

The McMinn County Board of Commissioners met in Regular Session on August 22, 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 McPhail.

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 Clerk as recorded:

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

5. APPROVAL OF MINUTES

Copies of the Minutes of the Regular Session on July 25, 2022 were provided to the McMinn County Commissioners.

MOTION made by Commissioner Simpson, and seconded by Commissioner King, to approve the minutes of July 25, 2022.

Motion carried by voice vote.

6. APPROVAL OF BIDS AND PURCHASES

A. A Resolution to Reject the Bid for the McMinn County -911 Backup Center Renovations.

Mr. Luallen presented resolution #22-075 along with a copy of bid summary sheet.

RESOLUTION NO. 22-075

A RESOLUTION TO REJECT THE BID FOR THE MCMINN COUNTY – 911 BACKUP CENTER RENOVATIONS

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

WHEREAS, bids for the McMinn County – 911 Backup Center Renovations were taken on July 7, 2022; and

WHEREAS, there were two companies who placed bids. East Tennessee Construction Services, Inc., Englewood, TN and Integrated Properties, LLC, Chattanooga, TN with East Tennessee Construction Services placing the lower bid of \$334,750.00; and

(Res. # 22-075 con't)

WHEREAS, McMinn County has followed the proper procedures in securing the bids for this project; and
WHEREAS, Upon the architect's recommendation and State Fire Marshall plan revisions to the project scope, the Properties Committee recommends rejecting the bids and re-bid.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 22nd DAY OF AUGUST 2022, that this Commission does hereby approve the recommendation of Sam Moser.

(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 voice vote.

B. A Resolution to Purchase Law Enforcement Vehicles from Tennessee State Contract.

Mr. Luallen presented resolution #22-076 along with a copy of the sales quote.

RESOLUTION NO. 22-076

A RESOLUTION TO PURCHASE LAW ENFORCEMENT VEHICLES FROM TENNESSEE STATE CONTRACT

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

WHEREAS, Tennessee State Contract has followed the proper procedures in securing bids; and

WHEREAS, the McMinn County Sheriff, Joe Guy, requests to purchase three fully equipped 2023 AWD Ford Police Interceptors from Tennessee State Contract at \$55,171.56 per vehicle for a total of \$165,514.67, in order to properly carry out the functions of the department.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 22nd DAY OF AUGUST, 2022, that this Commission does hereby approve the request of Sheriff Joe Guy to purchase three Ford Police Interceptors for a total of \$165,514.67.

(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 Carter, to approve this resolution.

Motion carried by voice vote.

C. A Resolution to Approve payment of Inmate Medical Expenses to UT Medical Center.

Mr. Luallen presented resolution #22-077.

RESOLUTION NO. 22-077

(Res. # 22-077 con't)

A RESOLUTION TO APPROVE PAYMENT OF INMATE MEDICAL EXPENSES TO UT
MEDICAL CENTER

WHEREAS, Christopher Martin, an inmate of McMinn County Justice Center, was transported to UT Medical Center and was in ICU from May 20, 2022 through June 4, 2022; and

WHEREAS, the original amount charged was \$110,676.79 and McMinn County requested a discount which was granted resulting in a discount bringing the charges to \$55,338.40; and

WHEREAS, this inmate is a state inmate therefore McMinn County will be reimbursed for all medical expenses over \$1,000.00; and

WHEREAS, in accordance with Financial Management Committee Policies and Procedures expenses over \$25,000 require County Commission approval.

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 22nd DAY OF AUGUST, 2022, that the payment of medical expenses to UT Medical Center in the amount of \$55,338.40 be hereby approved.

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

Motion carried by voice vote.

D. A Resolution to Approve Payment of Inmate Medical Expenses to Med Trans/Ut Lifestar.

Mr. Luallen presented resolution #22-078 along with a copy of the requisition signed by Joe Guy, McMinn County Sheriff.

RESOLUTION NO. 22-078

A RESOLUTION TO APPROVE PAYMENT OF INMATE MEDICAL EXPENSES TO MED
TRANS/ UT LIFESTAR

WHEREAS, Christopher Martin, an inmate of McMinn County Justice Center, was transported by Med Trans/UT Lifestar to UT Medical Center on May 20, 2022; and

WHEREAS, the original amount charged was \$61,688.00 and McMinn County requested a discount which was granted resulting in a discount bringing the charges to \$30,844.00; and

WHEREAS, this inmate is a state inmate therefore McMinn County will be reimbursed for all medical expenses over \$1,000.00; and

WHEREAS, in accordance with Financial Management Committee Policies and Procedures expenses over \$25,000 require County Commission approval.

