726-1

MINUTES

MONROE COUNTY BOARD OF COUNTY COMMISSIONERS

REGULAR SESSION

JUNE 28, 2011

BE IT REMEMBERED, that the Board of Commissioners for Monroe County, Tennessee, was begun and held at the Courthouse in Madisonville, Tennessee, in Regular Session, June 28, 2011 at 7:00 P.M. Present and presiding was Wanda Alexander, Chairperson, and the following Commissioners were present and answered roll call.

FIRST DISTRICT	SECOND DISTRICT	THIRD DISTRICT
Wanda Alexander	Richard Kirkland	Harold Hawkins
Marty Allen	Judy Lee	Bill Shadden
Bennie Moser		

ALSO PRESENT, were Clerk, Larry C. Sloan & several department heads.

Absent were Commissioner Bivins, 2nd District & Roger Thomas, 3rd District.

The Board of Commissioners was officially opened by Captain Bledsoe

The invocation was given by the Mayor Yates.

The Pledge of Allegiance to the Flag was led by the Chairperson.

628-1 BOARD OF COMMISSIONERS MINUTES FOR MAY 24, 2011-APPROVED

There being no exceptions to the Board of Commissioners Minutes for May 24, 2011, it was moved by Commissioner MOSER, seconded by Commissioner HAWKINS, that these minutes be approved as presented. Motion carried. Aye 7 Nay 0

628-2 NOTARY PUBLIC APPLICATIONS-APPROVED

It was moved by Commissioner SHADDEN, seconded by Commissioner HAWKINS, that the following notary applications be approved as presented. Motion carried. Aye 7 Nay 0

JULIE B. CAMPBELL
SHIRLEY ANN LYNN
ROBERT T. MOSER
MATTHEW D. OLAKO
DEBBY PLEMONS
SANDRA RUSSELL RAPER
MARY ANNE ROTTMANN
GINA ANN SANDS
MARIA ELENA STANLEY
DAVID LEE VIAR
JANICE M. YEARY

628-3 DIRECTOR OF FINANCE REPORT

There being no exceptions to the Director of Finance Report, it was moved by Commissioner LEE, seconded by Commissioner MOSER, that this report be approved as presented. Motion carried. Aye 7 Nay 0

Director of Finance, Elizabeth C. Hicks, presented the following request:

I am trying to strengthen Monroe County's financial position as we move into Fiscal Year 2011-12. I want to maximize the County General Fund #101's fund and cash balance. In order to do this, I am asking for a freeze on purchase order spending for the first quarter while the new budget is finalized. Only necessary expenditures will be made.

It was moved by Commissioner MOSER, seconded by Commissioner ALLEN, that this request be approved as presented. Motion carried on roll call. Aye 7 Nay 0

628-4 TRUSTEE REPORT-APPROVED

There being no exceptions to the Trustee Report, it was moved by Commissioner LEE, seconded by Commissioner MOSER, that this report be approved as presented. Motion carried. Aye 7 Nay 0

628-5 RESOLUTION: BUDGET AMENDMENT, COUNTY GENERAL FUND BUDGET -APPROVED

BE IT RESOLVED, by the Monroe County Board of County Commissioners, meeting in regular session, June 28, 2011, that the following amendment for Tennessee Administrative Office of the Courts Rural Juvenile Court Intervention Strategy Grant for Drug and Alcohol Program, be made in the County General Fund Budget for the Fiscal Year 2010/2011.

Increase Revenue

47100-ALC11	Federal through State Grants	9,000.00

Increase Expenditure

55170-599-ALC11	Other Charges	9,000.00

PASSED, this 28th day of June, 2011.

It was moved by Commissioner ALLEN, seconded by Commissioner LEE, that this resolution be approved as presented. Motion carried on roll call. Aye 7 Nay 0

628-5A RESOLUTION: BUDGET AMENDMENT, COUNTY GENERAL FUND BUDGET -APPROVED

BE IT RESOLVED, by the Monroe County Board of County Commissioners, meeting in regular session, June 28, 2011, that the following amendment for alcohol compliance checks and project director fees for the drug and alcohol program, be made in the County General Fund Budget for the Fiscal Year 2010/2011.

