

The McMinn County Board of Commissioners met in Regular Session on February 21, 2022 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 Millsaps.

3. PLEDGE TO THE FLAG

The Pledge to the Flag was led by Commissioner King.

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 January 24, 2022 were provided to the McMinn County Commissioners.

MOTION made by Commissioner King, and seconded by Commissioner Simpson, to approve the minutes of January 24, 2022.

Motion carried by voice vote.

6. APPROVAL OF BIDS AND PURCHASES

A. A Resolution to Approve and Award Bid for Bicentennial Park Paving Bid.

Mr. Luallen presented resolution #22-011 along with letter of recommendation from John M. Gentry, County Mayor.

RESOLUTION NO. 22-011

A RESOLUTION TO APPROVE AND AWARD BID FOR BICENTENNIAL PARK PAVING BID FOR PARKING LOT

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 for this project; and

WHEREAS, McMinn County Mayor recommends the bid be awarded to the lowest bid submitted by Rogers Group, Inc. of Knoxville, TN, in the lump sum amount \$79,500.00.

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

(Res. 011 con't)

21st DAY OF FEBRUARY 2022, that this Commission does hereby approve the recommendation and further authorize the County Mayor to execute all documents essential to fulfilling said project.

(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 Carter, to approve this resolution.

Motion carried by voice vote.

B. A Resolution to Approve and Award the Annual Thin Mix Paving Bid for State Aid Roads.

Mr. Luallen presented resolution #22-012 along with a letter of recommendation from Dan P Evans Chief Administrative Officer.

RESOLUTION NO. 22-012

A RESOLUTION TO APPROVE AND AWARD THE ANNUAL THIN MIX PAVING BID FOR STATE AID 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

WHEREAS, Dan Evans, McMinn County Highway Commissioner has recommended the bid be awarded to the low bidder meeting specifications for the specified county roads, Rogers Group, Inc. of Knoxville, TN, for Spring 2022 bid.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21st DAY OF FEBRUARY 2022, 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 Simpson and seconded by Commissioner Slack, to approve this resolution.

Motion carried by voice vote.

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

Mr. Luallen presented resolution #22-013 along with a letter of recommendation from Dan P Evans Chief Administrative Officer

RESOLUTION NO. 22-013

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. 013 con't)

WHEREAS, Dan Evans, McMinn County Highway Commissioner has recommended the bid be awarded to the low bidder, Rogers Group of Knoxville, TN. for \$640,487.00. This is for Grade E Mix (All Virgin Material). CW Mix has recycled material.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21ST DAY OF FEBRUARY 2022, 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 Holbrook, to approve this resolution.

Motion carried by voice vote.

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

Mr. Luallen presented resolution #22-014 along with a copy of the contract.

RESOLUTION NO. 22-014

A RESOLUTION TO APPROVE PURCHASE OF 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 \$46,144.00 each for 2022 Ford Police Interceptor AWD vehicles with all police equipment and one police vehicle from Ford of Murfreesboro at state contract price of \$48,123.00 for 2022 Ford Expedition 4WD SSV with all police equipment for a total price not to exceed \$140,411.00; 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 21ST DAY OF FEBRUARY, 2022 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 Slack and seconded by Commissioner Simpson, to approve this resolution.

Motion carried by voice vote.

7. REVIEW AND APPROVAL OF CONTRACTS

A. A Resolution to Renew Contract with Fleetcor Technologies to Provide Fuel Services for McMinn County Through State Contract Pricing.

Mr. Luallen presented resolution #22-015 along with copy of the grant contract.

(Res. 015 con't)

RESOLUTION NO. 22-015

A RESOLUTION TO RENEW CONTRACT WITH FLEETCOR TECHNOLOGIES TO PROVIDE FUEL SERVICES FOR MCMINN COUNTY THROUGH STATE CONTRACT PRICING

WHEREAS, McMinn County currently utilizes Fuelman through state contract pricing with FleetCor; and
 WHEREAS, the utilization of FleetCor's fuel cards should reduce fuel costs by allowing the county to purchase fuel at FleetCor's negotiated reduced rates, in addition to being tax free; and
 WHEREAS, the services offered by FleetCor will also allow the county to more effectively track and monitor fuel purchases which should increase efficiency; and
 WHEREAS, FleetCor's services are approved for purchase on the Tennessee State Contract List and is a sixty (60) month term.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21ST DAY OF FEBRUARY 2022, that this commission does approve entering a contract with FleetCor Technologies Operating Company, LLC, and FURTHER approves the County Mayor to execute all necessary documentation regarding 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 Slack, to approve this resolution.

