

The McMinn County Board of Commissioners met in Regular Session on January 18, 2021 at 7:30 pm, using the zoom app.

1. CALL TO ORDER

The meeting was called to order by Chairman David Crews.

2. INVOCATION

The Invocation was given by Commissioner Millsaps.

3. PLEDGE TO THE FLAG

The Pledge to the Flag was led by Commissioner McPhail.

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 21, 2020 were provided to the McMinn County Commissioners.

MOTION made by Commissioner McPhail, and seconded by Commissioner King, to approve the minutes of December 21, 2020.

Motion carried by roll call vote.

6. APPROVAL OF BIDS AND PURCHASES

A. A Resolution to Approve and Award the Annual Thin Mix Paving Bid for Various County Roads.

Mr. Luallen presented resolution #21-001 along with bid summary sheet along with recommendation letter from Chief Administrative Office Dan P Evans.

RESOLUTION NO. 21-001

A RESOLUTION TO APPROVE AND AWARD THE  
ANNUAL THIN MIX PAVING BID FOR VARIOUS COUNTY ROADS

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

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

(Res. 21-001 con't)

WHEREAS, Dan Evans, McMinn County Highway Commissioner has recommended the bid be awarded to the low bidder, Rogers Group of Knoxville, TN.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 18<sup>th</sup> DAY OF JANUARY 2021, 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 Curtis, and seconded by Commissioner Millsaps, to approve this resolution.

Motion carried by roll call vote.

#### 7. REVIEW AND APPROVAL OF CONTRACTS

A. A Resolution to Renew the Contract Between McMinn County and Gallaher & Associates, Inc. for Fire Alarm/Life Safety Inspection Testing Maintenance Agreement at the McMinn County Judicial Complex.

Mr. Luallen presented resolution #21-002 along with a copy of the contract.

#### RESOLUTION NO. 21-002

#### A RESOLUTION TO RENEW THE CONTRACT BETWEEN MCMINN COUNTY AND GALLAHER & ASSOCIATES, INC. FOR FIRE ALARM / LIFE SAFETY INSPECTION TESTING MAINTENANCE AGREEMENT AT THE MCMINN COUNTY JUDICIAL COMPLEX

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 renew the 5-year contract with Gallaher & Associates, Inc. to supply fire alarm/life safety inspection testing maintenance services at the McMinn County Judicial Complex; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 18<sup>th</sup> DAY OF JANUARY 2021 THAT THIS commission does hereby agree to renew the contract with Gallaher & Associates, Inc. for fire alarm/life safety inspection testing maintenance services at the McMinn County Justice Center.

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 Millsaps, and seconded by Commissioner King, to approve this resolution.

Motion carried by roll call vote.

B. A Resolution to Renew the Contract Between McMinn County and Gallaher & Associates, Inc. for Fire Alarm/Life Safety Inspection Testing Maintenance Agreement at the McMinn County Justice Center.

Mr. Luallen presented resolution #21-003 along with a copy of the contract.

(Res. 21-003 con't)

RESOLUTION NO. 21-003

A RESOLUTION TO RENEW THE CONTRACT BETWEEN  
MCMINN COUNTY AND GALLAHER & ASSOCIATES, INC.  
FOR FIRE ALARM / LIFE SAFETY INSPECTION TESTING MAINTENANCE AGREEMENT AT  
THE MCMINN COUNTY JUSTICE CENTER

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 renew the 5-year contract with Gallaher & Associates, Inc. to supply fire alarm/life safety inspection testing maintenance services at the McMinn County Justice Center; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 18<sup>th</sup> DAY OF JANUARY 2021 THAT THIS commission does hereby agree to renew the contract with Gallaher & Associates, Inc. for fire alarm/life safety inspection testing maintenance services at the McMinn County Justice Center.

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 McPhail, and seconded by Commissioner King, to approve this resolution.

Motion carried by roll call vote.

D. A Resolution to Approve Contract Between McMinn County and Property Assessment Alliance LLC.

Mr. Luallen presented resolution #21-004 along with a copy of the contract.

RESOLUTION NO. 21-004

A RESOLUTION TO APPROVE CONTRACT BETWEEN MCMINN COUNTY AND PROPERTY  
ASSESSMENT ALLIANCE LLC

WHEREAS, the McMinn County Assessor of Property is statutorily required to annually perform tangible personal property audits; and

WHEREAS, in order to properly perform these audits, property assessors secure the services of professional tangible personal property auditors, and

WHEREAS, fees paid to Property Assessment Alliance also provides limited legal assistance in the event of tax appeals; and

WHEREAS, McMinn County Assessor of Property Keith Price recommends engaging the firm of Property Assessment Alliance, LLC as a replacement for the previous contractor, GS&A, who dissolved due to key retirements; and

WHEREAS, the fee schedule for tangible personal property audits are based on the valuation of the accounts personal property.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESION THIS THE 18<sup>TH</sup> DAY OF JANUARY, 2021, that this Commission does hereby approve the contract between McMinn County and Property Assessment Alliance,

(Res. 21-004 con't)

LLC and, FURTHERMORE authorizes the County Mayor and Assessor of Property to execute the documents necessary to fulfill the intention of this resolution.