Decrease Reserve

34150	Reserve for Alcohol & Drug Treatment	4,825.00

Increase Expenditure

55170-599	Other Charges	4,825.00

PASSED, this 28th day of June, 2011.

It was moved by Commissioner MOSER, seconded by Commissioner KIRKLAND, that this resolution be approved as presented. Motion carried on roll call. Aye 7 Nay 0

628-5B RESOLUTION: BUDGET AMENDMENT, COUNTY GENERAL FUND BUDGET -APPROVED

BE IT RESOLVED, by the Monroe County Board of County Commissioners, meeting in regular session, June 28, 2011, that the following amendment for re-allocation of funds for personnel needs for the Sheriff's Department and Jail, be made in the County General Fund Budget for the Fiscal Year 2010/2011.

Decrease Expenditures

54110-103	Assistant(s)	6,975.00
54110-109	Administrative Captain	7,003.00
54210-187	Over-Time	4,000.00
54210-115	Sergeant(s)	5,200.00
54110-161	Secretary	12,000.00
54110-162	Clerical	8,000.00

Increase Expenditures

54110-106	Clerical Personnel	2,600.00
54110-115	Part-time Personnel	4,375.00
54110-187	Over-Time	5,503.00
54110-187-METH	Meth Over-Time	1,500.00
54210-169	Part-Time Personnel	4,000.00
54210-160	Guards	25,000.00
54210-109	Captain	200.00

PASSED, this 28th day of June, 2011.

It was moved by Commissioner LEE, seconded by Commissioner ALLEN, that this resolution be approved as presented. Motion carried on roll call. Aye 7 Nay 0

628-5C RESOLUTION: BUDGET AMENDMENT, COUNTY GENERAL FUND BUDGET -APPROVED

BE IT RESOLVED, by the Monroe County Board of County Commissioners, meeting in regular session, June 28, 2011, that the following amendment for monthly business internet payments for the Law Library, be made in the County General Fund Budget for the Fiscal Year 2010/2011.

Decrease Expenditures

52100-317	Data Processing Services	3,800.00

Increase Expenditures

56500-334-LAWLI	Maintenance Agreements	3,800.00

PASSED, this 28th day of June, 2011.

It was moved by Commissioner MOSER, seconded by Commissioner KIRKLAND, that this resolution be approved as presented. Motion carried on roll call. Aye 7 Nay 0

628-5D RESOLUTION: BUDGET AMENDMENT, COUNTY GENERAL FUND BUDGET -APPROVED

BE IT RESOLVED, by the Monroe County Board of County Commissioners, meeting in regular session, June 28, 2011, that the following amendment for re-allocations of the county buildings budget for personnel needs, be made in the County General Fund Budget for the Fiscal Year 2010/2011.

Decrease Expenditures

51800-599	Other Charges	2,379.00

Increase Expenditures

51800-103	Assistant	2,072.00
51800-201	Social Security	129.00
51800-212	Medicare	31.00
51800-204	Retirement	147.00

PASSED, this 28th day of June, 2011.

It was moved by Commissioner KIRKLAND, seconded by Commissioner HAWKINS, that this resolution be approved as presented. Motion carried on roll call. Aye 7 Nay 0

628-5E RESOLUTION: BUDGET AMENDMENT, COUNTY GENERAL FUND BUDGET -APPROVED

BE IT RESOLVED, by the Monroe County Board of County Commissioners, meeting in regular session, June 28, 2011, that the following amendment for reimbursement from the bond proceeds Series E-7-A earmarked for capital improvements for the jail facility be made, be made in the County General Fund Budget for the Fiscal Year 2010/2011.

Increase Revenue

48130	Contributions	12,440.80

Increase Expenditure

51800-335	Maintenance & Repair Services-Bldg	12,440.80

PASSED, this 28th day of June, 2011.

