

The McMinn County Board of Commissioners met in Regular Session on September 17, 2018 at 7:30 pm, in the Blue Room of the McMinn County Courthouse.

1. CALL TO ORDER

The meeting was called to order by Chairman David Crews.

2. INVOCATION

The Invocation was given by Commissioner Simpson.

3. PLEDGE TO THE FLAG

The Pledge to the Flag was led by Commissioner Carter.

4. ROLL CALL

Roll Call was taken by Melinda King, McMinn County, as recorded:

Scott Curtis - Present  
Dale Holbrook - Present  
Tim King - Present  
Roger Masingale - Present  
Jerry Millsaps - Present  
J. W. McPhail - Present  
Brent Carter -Present  
Tad Simpson - Present  
Charles Slack - Present  
Chairman David Crews – Present

5. APPROVAL OF MINUTES

Copies of the Minutes of the Regular Session on August 20, 2018 were provided to the McMinn County Commissioners.

MOTION made by Commissioner McPhail, and seconded by Commissioner King, to approve the minutes of August 20, 2018.

Motion carried by voice vote.

6. ELECTION OF CHAIRMAN

Chairman Crews opened the floor for nominations for Chairman.

MOTION made by Commissioner Curtis to nominate David Crews as Chairman, and seconded by Commissioner Slack. Commissioner McPhail made a motion that nominations cease and elect David Crews by acclamation.

Motion carried by voice vote.

Chairman Crews opened the floor for nominations for Vice Chairman.

MOTION made by Commissioner Masingale, and seconded by Commissioner King, to nominate Commissioner J. W. McPhail as Vice Chairman.

Motion carried by voice vote.

7. APPROVAL OF BIDS AND PURCHASES

A. A Resolution to Approve and Award the Annual Bid for Crushed Stone

Mr. Luallen presented resolution #18-090 along with a copy of the bid summary sheet and letter of recommendation from Dan P. Evans, Chief Administration Officer.

RESOLUTION NO. 18-090

A RESOLUTION TO APPROVE AND AWARD THE ANNUAL  
BID FOR CRUSHED STONE

WHEREAS, in order to properly perform the essential operations of county government goods and services must often be let for bid; and

WHEREAS, the McMinn County Highway Department requests the purchase of crushed stone for the period of October 1, 2018 through September 30, 2019, in order to properly carry out the functions of the department; and

WHEREAS, McMinn County has followed the proper procedures in securing the bids; and

WHEREAS, Dan Evans, McMinn County Highway Commissioner has recommended the bid be awarded to H & H Rock, Inc., Martin Marietta, and Vulcan Materials, the low bidders meeting specifications of each grade plus a \$.20 haul charge to the center of each job site based on location of plant considering a \$ .15 severance tax to be charged to out of county quarries.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17<sup>th</sup> DAY OF SEPTEMBER 2018, that this Commission does hereby approve the recommendation of the Highway Commissioner.

(Orig signed by John M. Gentry)  
McMinn County Mayor

Attest:

(Orig signed by Melinda King)  
County Clerk

MOTION made by Commissioner King, and seconded by Commissioner Simpson, to approve this resolution.

Motion carried by voice vote.

B. A Resolution to Declare Items as Surplus.

Mr. Luallen presented resolution #18-091 along with a copy of the list from Dan P. Evans, Chief Administrative Officer. (Dodg 1DHE38K58S601602, Chev 1GCEC14ZX2Z320162, Ford Dump Truck 1FDYU82E4SVA66373, Hydraulic air jack BKT674455, Recycle Center Auto A/C 10200270897001, Hydraulic Air Jack 722000)

RESOLUTION NO. 18-091

A RESOLUTION TO DECLARE ITEMS AS SURPLUS PROPERTY

WHEREAS, McMinn County has authority to declare items as surplus that are no longer deemed necessary or adequate to properly perform the duties of county government as prescribed by law; and

WHEREAS, the McMinn County Highway Department requests approval to have the equipment listed on the attached letter declared as surplus property and sell it.

(Res. 18-091 con't)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17<sup>th</sup> DAY OF SEPTEMBER 2018, that this Commission does hereby declare these items as surplus property.

(Orig signed by John M. Gentry)  
McMinn County Mayor

Attest:

(Orig signed by Melinda King)  
County Clerk

MOTION made by Commissioner McPhail, and seconded by Commissioner Masingale, to approve this resolution.

Motion carried by voice vote.

#### 8. REVIEW AND APPROVAL OF CONTRACTS

##### A. A Resolution to Approve and Award the Annual Bid for Crushed Stone

Mr. Luallen presented resolution #18-092 along with a copy of the lease agreement.