(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 King, to approve this resolution.

Motion carried by roll call vote.

E. A Resolution to Renew the Contract Between McMinn County and Robert T. Lee, Attorney at Law for Legal Services Relating to Property Assessment Appeals.

Mr. Luallen presented resolution #21-005 along with a copy of the contract.

RESOLUTION NO. 21-005

A RESOLUTION TO APPROVE CONTRACT BETWEEN McMINN COUNTY AND ROBERT T. LEE, ATTORNEY AT LAW FOR LEGAL SERVICES RELATING TO PROPERTY ASSESSMENT APPEALS

WHEREAS, Tennessee counties annually experience personal and real property valuation appeals; and

WHEREAS, these appeals can and do approach millions of dollars in contested valuations, and

WHEREAS, it is in McMinn County's best interest to retain the most competent legal representation to defend against appeals that would jeopardize the tax base of McMinn County; and

WHEREAS, McMinn County Assessor of Property Keith Price recommends engaging the law firm of Robert T. Lee, a prominent legal professional in the area of Tennessee real and personal property law; and

WHEREAS, there is no retainer fee and charges will only incur in the event of defending an appeal.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 18<sup>TH</sup> DAY OF JANUARY, 2021, that this Commission does hereby approve the contract between McMinn County and Robert T. Lee, Attorney at Law and, FURTHERMORE authorizes the County Mayor and Assessor of Property to execute the documents necessary to fulfill the intention of this resolution.

(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 King, to approve this resolution.

Motion carried by roll call vote.

C. A Resolution to Amend Agreement with Direct Primary Care Associates, PLLC for Pharmaceuticals at the McMinn County Justice Center.

Mr. Luallen presented resolution #21-006 along with a copy of the agreement.

RESOLUTION NO. 21-006

(Res. 21-006 con't)

A RESOLUTION TO AMEND AGREEMENT WITH DIRECT PRIMARY CARE ASSOCIATES, PLLC  
FOR PHARMACEUTICALS AT THE  
McMINN COUNTY JUSTICE CENTER

WHEREAS, Direct Primary Care Associates, PLLC, herein referred to as "DPCA," provides medical care to inmates at the McMinn County Justice Center; and

WHEREAS, DPCA has the ability to provide pharmaceuticals at a reduced cost to the inmates when needed, and

WHEREAS, McMinn County Sheriff Joe Guy recommends the following language be added to the current Medical Care Agreement between McMinn County and DPCA:

*"County shall pay to Physician the actual cost incurred by Physician plus ten percent (10%) for pharmaceuticals prescribed to inmates under this agreement. County reserves the right to purchase pharmaceuticals from a third party when its in the County's financial best interest to do so. Purchasing pharmaceuticals from a third party will not void the remainder of this agreement."* and

WHEREAS, McMinn County retains the ability to procure pharmaceuticals from other providers when it is in the county's financial best interest to do so.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 18<sup>TH</sup> DAY OF JANUARY, 2021, that this Commission hereby approves amending the Medical Care Agreement between McMinn County and DPCA to purchase pharmaceuticals from Physician when its in the county's financial best interest to do so.

(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 roll call vote.

8. APPROVAL OF BUDGET AMENDMENTS

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

Fund: #General Fund # 101

Date: 01/14/2021

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
State of Tennessee	Other Public Safety Grants	46290	25,000.00	
Sheriff's Department	Overtime	54110-187		18,000.00
Sheriff's Department	Law Enforcement Equip.	54110-716		7,000.00
Explanation: To budget revenue and expenditures for Governors Highway Safety Grant.				

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

Scott Curtis – Aye  
Dale Holbrook - Aye  
Tim King - Aye  
Roger Masingale - Aye  
Brent Carter - Aye  
J. W. McPhail – Aye

(con't)

Jerry Millsaps - Aye  
 Tad Simpson - Aye  
 Charles Slack - Aye  
 Chairman David Crews - Aye

Motion carried by roll call vote, as recorded:

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

Fund: General Purpose School Fund #141

Date: 12/21/2020

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Revenue	COVID-19 Grant #4	47304	209,837.63	
Regular Instruction Program	Regular Instruction Equipment	71100-722		209,837.63
Explanation: To enter budget for the Remote Learning Technology Grant for FY 2020-2021.				

MOTION made by Commissioner Millsaps and seconded by Commissioner McPhail 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:

Mr. Luallen presented the following budget amendments, a copy of which was provided to each Commissioner. These did have School Board approval.