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 22nd DAY OF AUGUST, 2022, that the payment of medical expenses to Med Trans/UT Lifestar in the amount of \$30,844.00 be hereby approved.

(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.

E. A Resolution to Declare Items as Surplus Property.

Mr. Luallen presented resolution #22-079 along with a copy of the list from Rhonda Cooley, Circuit Court Clerk.

RESOLUTION NO. 22-079

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, McMinn County Circuit Court Clerk, Rhonda Cooley requests to have the following item declared as surplus property:

HP Printer #7482, HP Laser Printer #J39638, Fujitsu Scanner #7687,
HP Scanner #CN0AM347, HP Scanner #CN346, 125ci Fellowes Shredder,
Brother Fax #U61639K0J212575; 17 Keyboards; HP Monitor #7297, HP Monitor #7298, HP Monitor #CNC411P575, HP Monitor #CND60802KZ, HP Monitor #CND60802KF, HP Monitor #948NW2D, HP Monitor #948NW2J, Brother Fax #U63274K6J353939, Brother Fax #U63274C9J683437 and HP Computers #7284, #7282, #7285, #7278, #7277, #7535, #7644, #7536, #7470, #7275, #7276, #7477, #7279, #7274, #7281, #06992, #06921.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 22nd DAY OF AUGUST 2022, 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 Simpson and seconded by Commissioner King, to approve this resolution.

Motion carried by voice vote.

F. A Resolution to Declare Items as Surplus Property.

Mr. Luallen presented resolution #22-080 along with a copy of the list from Dan P. Evans, Chief Administrative Officer.

RESOLUTION NO. 22-080

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, McMinn County Highway Commissioner, Dan Evans requests to have the following item declared as surplus property: #10507 – HP ProBook 4 SN# 5CD1023WF1 / 450GY and #10442 – G-1 Laptop 15 – ProBook 450 SN# BOOKIXNDJE.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 22nd DAY OF AUGUST 2022, that this Commission does hereby declare these items as surplus property.

(Orig signed by John M. Gentry)

McMinn County Mayor

(Res. # 22-080 con't)

Attest:

(Orig signed by Melinda King)
 County Clerk

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

Motion carried by voice vote.

G. A Resolution to Approve Change Order for McMinn County Airport Reil and Papi Replacement Project.

Mr. Luallen presented resolution #22-081 along with a copy of the requisition signed by Joe Guy, McMinn County Sheriff.

RESOLUTION NO. 22-081

A RESOLUTION TO APPROVE CHANGE ORDER FOR MCMINN COUNTY AIRPORT REIL AND PAPI REPLACEMENT PROJECT

WHEREAS, McMinn County has awarded bid to Guardian Electric Corp for the McMinn County Airport Reil and Papi Replacement Project; and

WHEREAS, the original contract was awarded at \$231,725.00; and

WHEREAS, Change Order for deduction in the amount of \$5,065.41 is requested; and

WHEREAS, upon approval by the McMinn Board of Commissioners, the total for this Change Order issued by Guardian Electric Corp will decrease the total contract amount to \$226,659.59.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 22nd DAY OF AUGUST 2022, that this Commission does hereby approve the change orders and decrease the amount to \$226,659.59.

(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.

7. REVIEW AND APPROVAL OF CONTRACTS

None.

8. APPROVAL OF BUDGET AMENDMENTS

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: 07/14/2022		
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Early Childhood Education	Early Childhood Education	46515	1,023,284.84	
Early Childhood Education	Teachers	73400-116		576,933.76

(con't)

Early Childhood Education	Clerical Personnel	73400-162		8,942.00
Early Childhood Education	Educational Assistants	73400-163		215,376.72
Early Childhood Education	Social Security	73400-201		49,683.89
Early Childhood Education	State Retirement	73400-204		50,343.72
Early Childhood Education	Life Insurance	73400-206		2,425.00
Early Childhood Education	Medical Insurance	73400-207		97,871.85
Early Childhood Education	Employer Medicare	73400-212		11,618.50
Early Childhood Education	Retirement-Hybrid Stabilization	73400-217		9,914.40
Early Childhood Education	In-Service/Staff Development	73400-524		175.00
Explanation: To enter budget for FY 2022-23 Voluntary Pre-K budget to match ePlan.				
Date: 07/21/2022				
Restricted	Restricted for Oper. of Non-instruct Services	34570	2,525.76	
Other Student Support	Other Supplies & Materials	72130-499		1,300.00
Other Student Support	In-Service/Staff Development	72130-524		1,225.76
Explanation: To enter the budget for TN Care funds received through Coordinated School Healthy for FY 22-23.				