Motion carried by voice 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: 02/17/2022
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DEPARTMET	ACCOUNT	FOLIO	DEBIT	CREDIT
Reserve	Unassigned Fund Balance	39000	1,666.00	
Veterans Services	Other Supplies	58300-499		1,666.00
Explanation: To budget carryover balance from donations for Veterans' Events.				

MOTION made by Commissioner Curtis, 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: General Purpose School Fund # 141		Date: 01/28/2022		
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Other Local Revenue	Vocational Equipment	46640-STEM	5,000.00	
Vocational Education Program	Vocational Instructional Equip.	71300-730-Stem		5,000.00
Explanation: To enter budget for the STEM Classroom Grant from TVA for Central.				
		Date: 11/19/2021		
Support Ser/Vocational Edu.	In-Service/Staff Development	72230-524	1,925.77	
Support Ser/Vocational Edu.	Other Equipment	72230-790		1,925.77
Explanation: To amend the budget in order to be the same as the FY 2021-2022 ePlan document.				
Explanation: To amend the budget for the ARP Homeless 2.0 Grant for FY 2021-2022 to match ePlan.				

MOTION made by Commissioner Holbrook, and seconded by Commissioner Slack 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.

Fund: General Purpose School Fund # 189		Date: 02/17/2022		
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Reserve	Unassigned Fund Balance	39000	250,000.00	
General Administration Pro.	Other Capital Outlay	91110-799		250,000.00
Explanation: To budget expenditures for City of Athens Animal Shelter contribution approved by County Commission 7/26/2021.				

MOTION made by Commissioner McPhail, and seconded by Commissioner Simpson 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. ANNUAL REPORT – PHILLIP TUGGLE, 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.

(con't)

Phil Tuggle McMinn County Trustee gave a brief report on the Woods Hospital proceeds. Mr. Tuggle said as of February 18, 2022 there is a balance of 4,373,467.93 in the hospital fund.

10. COMMENTS FROM THE AUDIENCE

- Boys & Girls Club—Candace and Kimberly from the Boys & Girls Club gave the County Commissioners a brief example of why they think McMinn County would benefit from having a Boys & Girls Club in McMinn County. They also handed out a flyer that had all the information the club provides.
Paul Willson said he has been involved with the Boys & Girls Club in Monroe County for almost 20 years now and has seen how successful it has been.
- Larry Wallace thanked the County Commissioners for the donation for the City of Athens animal shelter.
- Eric Bunch from Riceville Tennessee told the County Commissioners he would be running for McMinn County Highway Commissioner this year. He told his goals for the office if elected.
- Paul Semenoff thanked the Board of Commissioners for listening to them last month about the 3rd party monitoring system and wanted an update. He also pointed out all the people in the audience that were there concerning the landfill.

11. RESOLUTIONS

A. A Resolution to Approve Matching Funds for Grant Applications to Expand Broadband Availability to Citizens of McMinn County.

Mr. Gentry presented resolution # 22-016. This did have Budget Committee approval.

RESOLUTION NO. 22-016

A RESOLUTION TO APPROVE MATCHING FUNDS FOR GRANT APPLICATIONS TO EXPAND BROADBAND AVAILABILITY TO CITIZENS OF McMINN COUNTY

WHEREAS, due to the increasing dependence on broadband accessibility for quality of life, economic development, and online education, the McMinn County Commission has listed the increased availability of broadband as a priority at their annual strategic planning session; and

WHEREAS, it is anticipated that funding will be available from the American Recovery Plan and other Federal and state programs for utility districts and communication companies for broadband expansion in rural areas; and

WHEREAS, McMinn County is served by numerous utility and private communication companies that provide broad band services; and

WHEREAS, grant applications are strengthened considerably when the local governments pledge a financial contribution; and

WHEREAS, this Commission, in its desire to promote the expansion of fiber throughout the county, pledges financial assistance to successful grant applicants as selected by the State of Tennessee in an amount ranging from ten percent (10%) to a maximum of thirty percent (30%) with said amount to be determined by size and scope of the project; and

