County would have six million dollars extra in our cost and there would be no tax increase. He also stated that a land exchange is still in the works to get some of the land on Rocky Fork back on the tax roll. Esq. Hatcher also recommended that citizens make comments to the Forest Service and Federal government and that there is a website for this matter.

Mr. Danny Webb addressed the commission asking how our budget is in a deficit. Esq. Mickey Hatcher responded he could answer part of the question and asked Patsy Bennett, Property Assessor, to also respond. Esq. Mickey Hatcher stated that the reduced revenues were associated with the closing of two plants and the personal property of the two plants where taken off the tax rolls. And the other thing being there were adjustment because of personal property that belonged to other industries. Mrs. Bennett stated that Nuclear Fuels was added to the tax roll last year, but that the county lost personal property during that time as well. Mrs. Bennett also stated that there were other places where the county

has lost personal property tax. Esq. Mickey Hatcher stated that the taxes paid by the private individuals that owned Rocky Fork prior to it going to the government have appealed the amount of taxes going to that property, they won part of that appeal and the money had to be paid back to them. Esq. Doug Bowman stated that the county would lose \$110,000 when Rocky Fork is all owned by the Forest Service. Mr. Webb asked if there was a tax break for industries that the county was trying to bring in. Esq. Mickey Hatcher said that in some situations that is true. Esq. Gene Wilson stated that last year a penny brought in \$29,491, and this year a penny would bring in \$28,985 and that is how the county is operating. Esq. Mickey Hatcher stated that it would take 4.12 cents increase in property tax to maintain the level of funding that the county had last year. Esq. Hatcher also stated that he had gone back and looked at the old budgets and pulled up the tax rates since 1969. During that time to present the average was \$3.19 per \$100. The rate being proposed is \$2.44 per \$100. Since 2007 those four years in secession are the lowest tax rates that Unicoi County has ever had. A copy of the document showing tax rate since 1969 was passed out at the beginning of the meeting and copies are available to anyone who would like one.

Mrs. Pat Gouge addressed the commission stating she is against the tax increase. Mrs. Gouge said there is money being given to organizations that could be doing fund raisers to raise money.

Motion made by Esq. Mickey Hatcher, said motion seconded by Esq. Doug Bowman to approve the adoption of the Estimated Budget Resolution for the fiscal year 2010-2011 as is. Esq. Kenneth Garland stated that there were some amendments he would like to have made to the budget. Esq. Garland proposed amendment to cut \$110,000 from the workhouse budget. Esq. Garland stated that it was set up on a twelve month budget and that the workhouse may not be completed until after the first of the year. Esq. Gene Wilson stated that there are funds to complete the workhouse. Esq. Kenneth Garland suggested cutting #54220 each line item in half. Mike Hensley, acting Sheriff, addressed the commission that the budget has been adjusted. Mr. Hensley then asked for Mr. George Berry to speak on the matter since he is familiar with the workhouse budget. Mr. Berry stated his figures show there is one full time employee at 32 hours. Esq. Kenneth Garland stated that he believes that there is not enough money to complete the workhouse and there will be a need for \$200,000 more to complete the building. Esq. Garland said that if \$110,000 is taken from there that cuts 3 ¾ cents off the tax rate. Mr. George Berry stated that the only delay was finding the lights for the grid but that the grid was up. Mr. Hensley stated that the paving does not have to be done, that gravel is sufficient; however, the drainage does have to be done.

Motion made by Esq. Kenneth Garland, said motion seconded by Esq. Dwight Bennett to amend the budget by \$110,000 as discussed. Mr. George Berry stated that eight employees are being trained. Mr. Berry came up with a figure of \$88,000 for salaries without benefits for 32 hours. Mr. Berry also stated that he figured as close as he could to meet state requirements. Esq. Dwight Bennett requested cutting food service to \$15,000. Mr. Hensley stated that they are still having to run the current jail, and no state funds for prisoners are coming into the workhouse as of yet. Esq. Mickey Hatcher stated that the fund balance is at \$139,000. Mr. Mike Hensley stated that they have cut everything they can cut.

