

The McMinn County Board of Commissioners met in Regular Session on January 28, 2019 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 McPhail.

3. PLEDGE TO THE FLAG

The Pledge to the Flag was led by Commissioner Simpson.

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 December 17, 2018 were provided to the McMinn County Commissioners.

MOTION made by Commissioner Holbrook, and seconded by Commissioner King, to approve the minutes of December 17, 2018.

Motion carried by voice vote.

6. APPROVAL OF BIDS AND PURCHASES

A. A Resolution to Approve and Award the Annual Bid for Hot Mix.

Mr. Luallen presented resolution #19-001 along with a copy of the bid summary sheet and a copy of letter of recommendation from Commissioner of Highways Dan P. Evans.

RESOLUTION NO. 19-001

A RESOLUTION TO APPROVE AND AWARD THE  
ANNUAL BID OF HOT MIX

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 requested to purchase hot mix for the period of March 1, 2019 through February 28, 2020, in order to properly carry out the functions of the department; and

(Res. 19-001 con't)

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 the low bidders, Rogers Group, Inc. of Oak Ridge, TN, Hiwassee Paving, LLC of Charleston, TN, and Talley Construction Co. of Rossville, GA who will be determined by availability at the plant and haul bill of McMinn County trucks at time of purchase.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 28<sup>th</sup> DAY OF JANUARY 2019, 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 Holbrook, and seconded by Commissioner Millsaps, to approve this resolution.

Motion carried by voice vote.

B. A Resolution to Approve Purchase Over \$25,000 for a Used Kubota Skid Steer Loader.

Mr. Luallen presented resolution #19-002 along with a copy of the appraisal sheet and a copy of letter of recommendation from Commissioner of Highways Dan P. Evans.

RESOLUTION NO. 19-002

A RESOLUTION TO APPROVE PURCHASE OVER \$25,000 FOR A  
USED KUBOTA SKID STEER LOADER

WHEREAS, the McMinn County Highway Commissioner, Dan Evans, requests to purchase a 2017 Kubota Skid Steer Loader from TennesSeed Erosion Control, LLC; and

WHEREAS, the cost of the skidsteer loader to be purchased is \$50,000; and

WHEREAS, according to TCA 12-3-1003 and McMinn County Financial Management Policy and Procedures, the purchase of used items or equipment valued over \$25,000 may be purchased without public advertisement or competitive bidding provided the price falls within 5% of a documented price range from a nationally recognized publication or a licensed appraiser; and

WHEREAS, the appraised value of this piece of equipment is \$50,000.

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 28TH DAY OF JANUARY, 2019, that this Commission does hereby approve the recommendation of the McMinn County Highway Commissioner, Dan Evans for the purchase of a used skid steer loader for the McMinn County Highway Department.

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

Attest:

(Orig signed by Melinda King)

(Res. 19-002 con't)

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

Note: Commissioner McPhail wanted to know if they had checked with the local Kubota dealer in Athens. Mr. Evans told the commission that he did check with the Athens dealer and they recommended Tennessee Erosion Control.

Motion carried by voice vote.

C. A Resolution to Approve Purchase of Three Police Vehicles from State Contract for McMinn County Sheriff's Department.

Mr. Luallen presented resolution #19-003 along with supporting documents.

RESOLUTION NO. 19-003

A RESOLUTION TO APPROVE PURCHASE OF  
THREE POLICE VEHICLES FROM STATE CONTRACT  
FOR MCMINN COUNTY SHERIFF'S DEPARTMENT

WHEREAS, McMinn County Sheriff Joe Guy requests approval of the purchase of two police vehicles from Ford of Murfreesboro at state contract price of \$42,076 each or a total not to exceed \$84,152 for two 2018 Ford Police Interceptor Utility AWD vehicle; and

WHEREAS, McMinn County Sheriff Joe Guy requests approval of the purchase of one 2019 Chevrolet Tahoe from Wilson County Motors at state contract price of \$41,393.50 each or a total not to exceed \$62,912 for two 2018 Ford Transit Cargo Low Roof 148WB transport vans; and

WHEREAS, capital outlay money will be used for this purchase; and

WHEREAS, in accordance with Financial Management Committee Policies and Procedures any expense over \$ 25,000 requires Commission approval.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 28<sup>th</sup> DAY OF JANUARY, 2019 that this Commission does hereby approve this request.

