

THE REGULAR SESSION OF THE BOARD OF COMMISSION
OF
UNICOI COUNTY, TENNESSEE
February 23, 2015

BE IT REMEMBERED that the Unicoi County Board of Commissioners met in Regular Session at the Unicoi County Court House on Monday, February 23, 2015, at 6:00 p.m. Present and Presiding, the Honorable Mitzi Bowen, County Clerk, Greg Lynch, County Mayor, Doug Shults, County Attorney, and the following Commissioners:

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

9- Present

0- Absent

Edgar Rice opened the meeting with Prayer and the Pledge to the Flag was led by Bill Hensley.

Agenda Item #4
Approve Minutes of Prior Session

Motion made by Esq. Gene Wilson, said motion seconded by Esq. John Mosley to approve the minutes of January 26 2015, County Commission Meeting.

Corrections So Noted

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

9-Yes

0-No

Motion approved. (Copy in file)

Agenda Item #5
Recognize Visitors and Citizens

Mr. Larry Gearhart, from Rocky Fork, 112 Ray Lane, Flag Pond addressed the commission concerning the waterline that will be voted on tonight. Mr. Gearhart informed the commission that he was looking forward to getting water.

Agenda Item #6
Recognize Bill Hensley

Mr. Bill Hensley wanted to address the commission on two items tonight. First of all I am chairman of the Unicoi County Veteran Memorial. We are starting new work at the Veteran's Park by enlarging the parking lot and restoring the names plus adding new names. Mr. Hensley stated that we are also going to plan a fund raising event throughout the summer and year.

Mr. Hensley addressed the commission on the passing of Mr. Dwight Bennett and Mr. Dwight Shelton. I respectfully ask that you consider drafting and passing resolutions memorializing Dwight Bennett and Dwight Shelton for their service to our Country and our Nation, both gentlemen were members of the County Commission and the United States Army. Thank you for your consideration on this and it would be greatly appreciated.

Esq. Marie Rice asked the Mr. Hensley provide information to our County attorney's office so the Resolution can be drafted.

Agenda Item # 7

Recognize Reneau Dubberly From Tri Cities Road Club Concerning Bicycle Race Time Trails, Saturday, June 6, 2015 on Temple Hill Road from 5:00 P.M. to 8: P.M.

Mr. Reneau Dubberly stated that Unicoi County has let us have this race for the past 3 years with this being the fourth year. All of the feedback from our competitors has been positive. We are asking for your approval of that use again on Temple Hill Road.

Esq. Kenneth Garland asked Mr. Dubberly if he has spoken to the sheriff's department. Mr. Dubberly stated yes and they are fine with it, we are actually starting in the city which the city officers will be assisting. We would like to have more participation with the county. Because we bring in 600 to 700 people, which you have such a beautiful place here that we could help present to them.

Agenda Item #8

Consider Resolution Authorizing Insurance of General Obligation Refunding Bonds of Unicoi County From 1997 and 2008 (Recognize Ashley McAnulty with Stephens, Inc.)

Motion made by Esq. Walter Garland, said motion seconded by Esq. Gene Wilson to approve resolution authorizing insurance of General Obligation Refunding Bonds of Unicoi County from 1997 and 2008.

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

9-Yes

0-No

Motion approved. (Copy in File)

Agenda Item #9

Consider Resolution Authorizing Insurance of General Obligation Refunding Bonds of Unicoi County From 2006 (Recognize Ashley McAnulty with Stephens, Inc.)

Motion made by Esq. Jason Harris, said motion seconded by Esq. Glen White to approve resolution authorizing insurance of General Obligation Refunding Bonds of Unicoi County From 2006.

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

9-Yes

0-No

Motion Approved (Copy in File)

Agenda Item #10

Consider Resolution to Commit \$200,000.00 During the Next Two Years to Capitol Projects Accounts to be Used as Match Towards Grants for Waterline to Rocky Fork Area and Rocky Fork State Park (Recognize Lee Brown)

Mr. Lee Brown stated that the power point presentation disclaimer is from Ralph Knoll, Conservation Fund, and he presented this at the Rotary Club a few weeks ago. Rocky Fork has been designated the 55 State Park in Tennessee. The total tract is about 9800 acres and about 2036 that will be developed in the State Park. This all began in 2007, the conservation fund executed an option to purchase the property, they closed on it in 2008, the funds came from land and water Conservation Fund, Tennessee Heritage Conservation Fund and Private Foundations with a total of \$40 million dollars invested to acquire this piece of property. We will have in May a manager/ranger full time for Rocky Fork State Park. Mr. Brown stated that getting water to Rocky Fork is important but it's also important getting water to the residents of Flag Pond. Flag Pond is the only large area that no public water supply is available to. The state has already appropriated \$4.2 million for development of the park and that is for \$3 million for roads and \$1.2 million for architectural, engineering services that will oversees construction of the park.