ROLL CALL: Esq. Dwight Bennett, "No", Esq. Doug Bowman, "No", Esq. Kenneth Garland, "Yes", Esq. Mickey Hatcher, "No", Esq. Bill Hensley, "No", Esq. James Howell, "No", Esq. Loran Thomas, "No", Esq. Gene Wilson, "No", Esq. Sue Jean Wilson, "No".

1- Yes

8- No

Motion fails.

Motion made by Esq. Kenneth Garland, said motion seconded by Esq. Gene Wilson to cut 1 cent of tax rate, \$28,945.

ROLL CALL: Esq. Sue Jean Wilson "Yes", Esq. Gene Wilson, "Yes", Esq. Loran Thomas, "Yes", Esq. James Howell, "Yes", Esq. Bill Hensley, "Yes", Esq. Mickey

Hatcher, "Yes", Esq. Kenneth Garland, "Yes", Esq. Doug Bowman, "Yes", Esq. Dwight Bennett, "Yes".

9- Yes

0- No

Motion passes.

Motion made by Esq. Kenneth Garland, said motion seconded by Esq. Dwight Bennett to amend the budget by \$88,683.07 from the reserve account and put into the budget. Esq. Sue Jean Wilson asked Doug Shults if the reserve account could be closed with the funds being transferred into the budget. Debbie Tittle addressed the commission concerning the reserve fees for the Register of Deeds Office, stating that the fees go to imaging the records and put them back on the computer if needed.

ROLL CALL: Esq. Dwight Bennett, "No", Esq. Doug Bowman, "No", Esq. Kenneth Garland, "Yes", Esq. Mickey Hatcher, "No", Esq. Bill Hensley, "No", Esq. James Howell, "No", Esq. Loran Thomas, "No", Esq. Gene Wilson, "No", Esq. Sue Jean Wilson, "No".

1- Yes

8- No

Motion fails.

Motion made by Esq. Kenneth Garland, said motion seconded by Esq. Dwight Bennett to amend the budget by \$15,000 out of tourism (Chamber of Commerce) and put into the budget. (Line Item #58810-316) Esq. Doug Bowman stated that if the money is taken out then it will shut the tourism down as far as the county is concerned. Esq. Kenneth Garland stated that he thought tourism should be in with the Economic Development Board.

ROLL CALL: Esq. Sue Jean Wilson "Yes", Esq. Gene Wilson, "No", Esq. Loran Thomas, "No", Esq. James Howell, "No", Esq. Bill Hensley, "No", Esq. Mickey Hatcher, "No", Esq. Kenneth Garland, "Yes", Esq. Doug Bowman, "No", Esq. Dwight Bennett, "Yes".

3- Yes

6- No

Motion fails.

Chairman Sue Jean Wilson adjourns for a recess until 7:30p.m.

The County Commission resumed with a quorum of members present. Esq. Doug Bowman objected to continuing without the finance committee chairman when discussing the budget.

Motion made by Esq. Kenneth Garland, said motion seconded by Esq. Dwight Bennett to amend the budget by closing the Unicoi County Clerk drive thru office, Line Item #52500-169 (part time personnel), 452 (maintenance and repair), 353 (utilities), and the lease on the building is paid up until January 2011 (\$1800.00) coming out of the reserve account. Esq. Sue Jean Wilson asked Greg Lynch what the cost would be to repair both of the back doors in the courthouse for handicapped accessibility. Mr. Lynch responded that he was unsure of the cost to repair both doors. He stated that the cost to fix one door would be around \$5000.00 to \$6,000.00. Ms. Rosanna Aldrich asked how many people had used the drive thru service. Esq. Gene Wilson responded that 4,000 people used the drive thru last year. Esq. Sue Jean Wilson asked if the two back doors could be fixed by January 2011 at which time the lease would be up on the drive thru. Mr. Greg Lynch stated that should be able to be done. Esq. Doug Bowman asked if the part time employee would continue to work in the office or if that job would be done away with. Mrs. Mitzi Bowen stated that unless needed in the office the position would probably be eliminated. Esq. Gene Wilson asked where the money to repair the back doors would come from. Mr. Greg Lynch stated that the money would have to come from the maintenance fund. Esq. Bill Hensley stated that in repairing the doors the sidewalk will also need to be repaired. From his understanding the city is planning on making a parking lot where the old city hall building was. Esq. Bill Hensley stated that he doesn't see the need for the drive thru, however the best option would be to table the motion until the back doors of the

courthouse and the sidewalk can be fixed, then to close the drive thru office. Esq. Kenneth Garland withdrew his motion to close the County Clerk drive thru.