#### RESOLUTION NO. 18-092

#### A RESOLUTION TO EXTEND LEASE WITH THE TENNESSEE DEPARTMENT OF GENERAL SERVICES

WHEREAS, McMinn County currently leases office space at the Justice Center to the Tennessee Department of General Services, acting on behalf of the Department of Corrections, Probation and Parole; and

WHEREAS, McMinn County and General Services desire to extend the lease for a twenty-four-month term ending December 31, 2020, with all stipulations remaining in force, including the monthly rate of \$600.00; and

WHEREAS, the County Mayor recommends approval.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17<sup>th</sup> DAY OF SEPTEMBER, 2017, that this Commission does hereby approve the lease extension with the Tennessee Department of General Services, and FURTHERMORE, authorizes the County Mayor to execute any and all documents necessary to fulfill the intent of this resolution.

(Orig signed by John M. Gentry)  
McMinn County Mayor

Attest:

(Orig signed by Melinda King)  
County Clerk

MOTION made by Commissioner Millsaps, and seconded by Commissioner Masingale, to approve this resolution.

Motion carried by voice vote.

##### B. A Resolution to Approve the Contract Between McMinn County and Thyssenkrupp Elevator Corporation for Elevator Maintenance at the McMinn County Courthouse Annex.

Mr. Luallen presented resolution #18-093 along with a copy of the service agreement.

(Res. 18-093 con't)

RESOLUTION NO. 18-093

A RESOLUTION TO APPROVE THE CONTRACT BETWEEN  
MCMINN COUNTY AND THYSSENKRUPP ELEVATOR CORPORATION  
FOR ELEVATOR MAINTENANCE AT THE  
MCMINN COUNTY COURTHOUSE ANNEX

WHEREAS, in order to properly perform the duties of county government as prescribed by law, it is often in McMinn County's interest to enter into contracts with other entities; and

WHEREAS, McMinn County desires to enter into contract with ThyssenKrupp Elevator Corporation for elevator maintenance services at the McMinn County Courthouse Annex; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEEE, MEETING IN REGULAR SESSION ON THIS THE 17<sup>th</sup> DAY OF SEPTEMBER, 2018 THAT THIS commission does hereby agree to enter into contract with ThyssenKrupp Elevator Corporation for elevator maintenance services at the McMinn County Courthouse Annex.

AND FURTHERMORE RESOLVES to grant authority to the County Mayor or his designee to carry out the duties of said contract.

(Orig signed by John M. Gentry)  
McMinn County Mayor

Attest:

(Orig signed by Melinda King)  
County Clerk

MOTION made by Commissioner Holbrook, and seconded by Commissioner Slack, to approve this resolution.

Motion carried by voice vote.

C. A Resolution to Approve an Interlocal Agreement Between McMinn County and the City of Athens Regarding a United States Department of Justice Assistance Grant.

Mr. Luallen presented resolution #18-094 along with a copy of the agreement.

RESOLUTION NO. 18-094

A RESOLUTION TO APPROVE AN INTERLOCAL AGREEMENT  
BETWEEN MCMINN COUNTY AND THE CITY OF ATHENS  
REGARDING A UNITED STATES  
DEPARTMENT OF JUSTICE ASSISTANCE GRANT

WHEREAS, the United States Department of Justice has made available a Justice Assistance Grant to assist governmental entities to obtain funds for law enforcement purposes; and

WHEREAS, City of Athens and McMinn County have qualified for an award, which requires an interlocal agreement between the City and the County to receive the joint allocations; and

WHEREAS, the total award is \$10,800.00, with the City of Athens consenting to McMinn County receive the full award and use to purchase equipment for the sheriff's department. McMinn County and City of Athens acknowledge that the City of Athens will receive no funding from the FY 2018 grant; and

WHEREAS, McMinn County and City of Athens further acknowledge that the intent of this agreement is that the next Justice Assistance Grant for FY 2019 in an amount similar to the FY 2018 award will be fully allocated for the City of Athens purposes in order to decrease the recordkeeping burden on both entities; and

(Res. 18-094 con't)

WHEREAS, McMinn County Sheriff agrees to the arrangement and to participate in this interlocal agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE

17<sup>th</sup> DAY OF SEPTEMBER, 2018 that this Commission does authorize McMinn County to enter into an interlocal agreement with the City of Athens as stipulated by the terms of the DOJ Justice Assistance Grant; and

FURTHER RESOLVES that the County Mayor is authorized to execute all documents involved in this interlocal agreement, the public welfare requiring it.