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

Scott Curtis – Aye
 Dale Holbrook - Absent
 Tim King - Aye
 Roger Masingale - Aye
 Brent Carter - Aye
 J. W. McPhail - Aye
 Jerry Millsaps - Aye
 Tad Simpson - Aye
 Charles Slack - Absent
 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: # 142 CTE Perkins Reserve, # 800		DATE: 7/27/2022		
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
State Revenue	Vocational Education-Basic Grants	47131	49,460.00	
Vocational Education Program	Instructional Supplies & Materials	71300-429		1,920.00
Vocational Education Program	Vocational Instruction Equipment	71300-730		47,540.00
Explanation: To enter the budget for the CTE Perking Reserve Grant for FY 2022-2023.				

Fund: Federal Projects # 142, Epidemiology and Laboratory Capacity (ELC) Grant, #940 Date: 08/01/2022				
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Revenue	Other Federal Thru State	47590	490,780.19	
Health Services	Medical Personnel	72120-131		86,640.00
Health Services	Social Security	72120-201		5,371.68
Health Services	State Retirement	72120-204		3,612.89
Health Services	Life Insurance	72120-206		168.72
Health Services	Medical Insurance	72120-207		30,783.92
Health Services	Employer Medicare	72120-212		1,256.28
Health Services	Drugs & Medical Supplies	72120-413		181,473.35
Health Services	Health Equipment	72120-735		181,473.35
Explanation: To enter the budget for the Epidemiology and Laboratory Capacity (ELC) Grant for FY 22-23.				

(con't)

Fund: Federal Projects # 142, Early Literacy Networks, # 951		Date: 08/16/2022		
Federal through state revenue	COVID-19 Grant D	47309	40,000.00	
Support Svcs/Regular Inst. Pro.	Other Contracted Services	72210-399		40,000.00
Explanation: To enter budget for the Early Literacy Networks Grant for FY 2022-2023 to match the ePlan document.				
Fund: Federal Projects #142, Carl Perkins, # 820		Date: 08/17/2022		
Vocational Education Program	Instructional Supplies & Mat.	71300-429		11,441.00
		71300-730	11,441.00	
Explanation: To amend the budget in order to be the same as the FY 2022-2023 eplan document.				

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

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

Motion carried by roll call vote, as recorded:

9. COMMENTS FROM THE AUDIENCE

Thomas and Melissa Hughes brought a problem they have been having with neighbors on County Road 179. They stated they have contacted TDEC and were told to approach the county commission about the problem. John Gentry, McMinn County Mayor said they are aware of the problems there and have also talked to TDEC about the situation.

10. RESOLUTIONS

A. A Resolution to Approve the Contract Between McMinn County and Sevier County for the Detention of Juvenile Offenders.

Mr. Gentry presented resolution # 22-082 along with a copy of the agreement.

RESOLUTION NO. 22-082

A RESOLUTION TO APPROVE THE CONTRACT BETWEEN McMINN COUNTY AND SEVIER COUNTY FOR THE DETENTION OF JUVENILE OFFENDERS

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 Sevier County to provide detention services to hold juvenile defendants subject to the conditions of the attached proposal; and

WHEREAS, this agreement shall remain effective until termination by either county.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 22nd DAY OF AUGUST 2022 that this Commission does hereby agree to enter into contract with Sevier County to hold McMinn County juvenile offenders subject to the stated provisions.

(Res. # 22-082 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 McPhail, and seconded by Commissioner Simpson to approve this resolution.

Motion carried by voice vote.

B. A Resolution to Approve Contract Addendum to the McMinn County Airport Fixed Base Operator Contract.

Mr. Gentry presented resolution # 22-083. This did have Airport Committee approval.