(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 Slack, to approve this resolution.

Note: Commissioner Simpson wanted to know about the quantity on the invoices. Mr. Luallen explained that the first invoice was for one vehicle and the second invoice was for two of the vehicles.

Motion carried by voice vote.

D. A Resolution to Approve Requisition Over Twenty-Five Thousand Dollars for Taxiway Lights at the McMinn County Airport.

Mr. Luallen presented resolution #19-004 along with a copy of the requisition.

RESOLUTION NO. 19-004

A RESOLUTION TO APPROVE REQUISITION OVER  
TWENTY-FIVE THOUSAND DOLLARS FOR TAXIWAY LIGHTS AT THE

(Res. 19-004 con't)

WHEREAS, McMinn County has been awarded a Tennessee Aeronautics Grant in the amount \$116,500 for the replacement of taxiway lights at the McMinn County Airport; and

WHEREAS; a sole supplier of FAA compliant solar taxiway lights, with a credible performance record has been identified and approved for use by the Tennessee Department of Aeronautics; and

WHEREAS, two hundred lights will adequately replace the existing lights and add additional lighting to the previously unlit apron and taxiway area around the new Swift Museum hangar; and

WHEREAS, this Commission hereby approves the requisition to Carmanah Technologies Corporation for 200 solar taxiway lights.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 28<sup>th</sup> DAY OF JANUARY 2019, that this Commission does hereby grant approval to the County Mayor to utilize TAD grant funds to purchase 200 FAA approved solar taxiway lights from Carmanah Technologies Corporation in the amount not to exceed the amount approved in the grant 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 Massingale, to approve this resolution.

Motion carried by voice vote.

7. REVIEW AND APPROVAL OF CONTRACTS

A. A Resolution to Approve the Contract Between McMinn County and State of Tennessee Department of Health.

Mr. Luallen presented resolution #19-005 along with a copy of the agreement.

RESOLUTION NO. 19-005

A RESOLUTION TO APPROVE THE CONTRACT BETWEEN MCMINN COUNTY AND STATE OF TENNESSEE DEPARTMENT OF HEALTH

WHEREAS, it is the conviction of McMinn County, that every individual in the County has good health care readily available; and

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 Department of Health to protect and improve the physical health of the county citizens through the prevention of conditions that may threaten good health; and

WHEREAS, the total appropriation for which the County shall be billed is \$61,116; and

WHEREAS, McMinn County Health Department does provide these services and both parties do hereby agree to these provisions in the contract for FY 2018-19.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 28<sup>th</sup> DAY OF JANUARY, 2019, that this Commission does hereby approve this contract.

(Res. 19-005 con't)

AND FURTHERMORE RESOLVES to give authority to the County Mayor or his designee to execute and administer 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 Slack, and seconded by Commissioner King, to approve this resolution.

Motion carried by voice vote.

B. A Resolution to Approve the Corporate Authorization Resolution Between McMinn County and Simmons Bank.

Mr. Luallen presented resolution #19-006 along with a copy of the agreement.

#### RESOLUTION NO. 19-006

#### A RESOLUTION TO APPROVE THE CORPORATE AUTHORIZATION RESOLUTION BETWEEN MCMINN COUNTY AND SIMMONS BANK

WHEREAS, McMinn County banks with Simmons Bank; and

WHEREAS, since Simmons Bank has acquired Citizens National Bank it desires to set forth services provided in print; and

WHEREAS, the Corporate Authorization Resolution is required by Simmons Bank when designating authorized signatures for the McMinn County Trustee's Warrant Account.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 28<sup>th</sup> DAY OF JANUARY, 2019 THAT THIS commission does hereby approve the Corporate Authorization Agreement for Simmons Bank.

AND FURTHERMORE RESOLVES to grant authority to the County Mayor or his designee to execute said resolution and any future Corporate Authorization Resolutions required by Simmons Bank to change authorized signatures in accordance with the McMinn County Financial Management Policy and Procedures.

(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 Masingale, to approve this resolution.

Motion carried by voice vote.

C. A Resolution to Approve Audit Fee Proposal with Henderson Hutcherson & McCullough, PLLC.

Mr. Luallen presented resolution #19-007 along with a copy of the contract.