Esq. Mickey Hatcher called attention to the reducing the current utilities by \$5,000.00 in maintenance on the Ambulance Service to the Fund Balance through a budget amendment at the next County Commission meeting. Esq. Mickey Hatcher also amended his original motion to approve the adoption of the Estimated Budget Resolution for fiscal year 2010-2011 as is, including the changes made during the meeting, (\$28,000.00 from the workhouse and the \$7,500.00 from the maintenance and utilities of the Ambulance Service at the workhouse).

Motion made by Esq. Dwight Bennett, said motion seconded by Esq. Kenneth Garland to amend the budget to have each officeholders department in the courthouse take a 1% cut from their budget. Register of Deeds, Mrs. Debbie Tittle addressed the commission stating that she asked for an additional \$500.00 in travel, data processing, and office supplies for a total of \$1500.00. Mrs. Tittle also decreased \$1,000.00 in office equipment for a total of \$500.00 total increase. Mrs. Tittle also stated that it is against the law for officeholders to exceed their budgets and her budget cannot afford a cut this year. Ms. Rosanna Aldrich asked Terry Haynes, Road Superintendent, if the state matched his budget penny for penny. Mr. Haynes responded that for every penny the county gives his department the state matches it 100% and that he is the only organization that receives tax money from the county and then the state matches that amount. Mr. Haynes also stated that his department is below the five year average. Esq. Mickey Hatcher stated that citizens have approached him concerning putting a cap on healthcare within the offices and having employees pay a portion of their healthcare. Esq. Mickey Hatcher has also been contacted in regard to citizens being unhappy with the 911 system as well. Mr. Dennis Ingram addressed the commission with concerns of how many county vehicles are running; why does 911 need a car to drive to and from work, as well as deputies. Mr. Ingram stated that there are ways to cut the budget and not increase taxes. He also stated that the money should be there before things like new schools and a new jail should be built, instead of going ahead with the projects and the raising taxes.

ROLL CALL: Esq. Sue Jean Wilson "No", Esq. Gene Wilson, "No", Esq. Loran Thomas, "No", Esq. James Howell, "No", Esq. Bill Hensley, "No", Esq. Mickey Hatcher, "No", Esq. Kenneth Garland, "Yes", Esq. Doug Bowman, "No", Esq. Dwight Bennett, "Yes".

2- Yes

7- No

Motion fails.

Esq. Mickey Hatcher also amended his original motion to approve the adoption of the Estimated Budget Resolution for fiscal year 2010-2011 as is, including the changes made during the meeting, (\$28,000.00 from the workhouse with \$14,000.00 of the money coming from food and the other \$14,000.00 coming from wages; and the \$7,500.00 from the maintenance and utilities of the Ambulance Service at the workhouse being added to the Fund Balance).

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. Loran Thomas, "Yes", Esq. Gene Wilson, "Yes", Esq. Sue Jean Wilson, "Yes".

9- Yes

0- No

Motion approved unanimously.

Motion made by Esq. Kenneth Garland, said motion seconded by Esq. Bill Hensley to give the 1 cent cut from the tax rate to the Road Superintendent.

ROLL CALL: Esq. Sue Jean Wilson "Yes", Esq. Gene Wilson, "Yes", Esq. Loran Thomas, "No", Esq. James Howell, "No", Esq. Bill Hensley, "Yes", Esq. Mickey Hatcher, "No", Esq. Kenneth Garland, "Yes", Esq. Doug Bowman, "No", Esq. Dwight Bennett, "No".

4- Yes
5- No
Motion fails.

Agenda Item # 8

Motion made by Esq. Mickey Hatcher, said motion seconded by Esq. Loran Thomas to approve the Resolution fixing the tax levy in Unicoi County for the fiscal year 2010-2011 as it stands reflecting the 1 cent in the General Fund that was relieved, with the tax levy being at \$2.43.