RESOLUTION NO. 22-083

A RESOLUTION TO APPROVE CONTRACT ADDENDUM TO THE McMINN COUNTY AIRPORT FIXED BASE OPERATOR CONTRACT

WHEREAS, McMinn County currently contracts with Athens Air, LLC to operate the McMinn County Airport as the Fixed Base Operator, (FBO); and

WHEREAS, the current contract does not identify the FBO as the airport manager; and

WHEREAS, fixed base operators are traditionally more focused on the commercial viability of the airport, while airport manager duties concentrate on policy development, regulatory compliance, licensing, safety, and planning; and

WHEREAS, due to recent drop in volume of operations at the airport from industry idling, and upon review with the county attorney and insurance carrier, the role of airport manager should be added to the duties of Fixed Base Operator with responsibilities clearly defined; and

WHEREAS, the Airport Committee has reviewed the addendum and with concurrence of Athens Air, LLC, recommends approval of the addendum and Exhibit A.

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COMMISSISONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 22nd DAY OF AUGUST, 2022, that this Commission does hereby approve the addendum as presented and FURTHERMORE, grants authority to the County Mayor and County Attorney to execute 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.

C. A Resolution to Approve a Request from Various Non-Profit Agencies for Funding.

(Res. # 22-084 con't)

Mr. Gentry presented resolution # 22-084. This did have Budget Committee approval.

RESOLUTION NO. 22-084

A RESOLUTION TO APPROVE REQUESTS FROM VARIOUS
NON-PROFIT AGENCIES FOR FUNDING

WHEREAS, the county's Hotel/Motel Tax Fund may be used to promote events and tourism related activities in McMinn County; and

WHEREAS, these events may be safely held outdoors through July 2023; and

WHEREAS, funding is limited to a maximum of \$3,000 per event; and

WHEREAS, organizations applying for funding are listed below with their respective events and financial requests:

	<u>REQUESTED</u>		<u>APPROVED</u>
Friendly City Festivals	\$3,000	MooFest 2023	\$3,000
	\$3,000	Pumpkintown 2023	\$3,000
	\$3,000	Sounds of Summer Concert Series	\$3,000
City of Calhoun	\$3,000	River Town Festival	\$3,000
Athens Parks	\$3,000	July 4 th Fireworks	\$3,000
CAGE	\$3,000	Englewood Celebrates	\$3,000
Etowah 4 th of July	\$3,000	Etowah 4 th of July	\$3,000
Mainstreet Athens	\$3,000	Old Fashion Downtown Christmas	\$3,000
	\$3,000	Downtown Halloween	\$3,000
Living Heritage Museum	\$2,500	Annual Quilt Show	\$2,500

WHEREAS, to assist in the funding the advertising and the entertainment, the McMinn County Commission agrees to provide funding from the Hotel/Motel Tax Fund; and

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 22nd DAY OF AUGUST, 2022, that this Commission does hereby approve the requested funding for these community special events.

(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.

D. A Resolution to Approve the Request of Funds by the Etowah Historical Commission to Assist in Funding the Printing of Historical Guides for Tourists.

Mr. Gentry presented resolution # 22-085. This did have Budget Committee approval.

RESOLUTION NO. 22-085

(Res. # 22-085 con't)

A RESOLUTION TO APPROVE THE REQUEST OF FUNDS BY THE ETOWAH HISTORICAL COMMISSION TO ASSIST IN FUNDING THE PRINTING OF HISTORICAL GUIDES FOR TOURISTS

WHEREAS, the Etowah Historical Commission is printing 20,000 guides to the historic Etowah Depot, grounds, and historic sites; and

WHEREAS, this booklet will be full color and in a format that easily carried by visitors; and

WHEREAS, the total project cost is \$17,000 and the Historical Commission secured \$11,000 from the National Endowment for the Humanities and Humanities Tennessee; and

WHEREAS, the Etowah Historical Commission requests \$6,000 from McMinn County to supplement printing costs; and

WHEREAS, this request shall be funded from Tourism/Hotel-Motel Tax funds in the amount of \$6,000, with appropriate advertisement of this donation to a non-profit as prescribed by law.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 22nd DAY OF AUGUST 2022, that this Commission does hereby approve this appropriation of Tourism funds to the Etowah Historical Commission.

(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 Millsaps, to approve this resolution.

Motion carried by voice vote.

E. A Resolution for the McMinn County-American Rescue Plan Act (ARPA) TDEC Non-Competitive Water Infrastructure Grant Program Technical Assistance & Grant Administration Services.

Mr. Gentry presented resolution # 22-086.