It was moved by Commissioner LEE, seconded by Commissioner MOSER, that this resolution be approved as presented. Motion carried on roll call. Aye 7 Nay 0

222-6 RESOLUTION: BUDGET AMENDMENT, SCHOOL DEPARTMENT

RECAPITULATION OF BUDGET RESOLUTIONS

Resolution #0628-1	General Purpose Schools	627,766.74
Resolution #0628-2	Educational Capital Outlay	330,530.13
***Resolution #0609-1**	**Central Cafeteria**	**186,000.00**

It was moved by Commissioner LEE, seconded by Commissioner KIRKLAND, that these resolutions be approved as presented. Motion carried on roll call. Aye 7 Nay 0

***RESOLUTION TO TRANSFER FUNDS FROM GENERAL PURPOSE SCHOOL FUNDS TO CENTRAL CAFETERIA FUND FOR FISCAL YEAR ENDING JUNE 30, 2011**

Resolution #0628-6

WHEREAS, Generally Accepted Accounting Principles (GAAP) consider a cash deficit in any fund to be a significant deficiency in internal control; and,

WHEREAS, *Monroe County School District* does not desire to operate any fund with a cash deficit.

THEREFORE, BE IT RESOLVED, by the *Board of Education of Monroe County School District*, a school district in Tennessee, meeting in regular session on this *9th day of June, 2011*, and by the County Commission of *Monroe County*, a county in Tennessee, meeting in regular session on this *28th day of June, 2011*, that;

Section 1. The General Purpose School fund shall transfer *$186,000.00 (not to exceed)* to the Central Cafeteria Fund on *June 30, 2011.*

Section 2. The $186,000.00 transfer shall remain in the Central Cafeteria Fund as a designated fund balance from the General Purpose School Fund and may be repaid at any time as noted in a resolution passed by the Board of Education and County Commission.

Section 3. This resolution will take effect on *June 30, 2011*. The Secretary of the Board of Education shall include this Resolution in the Minutes of the Monroe County *School District*. The County Clerk shall include this Resolution in the minutes of Monroe County.

Adopted this 9th day of June 2011, by Monroe County Board of Education and Adopted this 28th day of June, 2011, by Monroe County Commission.

It was moved by Commissioner HAWKINS, seconded by Commissioner SHADDEN, that this Resolution be approved as presented. Motion carried. Aye 7 Nay 0

628-7 RESOLUTION TO ADOPT A CONTINUING BUDGET AND TAX RATE FOR THE FISCAL YEAR BEGINNING JULY 1, 2011 AND TO AUTHORIZE THE ISSUANCE OF TAX ANTICIPATION NOTES FOR MONROE COUNTY-APPROVED

WHEREAS, it appears that the 2011-2012 fiscal budget of Monroe County, Tennessee will not be approved during the 2011 July term of the Board of Commissioners:

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of Monroe County, Tennessee that the amounts set out in the 2010-2011 Appropriation Resolution are hereby continued until a new 2011-2012 Appropriation Resolution is adopted; and,

BE IT FURTHER RESOLVED, that the property tax rate as adopted for the 2010-2011 fiscal year shall remain in effect for the fiscal year beginning July 1, 2011 until a new tax rate is adopted; and,

BE IT FURTHER RESOLVED, that the County Mayor and County Clerk are hereby authorized to borrow money on tax anticipation notes, not exceeding 60% of the appropriations of each individual fund of the continuing budget, to pay for expenses herein authorized until the taxes and other revenues for the fiscal year 2011-2012 have been collected. Such notes shall first be approved by the State Director of Local Finance. The notes evidencing the loans authorized under this section shall be issued under the authority of Title 9, Chapter 21, *Tennessee Code Annotated*. All of said notes shall mature and be paid in full without renewal not later than June 30, 2012.

BE IT FURTHER RESOLVED, that this resolution shall take effect from and after its passage and its provisions shall be in force from and after July 1, 2011.

Adopted this 28th day of June, 2011.

It was moved by Commissioner HAWKINS, seconded by Commissioner KIRKLAND, that this Resolution be approved as presented. Motion carried. Aye 7 Nay 0

628-8 RESOLUTION: AUTHORIZING SUBMISSION OF AN APPLICATION FOR A LETTER AND TRASH COLLECTING GRANT FOR GY 2011-2012 FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION AND AUTHORIZING THE ACCPTANCE OF SAID GRANT-APPROVED

WHEREAS, the Monroe County Commission intends to apply for the aforementioned Grant from the Tennessee Department of Transportation and,

WHEREAS, the contract for the Grant for FY 21011-2012 will impose certain legal obligations upon Monroe County.