#### RESOLUTION NO. 19-007

A RESOLUTION TO APPROVE AUDIT FEE PROPOSAL  
WITH HENDERSON HUTCHERSON & MCCULLOUGH, PLLC

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(Res. 19-007 con't)

WHEREAS, in order to properly perform the essential operations of county government McMinn County enters into a contract each year for auditing services; and

WHEREAS, Henderson Hutcherson & McCullough submitted a proposal of \$39,500 for the FY 2019 – 2020 for McMinn County Fiscal and Fee Offices; and

WHEREAS, Henderson Hutcherson & McCullough appears to have the necessary qualifications to provide the annual financial and compliance audit for Fiscal Year 2018 - 2019; and

WHEREAS, McMinn County Finance Director, Jason Luallen recommends McMinn County enter into contract with Henderson Hutcherson & McCullough to perform its annual financial and compliance audit due to past experience with this group.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 28<sup>TH</sup> DAY OF JANUARY, 2019, that this Commission does hereby approve the above audit fee proposal with Henderson Hutcherson & McCullough.

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

Attest:

(Orig signed by Melinda King)  
County Clerk

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

Motion carried by voice vote.

8. APPROVAL OF BUDGET AMENDMENTS

None.

9. TRUSTEE'S ANNUAL REPORT PHILL TUGGLE, CO. TRUSTEE

Phil Tuggle McMinn County Trustee gave copies of his annual financial report to all the commissioners and gave a brief presentation of his report. A copy of the report is on file in the County Clerk's office.

10. COMMENTS FROM THE AUDIENCE

None.

11. RESOLUTIONS

A. A Resolution to Request approval to Apply for Tennessee Aeronautics Grant for Approach Survey at McMinn County Airport.

Mr. Gentry presented Resolution #19-008.

RESOLUTION 19-008

A RESOLUTION TO REQUEST APPROVAL TO APPLY FOR TENNESSEE AERONAUTICS GRANT FOR  
APPROACH SURVEY AT MCMINN COUNTY AIRPORT

WHEREAS, in accordance with state licensing requirements and Federal Aviation Administration grant assurances the runway approach slopes at the McMinn County Airport must be periodically checked and verified for potential obstructions; and

WHEREAS, any obstructions located within the 20L1 approach slope must be removed to maintain state licensure and FAA night approaches to the airport; and

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(Res. 19-008 con't)

WHEREAS, UAS (unmanned aircraft systems) surveys utilize advanced technology that are providing greater obstruction detail than previous accepted techniques; and

WHEREAS, McMinn County's contracted airport engineers, PDC, in consultation with Tennessee Aeronautics Department (TAD) staff, has recommended applying for a TDA grant with a five percent (5%) local match to conduct an UAS approach survey and

WHEREAS, the McMinn County Mayor request approval to submit a grant application to TAD for the UAS survey and obligate to required matching funds for said grant for said grant from available Airport Capital Fund reserves, not to exceed fifteen hundred dollars (\$1,500.00): and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 28<sup>TH</sup> DAY OF JANUARY 2019, that this Commission does hereby grant approval to the County Mayor to apply for a TAD grant to perform said approach survey at the McMinn County Airport, and FURTHERMORE, grants authority to the County Mayor and County Attorney to execute documents necessary to fulfill the intent of this resolution, including grant and vendor contracts.

(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.

B. A Resolution to Approve Changes in the 2018 McMinn County Log Book and Road Map Mylar.

Mr. Gentry presented Resolution #19-009 along with the request from Commissioner of Highways Dan P. Evans.

RESOLUTION NO. 19-009  
A RESOLUTION TO APPROVE CHANGES IN THE 2018 MCMINN COUNTY  
LOG BOOK AND ROAD MAP MYLAR

WHEREAS, all changes to the McMinn County Official Road Log books and McMinn County Road Map Mylar shall be presented to the Commission for their approval; and

WHEREAS, the mylar map and log books are to be signed by the McMinn County Commission Chairman upon commission approval; and

WHEREAS, a copy of the map will be distributed to the McMinn County Clerk and one will be held at the McMinn County Highway Department; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 28<sup>TH</sup> DAY OF JANUARY 2019, that this Commission does hereby approve the log book and the road map mylar.

(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 Curtis, to approve this resolution.

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(Res. 19-009 con't)

Motion carried by voice vote.

C. A Resolution to Close and Remove a 225 Foot Portion of County Road 440 from the McMinn County Highway Department Maintenance System.