WHEREAS, McMinn County's match would be sourced from the portion of funds it received from the American Rescue Plan with total aggregate amount not to exceed three million dollars (\$3,000,000); and

WHEREAS, future participation on broadband expansion projects will be based on case-by-case basis and the availability of funds; and

(Res. 016 con't)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21ST DAY OF FEBRUARY, 2022, that this Commission does hereby approve providing match assistance to successful local utility and communication company broadband grant applications in the aggregate amount not to exceed three million dollars, and authorizes the County Mayor to execute the 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 Holbrook, and seconded by Commissioner Simpson to approve this resolution.

Motion carried by voice vote.

B. A Resolution to Amend the McMinn County Subdivision Regulations to Change the Requirements for Private Roads and Private Ingress/Egress Easements in McMinn County, Tennessee.

Mr. Gentry presented resolution # 22-017.

RESOLUTION NO. 22-017

A RESOLUTION TO AMEND THE McMINN COUNTY SUBDIVISION REGULATIONS TO CHANGE THE REQUIREMENTS FOR PRIVATE ROADS AND PRIVATE INGRESS/EGRESS EASEMENTS IN McMINN COUNTY, TENNESSEE

WHEREAS, pursuant to Tennessee Code Annotated Section 13-3-402, the McMinn County Regional Planning Commission has adopted subdivision regulations for the purpose of promoting the health, safety, convenience, order, prosperity, and general welfare of the citizens of McMinn County; and

WHEREAS, pursuant to Tennessee Code Annotated Section 13-3-403, the McMinn County Regional Planning Commission desires to amend the adopted Subdivision Regulations; and

WHEREAS, pursuant to Tennessee Code Annotated Section 13-3-411(b), the McMinn County Regional Planning Commission has recommended these changes to the McMinn County Commission for adoption and incorporation in the McMinn County Subdivision Regulations, and were approved by the McMinn County Commission in February 2022;

WHEREAS, pursuant to Tennessee Code Annotated Section 13-3-403(c), a public hearing was held before this body;

NOW THEREFORE, BE IT RESOLVED by the McMinn County Commission that the Private Road Standards in the Subdivision Regulations for McMinn County, Tennessee be amended as described herein:

SECTION 1

Section 5.08.h and 5.08.i Requirements for Permanent Vehicular Easements shall be amended by deleting this section and replacing is as follows:

Delete:

~~Section 5.08. Requirements for Permanent Vehicular Easements. A permanent easement may be permitted under certain conditions. These easements shall meet the following minimum requirements and any special conditions attached by the Planning Commission, and the requirements and special conditions for the easement shall be placed on the final plat for recording.~~

(Res. 017 con't)

- ~~h. The McMinn County Regional Planning Commission shall require engineering and/or design plans for roads serving three (3) or more lots to ensure the road is constructed in such a manner that it will be safe, provide adequate drainage, and meet the requirements set forth in these regulations.~~
- ~~i. All private roads shall obtain a road name from the McMinn County 911 Office, and a stop sign and street name sign(s) shall be installed at the intersection of all roadways to identify them for emergency services. Street signs shall be permanently mounted with reflective lettering. Proof of the installed signs (i.e. pictures) shall be presented to the Planning Commission prior to receiving approval of a final plat.~~

Replace:

Section 5.08. Requirements for Permanent Vehicular Easements & Private Roads. A permanent easement or private road may be permitted under certain conditions. It shall meet the following minimum requirements, including any special conditions attached by the Planning Commission, and the requirements and special conditions for the easement or private road shall be placed on the final plat for recording.

- h. The McMinn County Regional Planning Commission may require engineering and/or design plans for roads serving three (3) or more lots to ensure the road is constructed in such a manner that it will be safe, provide adequate drainage, and meet the requirements set forth in these regulations.

All engineered plans shall meet highway commissioner's requirements.

- i. All private roads in subdivisions containing 6 or greater lots shall obtain a road name from the McMinn County 911 Office, and a stop sign and street name sign(s) shall be installed at the intersection of all roadways to identify them for emergency services. Street signs shall be permanently mounted with reflective lettering. All private street signs shall be marked with "PVT" along the righthand side and highlighted yellow to indicate it as a private road. Proof of the installed signs (i.e. pictures) shall be presented to the Planning Commission prior to receiving approval of a final plat.