THEREOFRE, BE IT RESOLVED:

1. That the County Mayor of Monroe County is authorized to apply on behalf of Monroe County for a Litter and Trash Collection Grant for FY 2011-2012 from the Tennessee Department of Transportation.

2. That should said application be approved by the Tennessee Department of Transportation, and the Monroe County Commission, the County Mayor of Monroe County is authorized to execute contracts or other necessary documents, which may be required to signify acceptance of the Litter and Trash Collecting Grant by Monroe County.

Approved at the regularly held meeting on the 28th day of June, 2011.

It was moved by Commissioner SHADDEN, seconded by Commissioner MOSER, that this Resolution be approved as presented. Motion carried. Aye 7 Nay 0

628-9 APPROVAL OF OFFICIAL STATUTORY BOND FOR OFFICE OF DIRECTOR OF FINANCE, ELIZABETH G. HICKS-APPROVED

It was moved by Commissioner HAWKINS, seconded by Commissioner KIRKLAND, that the following COUNTY OFFICIAL BOND be approved as presented. Motion carried on roll call. Aye 7 Nay 0

ELIZABETH C. HICKS DIRECTOR OF FINANCE

628-10 RESOLUTION: DIRECTING THE MAYOR TO SEEK DESIGNATION OF THE STONE BUILDING (FORMERLY HOUSING THE MONROE COUNTY HEALTH DEPARTMENT/AMERICAN LEGION POST) FOR PLACEMENT ON THE NATIONAL REGISTER OF HISTORIC PLACES AND TO REQUEST EFFORTS TO OBTAIN HISTORIC PRESERVATION GRANT FUNDING FOR SAID BUILDING-APPROVED

WHEREAS, the stone building located in downtown Madisonville, previously serving as the offices of the Monroe county Health Department/American Legion Post, has been determined to have been constructed circa 1940 by the National Youth Administration; and

WHEREAS, the Preservation Planner for the East Tennessee Development District has recently conducted an onsite review and evaluation of said building; and

WHEREAS, the Preservation Planner of the East Tennessee Development District has notified the County Mayor that said building retains sufficient architectural integrity, both in its design and materials, to serve as a basis for recommending the placement of this building on the National Register of Historic Places; and

WHEREAS, the placement of said building on the National Register of Historic Places would enable the building to be eligible for historic preservation grant funding; and

WHEREAS, the Preservation Planner for the East Tennessee Development District has formally expressed an interest in working with the County to prepare the materials necessary to support the nomination of this building to the National Register of Historic Places;

IT IS ACCORDINGLY HEREBY RESOLVED by the Monroe County Commission that the County Mayor is requested to pursue efforts in coordination with the East Tennessee Development District Preservation Planner's office to nominate this historic structure for placement on the National Register of Historic Places and, upon said designation, to pursue historic preservation grant funding for said building.

This Resolution shall be effective upon its passage and approval, the public welfare requiring it.

Passed upon Motion duly made and seconded this 28th day of June, 2011.

It was moved by Commissioner LEE, seconded by Commissioner ALLEN, that this Resolution be approved as presented. Motion carried on roll call. Aye 7 Nay 0

628-11 RESOLUTION: EFFECTING THE CLOSING OF OLD LINDSEY BRIDGE ROAD (FORMERLY KNOWN AS HAWKINS MILL ROAD) TO VEHICULAR TRAFFIC-APPROVED

WHEREAS, the Monroe County Commission, on April 26, 2011, and pursuant to T.C.A. § 54-10-216, enacted Resolution No. 426-26, providing for the closing of public roads in the County that are not maintained by any other governmental entity; and

WHEREAS, D.C. Barefield, a citizen and resident of Monroe County, Tennessee, by written request to the Chief Administrative Officer of the Monroe County Highway Department dated September 22, 2010, has requested that Old Lindsey Bridge Road (formerly known as Hawkins Mill Road) be closed through the installation of a gate that will bar vehicular traffic, which gate shall be for the use of authorized representatives of Tennessee Valley Authority and the adjacent property owners; and