(Orig signed by John M. Gentry)

McMinn County Mayor

Attest:

(Orig signed by Melinda King)

County Clerk

MOTION made by Commissioner Simpson, and seconded by Commissioner Millsaps, to approve this resolution.

Motion carried by voice vote.

D. A Resolution to Approve State Reimbursement Contract with State of Tennessee Commission on Children and Youth for FY 2018-19

Mr. Luallen presented resolution #18-095 along with a copy of the grant contract.

RESOLUTION NO. 18-095

A RESOLUTION TO APPROVE STATE REIMBURSEMENT CONTRACT WITH STATE OF TENNESSEE COMMISSION ON CHILDREN AND YOUTH FOR FY 2018-19

WHEREAS, in order to properly perform the duties of county government as prescribed by law, it is often in McMinn County's interest to enter into contracts with other entities; and

WHEREAS, McMinn County has previously entered into a contract with the State of Tennessee Commission on Children and Youth to receive funds not to exceed the amount of \$1,500 per year for a one-year period to be disbursed for developing and improving juvenile court and community alternative to detention; and

WHEREAS, it is necessary to renew the contract with McMinn County for the period July 1, 2018 through June 30, 2019.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17<sup>th</sup> DAY OF SEPTEMBER 2018, that this Commission does hereby agree to enter into this contract with State of Tennessee, Tennessee Commission on Children and Youth for period July 1, 2018 through June 30, 2019.

(Orig signed by John M. Gentry)

McMinn County Mayor

Attest:

(Orig signed by Melinda King)

County Clerk

MOTION made by Commissioner Slack, and seconded by Commissioner King, to approve this resolution.

Motion carried by voice vote.

E. A Resolution to Approve State Reimbursement Contract with State of Tennessee Commission on Children and Youth for FY 2018-19

Mr. Luallen presented resolution #18-096 along with a copy of the grant Program Application.

RESOLUTION NO. 18-096

A RESOLUTION TO ALLOW McMINN COUNTY EMERGENCY MANAGEMENT TO APPLY FOR A HOMELAND SECURITY GRANT THROUGH THE STATE OF TENNESSEE DEPARTMENT OF THE MILITARY AND TENNESSEE EMERGENCY MANAGEMENT AGENCY

WHEREAS, in order to properly perform the duties of county government as prescribed by law, it is often in McMinn County's interest to seek grant funding from other entities; and

WHEREAS, McMinn County desires to apply for a Homeland Security grant through the Tennessee Emergency Management Agency to acquire \$25,839.55 which would be utilized for maintenance of 800/700Mhz radios as well as to sustain hazmat and law enforcement Perimeter Team equipment; and

WHEREAS, this grant would be 100% funded with no match by McMinn County.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17<sup>th</sup> DAY OF SEPTEMBER 2108 that this Commission does hereby authorize McMinn County EMA to apply with Tennessee Emergency Management Agency to receive grant funding of \$25,839.55, the public welfare requiring it, AND FURTHERMORE RESOLVES to grant authority to the County Mayor or his designee to execute the necessary documents related to the grant application.

(Orig signed by John M. Gentry)  
 McMinn County Mayor

Attest:

(Orig signed by Melinda King)  
 County Clerk

MOTION made by Commissioner Slack, and seconded by Commissioner Simpson, to approve this resolution.

Motion carried by voice vote.

9. APPROVAL OF BUDGET AMENDMENTS

Mr. Luallen presented the following budget amendments, a copy of which was provided to each Commissioner.

FUND: OTHER CAPITOL PROJECTS #189

Date: September 13, 2018

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Reserve	Unassigned Fund Balance	399000	10,505,391.00	
General Administration Projects	Airport Improvement	91110-702		327,458.00
General Administration Projects	Building Const. (Expo Cent)	91110-706		1,450,447.00
General Administration Projects	Communication Equipment	91110-708		326,048.00
General Administration Projects	Data Processing (GIS)	91110-709		2,245.00
General Administration Projects	Land (Economic Development)	91110-715		2,970,504.00
General Administration Projects	Motor Vehicles	91110-718		159,357.00

(con't)

General Administration Projects	Voting Machines	91110-731		480,000.00
General Administration Projects	Other Equipment (Fire)	91110-790		975,730.00
General Admin Justice Projects	Building Improvement Justic	91120-707		301,446.00
General Admin Justice Projects	Law Enforcement Equipment	91120-716		151,446.00
Public Health Projects	Other Capital Outlay (water)	91140-799		1,531,696.00
Educational Capital Projects	Building Construction	91300-706		1,829,024.00
EXPLANATION: To budget carryover balances from FY 2017-2018.				