ROLL CALL: Esq. Dwight Bennett, "Yes", Esq. Doug Bowman, "Yes", Esq. Kenneth Garland, "No", Esq. Mickey Hatcher, "Yes", Esq. Bill Hensley, "Yes", Esq. James Howell, "Yes", Esq. Loran Thomas, "Yes", Esq. Gene Wilson, "No", Esq. Sue Jean Wilson, "Yes".

7- Yes
2- No
Motion approved.

Agenda Item #10

Motion made by Esq. Dwight Bennett, said motion seconded by Esq. Gene Wilson to approve the Resolution to replace certain members of the County Public Records Commission. Mrs. Debbie Tittle addressed the commission stating that the Circuit Court Clerk and the County Clerk are mandated members of the Public Records Commission. Mrs. Tittle cordially invited both the newly elected Circuit Court Clerk and the County Clerk to County Public Records Commission. Mrs. Tittle also spoke about the County Records Commission stating that they have been in effect for just over ninety days, so far no taxpayer money has been spent other than salaries, and \$8,000.00 has been saved on the destruction of records not needed, and Mr. Fanor is housing the records at no charge but permanent place for storing the records needs to be found.

9- Aye
0- No
Motion unanimously approved.

Agenda Item # 12

Motion made by Esq. Mickey Hatcher, said motion seconded by Esq. Kenneth Garland to allow the County Attorney to enter negotiations with the Town of Unicoi concerning debt service payment. Motion made by Esq. Doug Bowman, said motion seconded by Esq. Dwight Bennett to amend the motion to include at least two County Commissioners are included on the negotiation committee with the County Attorney and the County Mayor. Mr. Ray Edwards addressed the commission recommended that all the vehicles in the county without tags be required to have tags on them.

9- Aye
0- No
Motion unanimously approved.

Agenda Item # 13

Committee Reports:

Esq. Dwight Bennett with the Animal Shelter Committee informed the commission that \$826.00 was earned through the Food Lion cookout fundraiser to go toward the budget. A total of 17 animals were taken to the Petsmart in Johnson City, Tennessee to be adopted. Esq. Bennett also stated that since the shelter opened in February 2008 a total of

44,061 animals taken in, 1556 animals have been adopted, 2,436 animals have been euthanized, 210 animals have been returned to their owners, 149 animals have been rescued. The shelter is right at a fifty percent adoption rate. Esq. Mickey Hatcher stated that the animal shelter is an additional cost to taxpayers for the services provided and has just been an added cost for the county since opening. Esq. Dwight Bennett explained the cost is around \$34,000.00 with the county, the Town of Unicoi, and the Town of Erwin each paying one third of the cost for the operation of the animal shelter. Esq. Bennett also stated that he believes it is a service well worth the cost if it prevents harm being done to a citizen due to a stray animal.

Agenda Item #14

Notaries:

There were none.

Addendum to the Agenda

Addendum Item # 1

Motion made by Esq. Gene Wilson, said motion seconded by Esq. Mickey Hatcher to consider the contract for the Circuit Court Clerk's Office to begin using an online payment system through Business Information Systems. Esq. Sue Jean Wilson stated that Mr. Darren Shelton had explained the contract with the commission during the work session and that there would be no cost to the county.

9- Aye

0- No

Motion unanimously approved.

Mr. John Hensley addressed the commission about the Greenbelt Law in the state of Tennessee. Mr. Hensley stated he would like to be sure that Unicoi County is following the law to be sure that we are obtaining as much money as possible. Esq. Bill Hensley stated that it is the law and that it goes through the Property Assessor's office. Mrs. Patsy Bennett, Property Assessor, stated that her office is following the law. Mrs. Bennett also told Mr. Hensley he is welcome to come to her office to discuss the Greenbelt Law.

Motion made by Esq. Dwight Bennett, said motion seconded by Esq. Loran Thomas to adjourn the meeting of September 27, 2010.

GREG LYNCH, COUNTY MAYOR

MITZI BOWEN, COUNTY CLERK

SUE JEAN WILSON, CHAIRMAN