

The McMinn County Board of Commissioners met in Regular Session on March 25, 2022 at 6:00 pm, at Hiwassee Acres located at 900 County Road 950 in Calhoun Tennessee.

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 February 21, 2022 were provided to the McMinn County Commissioners.

MOTION made by Commissioner King, and seconded by Commissioner Simpson, to approve the minutes of February 21, 2022.

Motion carried by voice vote.

6. APPROVAL OF BIDS AND PURCHASES

A. A Resolution to Approve and Award the Annual Liquid Asphalt Bid.

Mr. Luallen presented resolution #22-019 along with letter of recommendation from Dan P. Evans, Chief Administrative Officer.

RESOLUTION NO. 22-019

A RESOLUTION TO APPROVE AND AWARD THE  
ANNUAL LIQUID ASPHALT BID

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

WHEREAS, Dan Evans, McMinn County Highway Commissioner requests the purchase of liquid asphalt for the period of April 1, 2022 thru March 31, 2023, 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

(Res. #22-019 con't)

WHEREAS, Dan Evans, McMinn County Highway Commissioner recommends the bid be awarded to Hudson Materials Company of Chattanooga, TN as the lowest/only bidder meeting all specifications. Although they are the only bidder, the price is within pennies of a December bid in neighboring Monroe County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 25<sup>th</sup> DAY OF MARCH, 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 Curtis, and seconded by Commissioner King, to approve this resolution.

Motion carried by voice vote.

B. A Resolution to Approve and Award the Annual Bid of Hot Mix FOB Asphalt.

Mr. Luallen presented resolution #22-020 along with a letter of recommendation and bid summary sheet from Dan P Evans Chief Administrative Officer.

#### RESOLUTION NO. 22-020

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

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 April 1, 2022 through March 31, 2023, 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 all vendors, Rogers Group, Inc. of Knoxville, TN, Hiwassee Paving, LLC of Charleston, TN, and Talley Construction Co. Inc. d/b/a Southeastern Materials, Inc. of Rossville, GA to be determined by availability at the plant and haul bill of McMinn County trucks at time of purchase. As with previous bids, every effort will be made to use the low bidder, subject to availability and the standard "Bituminous Price Index" rules.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 25<sup>th</sup> DAY OF MARCH 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 McPhail and seconded by Commissioner Holbrook, to approve this resolution.

Motion carried by voice vote.

C. A Resolution to Approve and Award the Annual Bid of Hot Mix in Place Asphalt.

Mr. Luallen presented resolution #22-021 along with a letter of recommendation and bid summary sheet from Dan P Evans Chief Administrative Officer

RESOLUTION NO. 22-021

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

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 April 1, 2022 through March 31, 2023, 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 all vendors, Rogers Group, Inc. of Knoxville, TN, Wright Bros. Construction Co, Inc. of Charleston, TN, and Caldwell Paving, of Charleston, TN who will be determined by availability at the plant and haul bill of McMinn County trucks at time of purchase. As with previous bids every effort will be made to use the low bidder, subject to availability and the standard "Bituminous Price Index" rules.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 25th DAY OF MARCH 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 Holbrook and seconded by Commissioner Masingale, to approve this resolution.

Motion carried by voice vote.

7. REVIEW AND APPROVAL OF CONTRACTS

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

Mr. Luallen presented resolution #22-022 along with copy of the contract.

RESOLUTION NO. 22-022

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

(Res. #22-022 con't)

WHEREAS, McMinn County Health Department does provide these services and both parties do hereby agree to these provisions in the contract for FY 2021-2022.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 25<sup>th</sup> DAY OF MARCH 2022, that this Commission does hereby approve this contract.

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 Simpson, to approve this resolution.

Motion carried by voice vote.

B. A Resolution to Approve a Contract Between McMinn County Schools and McMinn County Department of Juvenile Services.

Mr. Luallen presented resolution #22-023 along with copy of the contract.

#### RESOLUTION NO. 22-023

#### A RESOLUTION TO APPROVE A CONTRACT BETWEEN MCMINN COUNTY SCHOOLS AND MCMINN COUNTY DEPARTMENT OF JUVENILE SERVICES

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 Juvenile Services has agreed to provide for the school year of 2022-23 one youth services officer stationed at McMinn County High School and McMinn Central High School five days a week and available on an as needed basis to all other county schools. Referrals will be seen that are of high risk with the court system; and

WHEREAS, individual and group counseling will be provided by professional mental health agencies and paid for by McMinn County Department of Juvenile Services; and

WHEREAS, the charge to the McMinn County School System is \$15,000.00.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 25<sup>th</sup> DAY OF MARCH, 2022, that this Commission does hereby agree to enter into this contract with the McMinn County School System and McMinn County Department of Juvenile Services for the 2022-23 school year.

