

THE SPECIAL CALL SESSION OF THE BOARD OF COMMISSION
OF
UNICOI COUNTY, TENNESSEE
DECEMBER 19, 2011

BE IT REMEMBERED that the Unicoi County Board of Commissioners met in Special Call Session at the Unicoi County Court House on Monday, December 19, 2011, at 4:30 p.m. Present and Presiding, the Honorable Sue Jean Wilson, Chairman, 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. Doug Bowman, "Yes", Esq. Kenneth Garland, "Yes", Esq. Mickey Hatcher, absent, Esq. Bill Hensley, "Yes", Esq. James Howell, "Yes", Esq. Loran Thomas, "Yes", Esq. Gene Wilson, "Yes", Esq. Sue Jean Wilson, "Yes".

8- Present

1- Absent

Esq. James Howell opened the meeting with Prayer and the Pledge to the Flag was led by Esq. Loren Thomas.

Agenda Item #4

Recognize Visitors and Citizens

None present.

Agenda Item #9

Consider Resolution concerning Sunshine Law

Motion made by Esq. James Howell, said motion seconded by Esq. Bill Hensley to vote down the resolution concerning Sunshine Law.

7-Aye

1-No

1-Absent

Esq. Doug Bowman stated his reason for supporting the change in the Sunshine Law Resolution. Esq. Bowman has discussed the matter with members of the Unicoi County Economic Development Board and the tax rate is getting to high. The only other way to bring in revenue is to raise the tax base. This resolution would be an incentive to the Economic Development Board to help recruit industry and develop the county.

Re-Vote

7-Aye

1-No

1-Absent

Motion approved.

Agenda Item #5
Recognize Brad Flynn

Mr. Brad Flynn, a resident of Homestead Estates, addressed the commission before they voted on the possibility of accepting Homestead Estates to the county road list. Mr. Flynn stated that he has been going through legal issues with the developer for over 3 ½ years. There are no road services to Homestead Estates in the winter months when the roads are dangerous, although the residents pay taxes. Mr. Flynn stated that Unicoi County needs to reevaluate its thinking and how it looks at protecting all residents, not just a few. Homestead Estates should stand as an example of what should never happen again, especially in a county with such limited and vital land resources for developing.

Agenda Item #6
Consider upon recommendation of the Planning Commission and Terry Haynes the adoption of Homestead Estates

Esq. Doug Bowman stated point of order, since this was voted on last month that only someone that voted no can actually make that motion.

Motion made by Esq. Dwight Bennett, said motion seconded by Esq. James Howell to approve the adoption of Homestead Estates. Esq. James Howell stated that after reviewing the roads the problem is because of the drainage. Esq. Howell has been told that Mr. Orsborne has agreed to fix the ditch and drainage. Road Superintendent, Mr. Terry Haynes said the roads have been brought up to standards. Esq. James Howell stated that the standards need to be raised. Esq. Sue Jean Wilson stated that the planning commission is working on that.

8- Aye

0- No

1- Absent

Motion approved.

Agenda Item #7
Discuss Workhouse Annex-Recognize Ronnie Adkins (Budget Amendment)

Mr. Ronnie Adkins, with the Sheriffs Department, addressed the commission concerning budget amendments. Mr. Adkins stated that when the Sheriffs Departments budget was passed several things had been cut. The annex is a first time expense. Quite a bit of money was cut from the food account in order to get the budget down. Mr. Adkins stated that it cost about \$3,000.00 a month for food, more than what was budgeted. The projection is they will run out of money in the next month or so. The projected revenue for state inmates is \$383,000.00. The projected revenues for the workhouse and jail are \$350,000.00 for this year. Esq. Kenneth Garland asked why it cost more per person in the workhouse than it does in the jail. George Berry stated that the annex sends their order to the jail, then the jail cook orders the food; and they are running about the same on cost per inmate. Esq. Garland stated not according to the way he figured it. Mr. Ronnie Adkins stated that at the main jail it is costing \$5,000.00 a month and \$3,000.00 a month at the annex. There are 47 inmates in the jail and 18 inmates in the annex, a total of 65 inmates. Mr. Berry stated that is cost \$1.50-\$2.00 per meal, per person the last time he figured it. The price of everything has gone up. The distributor has added a delivery surcharge for making a second stop at the annex. Esq. Bill Hensley stated that during a work session he asked Mr. Adkins if inmates are transferred from the jail to the workhouse annex, does that food budget travel with them over to the annex. The answer was no. Esq. Bill Hensley stated that if you move the inmates to the annex, then their food supply is in the jail. Esq. Loren Thomas asked how long it would take to acquire the state inmates to bring in the \$35.00 a day per state inmate. Mr. Adkins stated that it depended on the availability, just a few days, but they would run out of money before the state inmates come in. Mr. George Berry is in charge of both budgets and can have a

break down of them for the commission at the next meeting. Mrs. Phyllis Bennett stated that last year \$105,542.00 was budgeted, this year \$94,000.00 was budgeted.