RESOLUTION NO. 22-086

McMinn County- American Rescue Plan Act (ARPA) TDEC Non-Competitive Water Infrastructure Grant Program
Technical Assistance & Grant Administration Services

WHEREAS, McMinn County has been afforded a non-competitive allocation of \$5,509,591.09 in ARPA funding from the Tennessee Department of Environment and Conservation, Division of Water Resources to address critical and priority water infrastructure needs throughout the county; and

WHEREAS, McMinn County is not a provider of water or sewer utilities; and as such, will sub-grant funds to utility providers with qualifying water and sewer projects, as delineated in the Infrastructure Scorecard Summary that the utilities are being required to submit to the Tennessee Association of Utility Districts and the Tennessee Department of Environment and Conservation; and

WHEREAS, McMinn County will require technical assistance in order to collect utility proposals, assist with determining specific project-based funding allocations, develop and assist with the preparation and submission of the County's application in accordance with TDEC's grant manual and any other relevant guidance.

(Res. # 22-086 con't)

WHEREAS upon TDEC approval, McMinn County will require grant administrative services in the implementation of the project, preparation of requests for reimbursement, provision of timely reports to TDEC, assistance in maintenance of financial and compliance records as required by TDEC's contract with the County and all other pertinent federal reporting requirements found in 2 C.F.R. Part 200 and the Compliance and Reporting Guidance issued by the United State Treasury for State and Local Fiscal Recovery funds under the American Rescue Plan Act (ARPA); and

WHEREAS, since these projects will span multiple years ending September 30, 2026. ARPA & TDEC will allow up to 6% of the total allocation to be used for technical assistance and grant administrative services; however, these professional services must be competitively procured; and

WHEREAS, McMinn County publicly advertised and released an Invitation to Submit Statements of Qualifications for the above-referenced services,

Be It Hereby Resolved that McMinn County has selected the Southeast Tennessee Development District to perform these technical and grant administrative services.

Be It Further Resolved that McMinn County Commission does hereby authorize the County Mayor to enter into a contract with the Southeast Tennessee Development District, not to exceed 3% of McMinn County's allocation, contingent upon the work required.

(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.

ADMINISTRATIVE SERVICES AGREEMENT
TDEC NON-COMPETITIVE ARP INFRASTRUCTURE GRANT PROGRAM

This Agreement is made and entered into by and between McMinn County, Tennessee hereinafter called (the "County") and Southeast Tennessee Development District hereinafter called ("SETD")

1. Scope of Services. SETD agrees to provide grant administration services to the County in connection with its non-competitive grant application to the Tennessee Department of Environment and Conservation (TDEC) for the State of Tennessee American Rescue Plan Act (ARP) funds which have been allocated to the County for water, wastewater, and stormwater infrastructure projects under TDEC's Water Infrastructure Investment Plan. These services include the following:

- Using the TDEC grant management system to prepare the County's grant application in accordance with TDEC's grant manual, grant application and any other guidance provided by TDEC;
- Assisting in preparing or preparing the County's Title VI Pre-Audit Survey, Supplier Direct Deposit Authorization Use, future invoices for reimbursement requests and state approvals, and other required documents and submit these documents to TDEC using TDEC grant management system or other means as necessary;
- Providing timely reports to TDEC during the grant award period in accordance with the terms and conditions of the TDEC grant contract with the County;
- Assisting the County in maintaining accounting records for compiling and reporting accurate financial data in accordance with appropriate accounting standards and principles;
- Ensuring that all State ARP funds used for water, wastewater and stormwater infrastructure projects are used in compliance with the United States Treasury's Final Rule;

(Res. # 22-086 con't)

- Assisting the County in complying with federal reporting requirements found in 2 C.F.R. Part 200 and the Compliance and Reporting Guidance issued by the United States Treasury for State and Local Fiscal Recovery funds under American Rescue Plan Act (ARPA); and
- Providing all other needed grant administration services.

2. Compensation and Method of Payment. The parties acknowledge that TDEC is allowing up to 6% of the County's total grant contract to be used for reasonable and allocable administrative expenses. To compensate SETD for the work to be performed under this Agreement, the County agrees to pay up to 3% of the amount of the projects included in the County's grant contract with TDEC as its fee. This fee will be billed quarterly until the completion and closeout of all projects.

3. County Point of Contact. For purposes of this Agreement, the County shall designate an authorized person to serve as the primary point of contact to SETD. In return, SETD will assign a project administrator as the County's single point of contact. All communications about the grant administration services shall be directed to this point of contact who shall direct SETD to others as appropriate.