(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.

C. A Resolution to Approve a Contract Between McMinn County Sheriffs Office and 10<sup>th</sup> Judicial District Drug Task Force.

Mr. Luallen presented resolution #22-024 along with copy of the amendment agreement.

(Res. #22-024 con't)

RESOLUTION NO. 22-024

A RESOLUTION TO APPROVE THE CONTRACT BETWEEN MCMINN COUNTY SHERIFFS OFFICE  
AND 10<sup>th</sup> JUDICIAL DISTRICT DRUG TASK FORCE

WHEREAS, McMinn County may enter into joint contracts and interagency agreements to exercise joint powers, privileges, and authority; and

WHEREAS, McMinn County has approved a previous agreement between the Sheriff's Office and the Drug Task Force for a "contributory agent", which is a Sheriff's Office employee assigned as a Narcotics Detective to the Drug Task Force; and

WHEREAS, this agreement provides that the "contributory agent" will also be current Director of the Drug Task Force; and

WHEREAS, McMinn County will provide the pay and benefits at the level of a Narcotics Detective, with any additional pay for the salary of the Drug Task Force Director to be reimbursed to McMinn County either monthly or quarterly, based upon the preference of the Director of Finance.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 25<sup>th</sup> DAY OF MARCH, 2022, that this Commission does hereby approve this memorandum of understanding between the Drug Task Force and McMinn County.

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

Attest:

(Orig signed by Melinda King)  
County Clerk

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

Motion carried by voice vote.

D. A Resolution to Approve an Amendment to the Contract Between McMinn County and Securus Technologies for Inmate Telephone Service at the McMinn County Justice Center.

Mr. Luallen presented resolution #22-025 along with copy of the agreement.

RESOLUTION NO. 22-025

A RESOLUTION TO APPROVE AN AMENDMENT TO THE  
CONTRACT BETWEEN MCMINN COUNTY AND  
SECURUS TECHNOLOGIES FOR INMATE TELEPHONE SERVICE  
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 has entered into contract with Securus Technologies to supply inmate telephone service to the McMinn County Justice Center; and

WHEREAS, the amendment includes a Fourth Addendum to Master Services Agreement to be effective as of the last date signed by either party and remain in effect through the Term of Agreement.

WHEREAS, as of the Fourth Addendum effective date, the Provider will deploy six additional Video Visitation Terminals – Single Handset (Inmate). If permitted by applicable regulation, \$0.10 will be added to the cost of the first minute of each local and in-state call, and the \$0.10 will not be commissionable.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN CALLED SESSION ON THIS THE 25<sup>th</sup> DAY OF MARCH 2022 THAT THIS commission does hereby approve the amendment to the contract with Securus Technologies.

(Res. #22-025 con't)

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

Motion carried by voice vote.

E. A Resolution to Approve a Contract Between Athens City Schools and McMinn County Department of Juvenile Services.

Mr. Luallen presented resolution #22-026 along with copy of the contract.

RESOLUTION NO. 22-026

A RESOLUTION TO APPROVE A CONTRACT BETWEEN  
ATHENS CITY SCHOOLS AND  
MCMINN COUNTY DEPARTMENT OF JUVENILE SERVICES

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 Juvenile Services has agreed to provide for the school year of 2022-23 one youth services officer at Athens Middle School two days a week and available on an as needed basis to all other city schools. Referrals will be seen that are of high risk with the court system; and

WHEREAS, individual and group counseling will be provided by professional mental health agencies and paid for by McMinn County Department of Juvenile Services; and

WHEREAS, the charge to Athens City School System is \$5,000.00.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 25<sup>th</sup> DAY OF MARCH, 2022, that this Commission does hereby agree to enter into this contract with the Athens City School System and McMinn County Department of Juvenile Services for the 2022-23 school year.

(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 Masingale, 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: LAW LIBRARY #114		DATE: 03/18/2022		
DEPARTMET	ACCOUNT	FOLIO	DEBIT	CREDIT
Fines Forfeitures & Penalties	Officer Costs	42120	1,000.00	
Other Admin. of Justice	Office Supplies	53900-435		900.00
Other Admin. of Justice	Trustee's Commission	53900-510		100.00
Explanation: To enter budget for Law Library.				

(con't)

MOTION made by Commissioner Curtis, 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:

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

FUND: General Purpose School Fund # 141	DATE: 02/28/2022
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DEPARTMET	ACCOUNT	FOLIO	DEBIT	CREDIT
Restricted	Restricted for Education	34555	257,385.00	
Regular Capital Outlay	Building Improvements	76100-707		257,385.00
Explanation: To move Restricted for Education- BEP funds to Building Improvements line item.				

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 and did have School Board Approval.