Motion made by Esq. Dwight Bennett, said motion seconded by Esq. Bill Hensley to approve \$10,000.00. Esq. Loren Thomas asked why there are not more TDOC state inmates coming in more quickly. Mr. Berry responded that he is picking and choosing the inmates to be sure there will not be future problems that will cost the department more in the long run. Esq. Bill Hensley called for question.

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

8- Yes

0- No

1- Absent

Motion approved.

Agenda Item #8

Discuss overtime pay for 911 employees (Budget Amendment)

Motion made by Esq. Bill Hensley, said motion seconded by Esq. Dwight Bennett to approve the counties half of overtime pay for 911 employees. Esq. Dwight Bennett stated he hopes this never comes up again, Esq. Bill Hensley stated it won't. Esq. Sue Jean Wilson asked Esq. Bill Hensley as a member and treasure of the 911 board if he would speak on the matter. Esq. Bill Hensley stated that they are in the process of having a stand alone 911. There are 8 dispatchers total with the county paying for 4 and 911 paying for the remaining 4. They must be paid for overtime per attorney. Since the dispatchers have been changed from 12 hour shifts to 8 hour shifts there has been no overtime and little compensation time. Esq. Loren Thomas asked who authorized the overtime. County Mayor stated that the Sheriff asked for the change in shifts to 12 hours. Mr. Lynch also stated that the pay period is a two week period. The dispatchers may work 2 shifts one week and then 4 shifts the next week. Overtime pay goes by a 40 hour work week. Esq. Loren Thomas asked why no one saw this coming. Mr. Ronnie Adkins stated it was his understanding that CTAS came in and said anytime someone works over 40 hours they have to be paid overtime. Esq. Sue Jean Wilson stated that figures were taken from the time sheets of employees and double checked. Esq. Bill Hensley called for question. The county owes 4 employees overtime, totaling \$18,966.23. County Attorney Doug Shults addressed the commission stating that a mistake was made at a supervisory level, so the employees are acting as their supervisor instructed them. If they are working over the 40 hours in a work week they are owed overtime.

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

3- Yes

5- No

1- Absent

Motion fails.

Agenda Item #10

Budget Amendments

Budget Amendment for the Sheriffs Department for \$20,000.00 was changed to \$10,000.00 and was passed. Budget Amendment of the Counties portion of 911 overtime for \$18,966.23 failed.

Motion made by Esq. Loren Thomas, said motion seconded by Esq. James Howell to approve 911 portion of reimbursement for overtime. Esq. Bill Hensley asked about the other portion of overtime pay. Esq. Sue Jean Wilson stated there would have to be a work session and they will have to go back over this and provide the time sheets for the overtime. Esq. Kenneth Garland asked why they aren't just tabling until after the work session. Esq. Loren Thomas rescinded his motion.

Motion made Esq. Loren Thomas, said motion seconded by Esq. Gene Wilson to table the approval of 911 portions for reimbursement for overtime.

5- Aye

2- No

1- Absent

Motion approved.

Motion made by Esq. Kenneth Garland, said motion seconded by Esq. Gene Wilson to approve the Sheriff Department Budget Amendment (\$1,000.00).

8- Aye

0- No

1- Absent

Motion approved. (Copy in file)

Motion made by Esq. Bill Hensley, said motion seconded by Esq. Loren Thomas to approve the Library Budget Amendment (\$1,075.00).

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

6- Yes

0- No

3- Absent

Motion approved. (Copy in file)

Motion made by Esq. Kenneth Garland, said motion seconded by Esq. Loren Thomas to approve the Sheriff Dept Budget Amendment (\$115,254.00).

6- Aye

0- No

3- Absent

Motion approved (Copy in file)

Motion made by Esq. Kenneth Garland, said motion seconded by Esq. James Howell to approve the Health Dept Budget Amendment (\$311.75).

6- Aye

0- No

3- Absent

Motion approved. (Copy in file)

Agenda Item #11

Elect Notaries

Motion made by Esq. Kenneth Garland, said motion seconded by Esq. James Howell to approve Paula Rogers (Unicoi County Health Dept.) as a Notary Public.

8- Aye

0- No

1- Absent

Motion approved.

Agenda Item #12
Motion for Adjournment

Motion made by Esq. Gene Wilson, said motion seconded by Esq. James Howell to adjourn the meeting of December 19, 2011.

GREG LYNCH, COUNTY MAYOR

MITZI BOWEN, COUNTY CLERK

SUE JEAN WILSON, CHAIRMAN