Erwin Utilities is to meet \$120,000.00 cash and in services for matching funds. We had to redo our application for community development block grant, water testing and annalist and over half of the samples we collected tested positive for bacteria. 39 homes will have access to this public water system; with 28 homes qualifying for a free tap and connection, if the grant is successful. Thirty three or 85 percent of the homes say they support this project. Mr. Brown stated that if for some reason these grants does not go through the county is not out any money, no expenditure on the county part. Funds will not be needed until early 2017, these grants will not be announced until early fall of this year.

Esq. John Mosley asked if the grants did not go through is it a dead issue or what happens at that point. “I’m not really sure”, Mr. Brown stated. But there won't be any commitment the county part or our part I'm not sure what the State would do, they have indicated they do not want to construct a private water system.

Esq. Loren Thomas asked that Mr. Brown give a breakdown of the water line itself without the park from Clear Branch to the Rock Fork community, what is the cost of just the water line. Mr. Brown stated this is to get it up to the entrance to the State Park, a little over \$1.8 million.

Esq. Gene Wilson asked if they are any individuals that will pay on this. Mr. Brown stated we are not aware of anything right now. We have approach the other governmental entities and they want to know what the county is going to do. About \$120,000.00 will come from Erwin Utilities.

Motion Made by Esq., Gene Wilson, said motion seconded by Walter Garland to commit \$200,000.00 during the next two years from Capitol Projects to be used as match towards various grants for water line to Rocky Fork State Park to be paid for from refinancing of the bonds.

Esq. John Mosley asked how it went from \$100,000.00 to \$200,000.00 from last month. Mr. Brown stated that we have \$407,000.00, we need to come up with and hopefully the county will see the benefit with the State Park.

Esq. Kenneth Garland stated that we need to get other people involved with this and I will make the motion to take \$100,000.00 from the MSHA money. Later down the road these people need to put up some to, I just don't like dumping everything on the county people. We have the North end, all they are going to benefit from it is a State Park and the South end will get the benefit that they deserve. I don't like putting up \$200,000.00 when we don't have it and we are going to have to borrow it.

Esq. Loren Thomas asked when you put in a waterline to Limestone Cove or some of these communities; has the county pitched in, in the past. Mr. Brown stated no, the only reason is because the State has asked us, to get it to the State Park and normally we are bound and limited by the grants we apply for. We are applying for three times what we would normally apply for. Esq. Loren Thomas if this water line would go from Clear Branch to Rock Fork Community, this would not cost the county anything. The \$200,000.00 is to run it up Rocky Fork a mile and half to the park. Mr. Brown stated basically, I don't have the cost broken out from Clear Branch to Rocky Fork and from Rocky Fork to the gate.

Ken Ray, First Tennessee Development District explained to the commission that we just need a commitment and the funds can come later.

Motion made by Esq. Gene Wilson, said seconded by Walter Garland to withdrawal his motion to commit \$200,000.00 during the next two years to Capitol Projects to be used as match towards various grants for water line to Rocky Fork State Park to be paid from refinancing of the bonds

Motion made by Esq. John Mosley, said seconded by Glen White to commit \$100,000.00 during the next two years to Capitol Projects to be used as match towards various grants for water line to Rocky Fork State Park to be paid for from refinancing of the bonds

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

7-Yes

2-No

Motion Approved (Copy in File)

Agenda Item #11

Hear Proposals From Ambulance Services Provider Recommended by Ambulance Committee Based on Response to RFP, Discuss Proposals

Esq. Jason Harris, chairman of the Ambulance Committee recommended proposal number one, Medic One is requesting an annual subsidy of \$132,000.00. Subsidy shall be paid \$ 11,000.00 monthly.

Agenda Item #12

Select Ambulance Service Authorize County Attorney to Prepare and County Mayor to Enter into Contract with Chosen Ambulance Provided

Motion made by Esq. Loren Thomas, said motion seconded by Esq. John Mosley to approve the Ambulance Committee proposal number one of \$132,000.00 a year subsidy and the County Attorney and Mayor enter into a contract with ambulance service.