Fund: Federal Projects # 142, Title II, # 222		Date: 02/11/2022		
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Federal Through State Revenue	Eisenhower Prof Development	47189		16,855.36
Federal Through State Revenue	Other Federal Through State	47590	16,855.33	
Explanation: To amend the current budget in order to match the FY 2021-2022 ePlan document.				
Fund: Federal Projects # 142, ESSER 2.0, # 938		Date: 11/19/2021		
Regular Instruction Program	Instructional Supplies & Materials	71100-429		64,800.00
Regular Instruction Program	Textbooks-Bound	71100-449		30,486.66
Regular Instruction Program	Regular Instruction Equipment	71100-722		49,464.89
Special Education Program	Social Security	71200-201	0.07	
Special Education Program	State Retirement	71200-204		47.00

(con't)

Special Education Program	Employer Medicare	71200-212	0.30	
Health Services	Medical Personnel	72120-131	113,255.32	
Health Services	Social Security	72120-201	7,019.35	
Health Services	State Retirement	72120-204	4,721.08	
Health Services	Life Insurance	72120-206	492.72	
Health Services	Medical Insurance	72120-207	23,285.70	
Health Services	Employer Medicare	72120-212	1,641.62	
Support Services/Special Edu.	Other Equipment	72220-790		13,000.00
Food Service	Food Service Equipment	73100-710	7,382.39	
Explanation: To amend the budget for the ESSER 2.0 Grant (CRRSA Act) for FY 2021-2022 to match ePlan.				

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:

9. RESOLUTIONS

- A. A Resolution to Institute Special Rates for the Disposal of Residential Cleanup Materials at the McMinn County Sanitary Landfill, Effective April 18-23, 2022 and to Designate that Week as "Cleanup, Fix-up, Sparkle Week" in McMinn County.

Mr. Gentry presented resolution # 22-027.

RESOLUTION NO. 22-027

A RESOLUTION TO INSTITUTE SPECIAL RATES FOR THE DISPOSAL OF RESIDENTIAL CLEANUP MATERIALS AT THE McMINN COUNTY SANITARY LANDFILL, EFFECTIVE APRIL 18-23, 2022 AND TO DESIGNATE THAT WEEK AS "CLEANUP, FIX-UP, SPARKLE WEEK" IN McMINN COUNTY

WHEREAS, the McMinn County Commission is authorized to set disposal rates for various materials at the McMinn County Sanitary Landfill; and

WHEREAS, this Commission wishes to charge no tipping fees for the disposal of residential cleanup materials at the McMinn County Sanitary Landfill during "Cleanup, Fix-up, Sparkle Week," as a promotion for this annual activity; and

WHEREAS, the Keep McMinn Beautiful, and other municipal and commercial entities in McMinn County wish to schedule their annual beautification promotions during the week of April 18-23<sup>rd</sup>, and this Commission wishes to designate that week as "Cleanup, Fix-up, Sparkle Week" in 2022; and

WHEREAS, the County Mayor and Landfill Supervisor will provide suitable public notice, supervision, and monitoring for this activity.

NOW, THEREFORE, BE IT RESOLVED, BY THE COMMISSION OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 25<sup>th</sup> DAY OF MARCH, 2022, that this Commission authorizes the disposal of residential cleanup materials at no charge at the McMinn County Sanitary Landfill during April

(Res. #22-027 con't)

18-23, 2022, and formally designates that week as "Cleanup, Fix-up, Sparkle Week" in McMinn County, and calls upon all its citizens to join in this worthy observance.

BE IT FURTHER RESOLVED, that this Commission directs the County Mayor to promote, monitor, and supervise this activity in accordance with established operational and regulatory guidelines.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21<sup>ST</sup> 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 Slack, and seconded by Commissioner Simpson to approve this resolution.

Motion carried by voice vote.

10. ELECTIONS, APPOINTMENTS AND CONFIRMATIONS

None.

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

None.

12. APPROVAL OF NOTARY APPLICATION

Notaries to be elected March 25, 2022

MINDEE ALBRIGHT  
SHAWNA BREEDEN  
SHARON BROWN  
ALISON LEIGH BULL  
EVAN CHASTAIN  
AMANDA NICOLE COOLEY  
DENISE FERGUSON  
LARAE GRAVES  
NIKISHA M GREENE  
TANJA HUTTON  
KATELYN NICHOLE JACKSON

DAVID JOHNSON  
SHERILYN P KELLY  
KARI D KENT  
RANDALL D KEY  
STEPHEN LONG  
LISA F. MAXWELL  
JASON WARREN OLLIS SR.  
TERRI PERIAN  
CONNIE R ROBINSON  
KARRIE A SWEET

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

Motion carried by voice vote.

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

There being no other business, Chairman Crews declared the Commission meeting adjourned at 6:15 pm.

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

Attest:

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