4. Provision of Information. The County shall furnish the SETD all information, data, reports and records and maps as are existing, available, and necessary for the carrying out of the grant administration services outlined in this Agreement. No charge will be made to the SETD for such information, and the County will cooperate with the SETD in every way possible to facilitate the performance of the work described in this Agreement.

5. Amendment and Changes in Work. No amendment, modification, or renewal of this Agreement shall be effective, unless set forth in a written amendment signed by both parties.

6. Remedies, Alternative Dispute Resolution, and Program Non-Compliance. The parties agree to resolve all disputes arising under this Agreement in accordance with this Section. If a dispute arises out of or relates to this Agreement or any alleged breach hereof, including a determination of responsibility for any costs disallowed as a result of non-compliance with federal, state or ARPA program requirements, the party desiring to resolve such dispute shall deliver a written notice of the dispute, including the specific claim in the dispute to the other party. Following the delivery of such notice, the parties involved in the dispute shall meet at least twice within the thirty (30) day period commencing with the date of the notice and in good faith shall attempt to resolve such dispute through negotiation. If any dispute is not resolved or settled by the parties as a result of such negotiation, the parties in good faith shall submit the dispute to non-binding mediation before a qualified, mutually agreeable Rule 31 mediator to be held in the County. The parties shall bear the costs of such mediation equally. If the dispute is not resolved through such mediation, either party may proceed to file suit.

7. Termination of Agreement for Convenience. Either the County or the SETD may terminate this Agreement at any time by providing at least ten (10) day notice in writing to the other party to this Agreement. If the Agreement is terminated, SETD will be reimbursed for all costs incurred and a pro rata share of the compensation set forth in Section 2 up to the termination date. In such event, all finished documents, data, studies, surveys, drawings, maps, models, photographs, and reports prepared by the SETD under this Agreement shall, at the option of the County, become its property.

8. Severability. If any portion of this agreement is found to be unenforceable, the remaining provisions shall be enforceable and shall not render the contract void.

9. Compliance with Laws. SETD, shall comply with all applicable federal, state, and local laws, rules and regulations in performing this Agreement.

10. Entire Agreement. The parties agree that this Agreement is the complete expression of the agreement. Any oral or written representatives or understandings not incorporated in this Contract are specifically excluded.

IN WITNESS WHEREOF, the parties have caused this Agreement to be signed by their duly constituted legal representatives and is effective on the last date signed.

(Res. # 22-086 con't)

By: (Original signed by John M Gentry

John M. Gentry, McMinn County Mayor

By: (Original signed by Charles H. Hammonds

Charles H. Hammonds, Executive Director

Witness: _____

Witness: _____

F. A Resolution to Approve Allocation of TDEC-ARP Funds to the Various Water/Wastewater Utility Providers in McMinn County.

Mr. Gentry presented resolution # 22-087. This did have Budget Committee approval.

RESOLUTION NO. 22-087

A RESOLUTION TO APPROVE ALLOCATION OF TDEC-ARP FUNDS TO THE VARIOUS WATER/WASTEWATER UTILITY PROVIDERS IN McMINN COUNTY

WHEREAS, funds have been authorized and appropriated by the federal American Rescue Plan Act (ARP) to be used for eligible drinking water, wastewater, or stormwater projects. The Tennessee Department of Environment and Conservation (TDEC) has been designated to administer these funds; and

WHEREAS, McMinn County has been afforded a non-competitive allocation of \$5,509,591.09 in ARPA funding from the Tennessee Department of Environment and Conservation, Division of Water Resources to address critical and priority water and wastewater infrastructure needs throughout the county; and

WHEREAS, McMinn County requested projects from the various utilities and submitted them for compliance with TDEC grant requirements by staff of the Southeast Tennessee Development District; and

WHEREAS, McMinn County's grant match requirement is fifteen percent, with each utility matching said request unless a project was requested by McMinn County, such as utility interconnects for safety and reliability of services. The amounts to be allocated are as follows:

Hiwassee Utilities Commission	\$ 1,096,500.00
Athens Utilities Board	\$ 500,000.00
Etowah Utilities Board	\$ 1,000,000.00
Town of Englewood Utilities	\$ 800,000.00
Calhoun/Charleston Utilities	\$ 300,000.00
Riceville Utilities	\$ 800,000.00
Watts Bar Utilities	\$ None
City of Niota Utilities	\$ 800,000.00

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 22nd DAY OF AUGUST 2022 that this Commission does hereby agree to allocate its non-competitive ARP funds to the various utility providers in McMinn County to strengthen their systems and prepare them for expansion of services, AND FURTHERMORE, RESOLVES to grant authority to the County Mayor to execute agreements and 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 King, and seconded by Commissioner Masingale, to approve this resolution.