Esq. Jason Harris read the proposal of the Ambulance committee, which accepted proposal number one at \$132,000.00 year subsidy with Medic One, shall be paid \$11,000.00 a month; Medic One will cap net profit at 10% anything above 10% will go back to the tax payers of Unicoi County.

ROLL CALL: Esq. John Mosley “Yes”, Esq. Marie Rice, “Yes”, Esq. Kenneth Garland, “No”, Esq. Walter Garland, “No”, Esq. Jason Harris, “Yes”, Esq. Bridget Peters, “Absent”, Esq. Loren Thomas, “Yes, w/conflict”, Esq. Gene Wilson, “Yes”, Esq. Glen White, “Yes”.

NOTE** Esq. Loren Thomas, (wife is employed by Medic One), read the Conflict of Interest Pledge before casting his vote. The Pledge is as follows: *Because my wife is employed with Medic One, 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...*

7-Yes
2-No
Motion Approved

Agenda Item #13

Consider Resolution to Opt In or Opt Out of State Minimum Building Codes (Recognize Gary Farley from Tn State Fire Marshall’s Office

Motion made by Esq. Kenneth Garland, said motion seconded by Esq. Loren Thomas to approve to opt out of State Minimum building Codes.

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

8-Yes
1-No
Motion approved. (Copy in File)

Agenda Item #14

Consider Banning the Disposal of Construction and Demolition Material At The Unicoi County Convenience Centers (Kenneth Garland)

Motion made by Esq. Kenneth Garland, said motion seconded by Esq. Jason Harris to table banning the disposal of construction and demolition material at the Unicoi County Convenience Centers.

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

9-Yes
0-No
Motion approved

Agenda Item #15
Consider Resolution Participating in Regional Recycling Program with Carter County, Recognize Benny Lyons (Kenneth Garland)

Motion made by Esq. Kenneth Garland, said motion seconded by Esq. Gene Wilson to table the resolution participating in Regional Recycling Program with Carter County.

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

9-Yes
0-No
Motion approved

Agenda Item #16
Consider Mayor’s Appointment of Ben Brackins to Unicoi County Planning Commission

Mayor withdrawals

Agenda Item #17
Consider County Mayor’s Appointment of Ed Herndon to the Unicoi County Ethics Committee to replace Jim Pate

Motion made by Esq. Kenneth Garland, said motion seconded by Esq. Gene Wilson to approve Ed Herndon to the Unicoi County Ethics Committee to replace Jim Pate.

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

9-Yes
0-No
Motion Approved (Copy in File)

Agenda Item #18
Consider Resolution to Increase the Board Members to the Unicoi County School Board from (6) members to (9) members

Motion made by Esq. Gene Wilson, said motion seconded by Esq. John Mosley to table the resolution to increase the Board members to the Unicoi County School Board from (6) member to (9) members.

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

5-Yes

4-No

Motion Approved (Copy in File)

Agenda Item #19
Committee Reports

Copy of Sanitation Report in file

Agenda Item #20
Budget Amendments

Motion made by Esq. Jason Harris, said motion seconded by Esq. Gene Wilson to approve the resolution approving the following budget amendments: County Mayor \$584.45 from general fund 112 into courthouse and jail maintenance, Social Security \$54,809.60 (no new money), employee benefits \$ 10,531.00 (workers compensation from fund balance) and debt service \$165,773.82 transferred in from other funds.

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

9-Yes

0-Not

Motion Approved (Copy in File)

Agenda Item #20
Elect Notaries

Motion made by Esq. Gene Wilson, said motion seconded by Esq. John Mosley to approve the following notaries Nicholas Adams, Stana M Donnelly, Daphne Ledford, Tamara Lockner, R. Mitchell Manual, John L McFadden, Michael J. Reece, Jennifer Nicole Stephenson, Chrystal L. Wilcox and Heidi Christen Willis.

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

9-Yes

0-No

Motion Approved (Copy in File)

Agenda Item #21
Motion for Adjournment

Motion made by Esq. Glenn White, said motion seconded by Esq. John Mosley to adjourn the January 26th 2015 County Commission meeting.
(Motion unanimously approved)

GREG LYNCH, COUNTY MAYOR

MITZI BOWEN, COUNTY CLERK

MARIE RICE, CHAIRMAN