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
State of Tennessee	Unassigned Fund Balance	39000	456,930.00	
Public Health Projects	Gasoline	52200-425		230.00
EXPLANATION: To budget revenue and expenditures to the 2017 McMinn County CDBG				

MOTION made by Commissioner Curtis and seconded by Commissioner King to approve these budget amendments.

- Scott Curtis – Aye
- Dale Holbrook - Aye
- Tim King - Aye
- Roger Masingale - Aye
- Brent Carter - Aye
- J. W. McPhail - Aye
- Jerry Millsaps - Aye
- Tad Simpson - Aye
- Charles Slack - Aye
- Chairman David Crews – Aye

Motion carried by roll call vote, as recorded:

10. JUVENILE SERVICES ANNUAL REPORT – RIC WILSON

Ric Wilson handed out his Annual Report to each commissioner and gave a brief presentation and answered questions the commissioners had about the report.

11. COMMENTS FROM THE AUDIENCE

Shree Calloway addressed the commission with her concerns about the old voting machines McMinn County uses. Ms. Calloway expressed her concerns about cyber security. She said the system is ancient and could be hacked and no ability to have a recount. County Mayor John Gentry said the county has put money in the budget to get new machines and said they were encouraged by the state elections board to hold off buying new machines until they see what the new legislation in congress to mandate certain things are.

12. RESOLUTIONS

- A. A Resolution to Approve the Application for an Oil Recycling Grant from Tennessee Department of Environment and Conservation.

Mr. Gentry presented Resolution #18-097.

RESOLUTION NO. 18-097

A RESOLUTION TO APPROVE THE APPLICATION

(Res. 18-097 con't)

FOR AN OIL RECYCLING GRANT FROM TENNESSEE DEPARTMENT OF ENVIRONMENT AND  
CONSERVATION

WHEREAS, the Tennessee Department of Environment and Conservation provides a used oil recycling grant to encourage the recycling and proper disposal of used automotive oil; and

WHEREAS, McMinn County currently has a used oil collection system, but the equipment is antiquated and is in need of being replaced; and

WHEREAS, the TDEC used oil grant can be used to upgrade or replace existing equipment at collection centers; and

WHEREAS, the grant requires no match from McMinn County; and

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17<sup>th</sup> DAY OF SEPTEMBER 2018, that this Commission does approve the application for funds from the TDEC Used Oil Grant AND FURTHER RESOLVES to authorize the County Mayor to execute the necessary documents regarding this contract.

(Orig signed by John M. Gentry)  
McMinn County Mayor

Attest:

(Orig signed by Melinda King)  
County Clerk

MOTION made by Commissioner Slack, and seconded by Commissioner Millsaps, to approve this resolution.

Motion carried by voice vote.

B. A Resolution to Approving Purchase of Property Adjacent to Niota School Property.

Mr. Gentry presented Resolution #18-098.

RESOLUTION NO. 18-098

A RESOLUTION APPROVING PURCHASE OF PROPERTY  
ADJACENT TO NIOTA SCHOOL PROPERTY

WHEREAS, the Roberts property adjacent to Niota School is available for purchase; and

WHEREAS, the property consists of two parcels which contain a home, shed structure, and three acres total; and

WHEREAS, Niota School is currently surrounded by Springbrook Country Club which would restrict the school from future expansion; and

WHEREAS, McMinn County believes it is in the best interest of the county to purchase the property to provide additional room for future school growth; and

WHEREAS, the Roberts Family Trust and the County Mayor have agreed upon a price of \$130,000 in addition to all closing costs contingent upon verification of acreage, clean title report, and approval by the McMinn County Commission; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17<sup>TH</sup> DAY OF SEPTEMBER

2018, that this Commission does hereby approve the purchase of approximately three acres of land and a home adjacent

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(Res. 18-098 con't)

to the Niota Elementary School at the agreed upon price of \$130,000 per, and FURTHERMORE authorizes the County Mayor and County Attorney to execute any and all documents necessary to fulfill the intent of this resolution.

(Orig signed by John M. Gentry)  
McMinn County

Attest:

(Orig signed by Melinda King)  
County Clerk

MOTION made by Commissioner McPhail and seconded by Commissioner Slack, to approve this resolution.

Motion carried by voice vote.

### 13. ELECTIONS, APPOINTMENTS AND CONFIRMATIONS

#### A. A Resolution to Confirm the Re-Appointment of Ron Banks to the Riceville Utility District Board of Commissioners.

Mr. Gentry presented Resolution #18-099.