NOW THEREFORE, BE IT RESOLVED that on this day, the McMinn County Commission hereby adopts this resolution amending the McMinn County Subdivision Regulations, the public welfare requiring it. Amendments shall become effective upon the approval of the McMinn County Commission.

(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.

12. ELECTIONS, APPOINTMENTS AND CONFIRMATIONS

- A. A Resolution to Confirm the Appointment of Pamela Taylor as a Judicial Commissioner for McMinn County.

Mr. Gentry presented resolution # 22-018.

(Res. 018 con't)

RESOLUTION NO. 22-018
A RESOLUTION TO CONFIRM THE APPOINTMENT OF PAMELA TAYLOR AS A
JUDICIAL COMMISSIONER FOR MCMINN COUNTY

WHEREAS, Tennessee Code Annotated 40-5-201 authorizes county legislative bodies to appoint judicial commissioners; and

WHEREAS, the duties of judicial commissioners are to issue arrest warrants upon a finding of probable cause, to set bonds and recognizances included in a "first appearance" before a magistrate, and to issue mittimus for persons to be held at the county jail; and

WHEREAS, the continued utilization of judicial commissioners is essential to provide due process to the citizens of McMinn County, as well as to strengthen criminal cases prepared by law enforcement of officers; and

WHEREAS, the McMinn County Board of Commissioners appoint Pamela Taylor to complete the term of Richard Brogan ending June 30, 2025, subject to proper training by the general sessions judge and circuit court clerk; and

WHEREAS, the judicial commissioners rotate weekly call and be compensated at the rate of four hundred dollars per week of called duty with any future compensation increases to be determined by the McMinn County Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN CALLED SESSION ON THIS 21ST DAY OF FEBRUARY 2022 that this commission does hereby confirm the appointment of Pamela Taylor as judicial commissioner.

(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 McPhail, to approve this resolution.

Motion carried by voice vote.

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

- Commissioner Curtis—Budget Committee met prior to tonight's meeting and recommended Resolution # 22-016 to the full committee.

14. COMMENTS FROM THE COUNTY MAYOR

Meadow Branch Facility.

Mr. Gentry said he reached out to Bradley County about the monitoring system they are using at their landfill. He has asked the company Bradley County is using to present McMinn County with a formal proposal for the Meadow Branch facility. Hopefully by the end of the month.

Broadband.

Mr. Gentry said AUB has requested hearings for their grant process. On February 24, 2022 there will be a public meeting at Pond Hill Baptist Church from 5-6 pm then on March 3rd 2022 at Nonaburg Baptist Church from 5-6 pm for citizens wanting to get broadband

Athens Chamber Annual Meeting.

Mr. Gentry said to let him know if anyone is planning to join the meeting and he will get tickets.

Annual Planning Session.

Mr. Gentry said the Annual Planning Session will be held on March 25, 2022. He said they are looking at the Calhoun area for the meeting but if that doesn't work out, they will revert to the Higher Education Center.

AMR Jamie Nicholson.

Jamie Nicholson gave an update from emergency services meeting from last month where they talked about changes that would alter their contract. With the changes being made will provide more hours than what the contract calls for. Mr. Nicholson said they are at full staff now and will be running 5 trucks instead of 4.

American School & University and Higher Education Center.

Mr. Gentry said they were handouts in tonight's packets for the American School & University and Higher Education Center. The Higher Education Building was awarded Building of Distinction.

15. APPROVAL OF NOTARY APPLICATION

Notaries to be elected February 21, 2022

JENNIFER L ADKINS	JENNIFER GUNN
ASHLEY F BURCHFIELD	AMBER HARRELL
DUSTIN BURKE	BRITTANY JOHNSON
CINDY CASTEEL	ROBERT J. MAINES
LARA C. CROCKETT	DONIEL RAY MCOURT
BRITTNEY A FIRESTONE	HANNAH RUTH POWERS
JERI D. GREENE	

MOTION made by Commissioner McPhail, and seconded by Commissioner Simpson, 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 at 8:00 pm.

MELINDA KING
McMinn County Clerk

Attest:

Deputy (date)