Mr. Gentry presented Resolution #19-010 along with the request from Commissioner of Highways Dan P. Evans and the property owners Dennis and Maurica Needham.

RESOLUTION NO. 19-010

A RESOLUTION TO CLOSE AND REMOVE A 225 FOOT PORTION OF COUNTY ROAD 440 FROM THE McMINN COUNTY HIGHWAY DEPARTMENT MAINTENANCE SYSTEM

WHEREAS, Dennis and Maurica Needham have requested that 225 feet of County Road 440 be closed and removed from the McMinn County Highway Maintenance System; and

WHEREAS, the Needhams own all property that joins this portion of the road and desire to make it a private drive for privacy and safety; and

WHEREAS, McMinn County Highway Commissioner Dan Evans recommends closing and removing this portion of County Road 440 from the Highway Department Maintenance List.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 28<sup>th</sup> DAY OF JANUARY, 2019, that this Commission does hereby approve the recommendation of Highway Commissioner Evans to close and remove 225 feet of County Road 440 from the official Highway Department Maintenance List, AND FURTHERMORE, authorizes the County Mayor to execute the necessary documents to fulfill the intentions 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 Slack, to approve this resolution.

Motion carried by voice vote.

12. ELECTIONS, APPOINTMENTS AND CONFIRMATIONS

None.

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

None.

14. COMMENTS FROM THE COUNTY MAYOR

- Mayor Gentry said the purchase sale agreement with CSX for the Eureka Trail has been signed and sent back for signatures. They have 90 days to finalize closing documents.
- The housing study being done by Hodges and Pratt is moving along. Mayor Gentry said they have had several meetings and believes the county will be very surprised at some of the patterns they are seeing here.



- Mayor Gentry gave an update on the brush trucks that were purchased in 2018. He said 10 of the 11 are now in Tennessee and hopefully will be finished around the first of April.

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- Mayor Gentry said the county will start seeing more plans for the 200<sup>th</sup> year celebration for McMinn County.
- Mayor Gentry gave an update on the concerns of Yvonne Lyons Emergency Director from Starr Regional from last months meeting. Mr. Gentry said that AMR, E911, EMA and representatives from Starr Reginal had a very productive meeting on some of the concerns that were mentioned last month and they will be having follow up meetings.
- Mayor Gentry gave update on Cooke Park. He said it has rained too much and the February finish date will not happen. Maybe finished by April.
- Mayor Gentry gave dates for the planning session in February. (February 15, 2019 will start at 5.)
- Mayor Gentry sends condolences to the Buttram family after he praised the former Athens City Mayor Hal Buttram.
- Mayor Gentry introduced two nursing students from TWC Maggy and Hannah that were present in the audience tonight. He said they had to write a report on how this meeting relates to health.
- Mayor Gentry sends condolences to Joe Colemans family. Joe was a former School Board member.

15. APPROVAL OF NOTARY APPLICATIONS

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

Notaries to be elected January 28, 2019

LAURA ARMSTRONG	DANA JAQUISH
MARISSA MICHELE ATCHLEY	BILLIE P. MAXWELL
KRISTINE BOGGESS	KERRI RENAE MCCONKEY
WILLIAM A. BUCKELY, JR.	GWENDOLYN W. MCCOWAN
KIMBERLY J. CALDWELL	JORDON NELSON
NANCIE LEA CARDIN	ANDREA L. NORTON
TERRIE CASTEEL	JANE H. REED
AMANDA COLEMAN	LEAH SAUCEMAN
KIM C. DAVIS	LAURA DENISE SMITH
JENNIFER M GLAZE	ANGELA THOMPSON
MICHAEL H. GRAVES	W TIM TROTTER
SHELLY F. GRIFFITH	TRISH UMPHREY
TWANNIA MICHELLE HINES	SHANDA WADE
ANDREA M. HOBBS	JEFFERY L. WALKER
CAROLYN J. HOBBS	IVEY N. WATSON
PRINCESS MACHELLE HYDE	NICHOLAS TIMOTHY WELCH

MOTION made by Commissioner King, and seconded by Commissioner Millsaps, to approve these notary applications.

Motion carried by voice vote.

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

There being no other business, Chairman Crews declared the Commission meeting adjourned before 7:51 pm.

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

Attest:

\_\_\_\_\_  
 Deputy (date)