#### RESOLUTION NO. 18-099

#### A RESOLUTION TO CONFIRM THE RE-APPOINTMENT OF RON BANKS TO THE RICEVILLE UTILITY DISTRICT BOARD OF COMMISSIONERS

WHEREAS, Mr. Ron Banks four-year term on the Riceville Utility District Board of Commissioners has expired; and

WHEREAS, Tennessee Code Annotated 7-82-307 empowers utility districts to submit the names of prospective board members to the County Mayor for appointment; and

WHEREAS, based upon the recommendation of the Riceville Utility District Board of Commissioners, and finding no sound reason to reject the recommendation, County Mayor John Gentry does recommend Mr. Ron Banks of the Riceville community to be re-appointed as a member of the Riceville Utility District Board of Commissioners for a four-year term subject to County Commission confirmation.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE MEETING IN REGULAR SESSION THIS THE 17<sup>th</sup> DAY OF SEPTEMBER 2018, that this Commission does hereby confirm the re-appointment of Mr. Ron Banks to the Riceville Utility District Board of Commissioners.

(Orig signed by John M. Gentry)  
McMinn County Mayor

Attest:

(Orig signed by Melinda King)  
County Clerk

MOTION made by Commissioner King, and seconded by Commissioner Simpson, to approve this resolution.

#### B. A Resolution to Confirm the Re-Appointment of Rob Preston to the Woods Hospital Foundation Board.

Mr. Gentry presented Resolution #18-100.

(Res. 18-100 con't)

RESOLUTION NO. 18-100

A RESOLUTION TO CONFIRM THE RE-APPOINTMENT OF ROB PRESTON TO THE WOODS HOSPITAL FOUNDATION BOARD

WHEREAS, the excess proceeds plan, that resulted from the sale of Woods Memorial Hospital District, created a foundation to oversee the proceeds realized from the sale of the hospital district; and

WHEREAS, the excess proceeds plan calls for the Athens Chamber of Commerce to have two appointments on this foundation board; and

WHEREAS, each appointment to the Woods Hospital Foundation Board is subject to confirmation by the full McMinn County Commission for a six-year term; and

WHEREAS, the Athens Chamber of Commerce wishes to nominate Rob Preston as one of its two representatives on the Woods Hospital Foundation Board.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17<sup>th</sup> DAY OF SEPTEMBER 2018, that this Commission does hereby confirm the re-appointment of Rob Preston to the Woods Hospital Foundation Board.

(Orig signed by John M. Gentry)  
McMinn County Mayor

Attest:

(Orig signed by Melinda King)  
County Clerk

MOTION made by Commissioner Holbrook, and seconded by Commissioner King, to approve this resolution.

14. REPORTS FROM COMMITTEES, COUNTY OFFICIALS, COMMENTS FROM COMMISSIONERS

Commissioner McPhail—Landfill committee met last week and looked at a couple of issues one of them being the side slope cover with several options. Also review their equipment needs at the landfill.

15. COMMENTS FROM THE COUNTY MAYOR

- McMinn County has been approved to present to the aromatics commission this Thursday on two projects that have been talked about before. Seal coating the taxi way and replacing the taxi way lights with a new solar light (Pilot project).
- Met this morning with the sight manager engineer for Cooke Park and the heavy equipment is coming in tomorrow morning. They have been covered up with a lot of demolition but now the grading begins tomorrow. Mr. Gentry said he has the plans with him if anyone wants to see the grading plans.
- Mayor Gentry said they presented an equipment list to the Landfill Committee. Also looking at some different issues with the convenience center. Mr. Gentry said he had ballfield plans to show everyone after the meeting,

16. APPROVAL OF NOTARY APPLICATIONS

The following notary applications were submitted to the County Clerk's Office:

Notaries to be elected September 17, 2018

MICHELE C. ARMSTRONG  
KIM D. BIVENS  
NICOLE D. BLACK  
DEBBIE BRAKEBILL

MELANIE JOHNSON  
SANDY C. LAMBERT  
KATHY S. SHERLIN  
JENNIFER TIEGS

PATRICIA B. HARBIN  
AMY M. HENRY

ROBERT L. WATTS  
RHONDA C. WILSON

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(con't)

MOTION made by Commissioner McPhail, and seconded by Commissioner Simpson, to approve these notary applications.

Motion carried by voice vote.

17. ANY OTHER BUSINESS THAT MAY LEGALLY COME BEFORE THE COMMISSION

Marvin Kelly on behalf of the E911 board presented Dr. Scott Curtis a plaque for his 10 years' service on the 911 board.

There being no other business, Chairman Crews declared the Commission meeting adjourned before 8:00 pm.

\_\_\_\_\_  
MELINDA KING  
McMinn County Clerk

Attest:

\_\_\_\_\_  
Deputy

(date)