WHEREAS, the Chief Administrative Officer of the Monroe county Highway Department has previously provided advertised notice to interested parties as provided in T.C.A. § 54-10-216; and

WHEREAS, by letter dated March 16, 2011, from the authorized Program Manager of the Tennessee Valley Authority indicating that the Tennessee Valley Authority does not oppose the installation of a gate across Old Lindsey Bridge Road; and

WHEREAS, the Chief Administrative Officer of the Monroe County Highway Department issued a recommendation to the Monroe County Regional Planning Commission that the road be closed to vehicular traffic only; and

WHEREAS, the Monroe County Regional Planning Commission recommends that the Monroe County Commission close Old Lindsey Bridge Road (formerly known as Hawkins Mill Road) to vehicular traffic through the placement and installation of a gate through which authorized representatives of the Tennessee Valley Authority and the neighboring property owners shall have access;

IT IS ACCORDINGLY HEREBY RESOLVED, that Old Lindsey Bridge Road (formerly known as Hawkins Mill Road) be and the same is hereby declared to be closed to vehicular traffic by Monroe County through the adoption of this Resolution by a majority of the members of the Monroe County Commission, and from and after the date of this Resolution, Monroe County shall have no further responsibility for maintenance, upkeep, and repair of Old Lindsey Bridge Road.

This Resolution shall be effective upon its passage and approval, the public welfare requiring it.

Passed upon motion duly made and seconded this 28th day of June 2011.

It was moved by Commissioner HAWKINS, seconded by Commissioner KIRKLAND, that this resolution be approved as presented. Motion carried on roll call. Aye 7 Nay 0

628-12 RESOLUTION: EFFECTING THE CLOSING OF LESTER LANE (FORMERLY KNOWN AS McLEMORE ROAD-APPROVED

WHEREAS, the Monroe County Commission, on April 26, 2011, and pursuant to T.C.A. § 54-10-216, enacted Resolution No. 426-26, providing for the closing of public roads in the County that are not maintained by any other governmental entity; and

WHEREAS, J. Carey McHugh, a citizen and resident of Monroe County, Tennessee, by written request to the Chief Administrative Officer of the Monroe County Highway Department dated September 15, 2010, has requested that Lester Lane (formerly known as McLemore Road) be closed; and

WHEREAS, the Chief Administrative Officer of the Monroe County Highway Department has previously provided advertised notice to interested parties as provided in T.C.A. § 54-10-216; and

WHEREAS, the Chief Administrative Officer of the Monroe County Highway Department issued a recommendation to the Monroe County Regional Planning Commission that the road be closed, and that thereafter the affected property owners shall address ingress and egress issues on Lester Lane through the execution and recording of an appropriate easement and maintenance agreement; and

WHEREAS, the Monroe County Regional Planning Commission recommends that the Monroe County Commission close the identified portion of Lester Lane in accordance with the conditions set forth by the Chief Administrative Officer of the Monroe County Highway Department;

IT IS ACCORDINGLY HEREBY RESOLVED that Lester Lane (formerly known as McLemore Road) be and the same is hereby declared to be closed by Monroe County by the adoption of this Resolution by a majority of the members of the Monroe County Commission, and from and after the date of this Resolution, Monroe County shall have no further responsibility for maintenance, upkeep, and repair of Lester Lane.

This Resolution shall be effective upon its passage and approval, the public welfare requiring it.

Passed upon motion duly made and seconded this 28th day of June, 2011.

It was moved by Commissioner KIRKLAND, seconded by Commissioner ALLEN, that this resolution be approved as presented. Motion carried on roll call. Aye 7 Nay 0

DISCUSSION: SHAN HARRIS, DIRECTOR OF ECONOMIC DEVELOPMENT

Shan Harris appeared before the Commission with a verbal report on the need of a county planner. He reported that the four (4) City Mayors and Mayor Yates had met to discuss the situation since the state has discontinued local planning agents. The county and cities have decided to hire one (1) planner for all four (4) cities and county. This planner will be a county employee with funds being contributed to operate that office from the cities and county.

ADJOURNMENT

There being no further business, the meeting was adjourned.

TIM YATES, COUNTY MAYOR

ATTEST:

LARRY C. SLOAN, COUNTY CLERK