Fund: Federal Projects #142, Title I, #121

Date: 12/14/2020

Regular Instruction Program	Educational Assistants	71100-163	94,654.50	
Regular Instruction Program	Social Security	71100-201	1,721.31	
Regular Instruction Program	Other Salaries & Wages	71100-189		26,702.07
Regular Instruction Program	State Retirement	71100-204	1,968.00	
Regular Instruction Program	Life Insurance	71100-206	270.00	
Regular Instruction Program	Medical Insurance	71100-207	12,695.03	
Regular Instruction Program	Employer Medicare	71200-212	955.75	
Regular Instruction Program	Other Fringe Benefits	71100-299		27,681.02
Regular Instruction Program	Instructional Supplies & Materials	71100-429		57,426.50
Special Education Program	Regular Instruction Equipment	71100-722		57,426.50
Support Services/Reg Instruction Pro	In-Service/Staff Development	72210-524		500.00

Explanation: To amend the current budget in order to be the same as the FY 2020-2021 ePlan document

Federal Projects # 142, Title II, #221		Date: 12/14/2020		
Regular Instructional Program Support	In-Service/Staff Development	72210-524	1,000.00	
Regular Instructional Program Support	Other Charges	72210-599		1,000.00
Explanation: To amend current budget in order to be the same as the FY 2020-2021 ePlan document.				

Fund: FEDERAL PROJECTS #142, IDEA, Discretionary #891

Date: 12/14/2020

Special Education Program	Other Supplies & Materials	71200-499	2,812.95	
Special Education Program	Special Education Equipment	71200-725		2,812.95
Explanation: To amend the current budget in order to be the same as the FY 20-2021 ePlan document.				

(con't)

Fund: FEDERAL PROJECTS #142, IDEA, Pre-K, #929

Date: 10/19/2020

State Revenue	Special Education Grants State	47143	6.40	
Special Education Program	Special Education Supplies & Material	71200-429		407.00
Special Education Program	Special Education Equipment	71200-725	400.60	
Explanation: To amend current budget for IDEA Technology Partnership Grant for FY 2020-2021				

MOTION made by Commissioner King and seconded by Commissioner McPhail 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:

9. PRESENTATION AND ACCEPTANCE OF FY 19-20 AUDIT-HH & M

Terry Winstead, director with Henderson Hutcheson McCullough, CPA gave a brief presentation of the 2019-2020 audit. Mr. Winstead there were no findings with the 2019-2020 audit.

Commissioner McPhail made a motion to accept 19-20 Audit, second by Commissioner Curtis.

Motion carried by voice vote.

10. RESOLUTIONS

None

11. ELECTIONS, APPOINTMENTS AND CONFIRMATIONS

None.

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

Commissioner Curtis—Budget Committee met prior to tonight’s meeting to recommend the 2019-2020 audit and the budget calendar for approval.

13. COMMENTS FROM THE COUNTY MAYOR

- Mayor Gentry thanked Jason and his staff for their hard work on the audit and also thanked all the constitutional offices (fee offices) and their staff.
- Mayor Gentry said this will be McMinn County’s last year with an independent auditor. He said McMinn County will join the other 91 counties using the state comptroller’s office.
- Mayor Gentry reminded everyone that the vaccine is being distributed in phases. He said lots of people are getting confused with the independent health departments such as Hamilton County and Knox County. The phases for those health departments are different from the state health departments. He also said that it may be 2 more weeks before the vaccine is offered to 65-year-old.
- Mayor Gentry said that the approval last month for Reli & Papi replacement for the airport aeronautics commission will take action on February 25<sup>th</sup> and he thinks it will be 100 % funding.
- Mayor Gentry said the courthouse steps are getting final touchups this week and should be getting contingency money back from this project.
- Mayor Gentry reminded everyone that Statement of Financial Interest are due by the state board of ethics this month.

(con't)

- Mayor Gentry said they will be calling a couple committee meetings later this week. One being Delinquent Tax Committee which will discuss the Rarity Meadows lots that was turned over the county. Emergency Services Committee will also meet to discuss the ambulance contract and replacing the Claxton fire truck that was lost in an accident.
- Mayor Gentry introduced Lindsey Ferguson the new EDA director. Lindsey gave a brief statement about her background and how excited she is to be the director and that her door will always be open.

14. APPROVAL OF NOTARY APPLICATIONS

Notaries to be elected January 18, 2021

JESSICA L. BAKER  
ANGIE BARNETT  
CASSANDRA L HAREN  
TINA JENSEN

CRISTY L KING  
KATHY PETERSON  
STEPHEN J. SONGER

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

Motion carried by voice vote.

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

There being no other business, Chairman Crews declared the Commission meeting adjourned before 8:04 pm.

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

Attest:

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