Motion carried by voice vote.

G. McMinn County-TDEC ARPA Transfer to the County of Bradley for Hiwassee Utility Commission Water Treatment Plant Upgrades.

Mr. Gentry presented resolution # 22-088. This did have Budget Committee approval.

RESOLUTION NO. 22-088

MCMINN COUNTY-TDEC ARPA TRANSFER TO THE COUNTY OF BRADLEY
FOR HIWASSEE UTILITY COMMISSION WATER TREATMENT PLANT UPGRADES

WHEREAS, funds have been authorized/appropriated by the federal American Rescue Plan Act (ARP) to be used for eligible drinking water, wastewater, or stormwater projects. The Tennessee Department of Environment and Conservation (TDEC) has been designated to administer these funds; and

WHEREAS, ARP guidelines stipulate that “Project Owners are those entities that may execute projects. Project owners must operate a drinking water or wastewater system or a permitted stormwater system or execute a project on behalf of a drinking water or wastewater system or a permitted stormwater system”; and

WHEREAS, McMinn County jointly owns with Bradley County, Tennessee, the Hiwassee Utilities Commission (HUC), a water treatment and distribution system with its primary water treatment plant located in Bradley County; and

WHEREAS, the Hiwassee Utilities Commission distributes potable water to 5 retail customers providing services in both McMinn and Bradley Counties, including the Athens Utilities Board, Calhoun/Charleston Utilities, Cleveland Utilities, Riceville Utilities, and the McMinn County strategic reserve; and

WHEREAS, McMinn County desires to transfer a portion of its state designated ARP allocation to Bradley County for the purpose of needed improvements at the Hiwassee Utilities Commission Water Treatment Plant for the benefit of citizens of McMinn and Bradley Counties.

NOW, THEREFORE, BE IT RESOLVED, BY THE COMMISSION OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS 22nd DAY OF AUGUST, 2022, THAT

- (1) A portion of the McMinn County allocation of \$1,096,500 be transferred to Bradley County to be used for water system improvements as allowed by the TDEC ARP grant guidelines.
- (2) Bradley County is also providing a minimum of \$1,096,500 for Hiwassee utilities water system improvements.
- (3) By making this transfer, McMinn County is absolved of the responsibility of the application process; administration; reporting; or contractual agreements with engineers, contractors, administrators, and any other parties necessary to carry out the program.

(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 Simpson, to approve this resolution.

Motion carried by voice vote.

H. A Resolution to Recognize Chairman David Crews for his Honorable Twenty Years of Service as a McMinn County Commissioner.

Mr. Gentry presented resolution # 22-089. Mayor Gentry presented Chairman David Crews with a plaque and read the resolution in honor of his service.

RESOLUTION NO. 22-089

A RESOLUTION TO RECOGNIZE CHAIRMAN DAVID CREWS FOR HIS HONORABLE TWENTY YEARS OF SERVICE AS A MCMINN COUNTY COMMISSIONER

WHEREAS, David Crews served McMinn County's Fifth Civil District with honor and distinction on the County Commission from 2002 to 2022; and

WHEREAS, David Crews was elected by his peers as McMinn County Commission Chairman in 2003 and has served in that post for the last 19 years; and

WHEREAS, David Crews has been extremely successful in his role as Chairman by appointing effective committees and by moderating County Commission meetings to ensure the people's business is completed efficiently; and

WHEREAS, David Crews has been a strong proponent of conservative values and understands the *importance* of local governments taking principled stands on major issues facing the state and nation; and

WHEREAS, David Crews is also the chairman of the McMinn County Airport Committee where he has helped make the McMinn County Airport one of the finest rural airports in the state; and

WHEREAS, David Crews has represented not only the Fifth District but also the entire county in local, state, and regional organizations aimed at improving economic development in McMinn County; and

WHEREAS, David Crews' leadership has been instrumental in keeping McMinn County's tax rate one of the lowest in the state while maintaining its debt-free status; and

WHEREAS, the citizens of McMinn County would like to thank David Crews for his numerous contributions to his community and wish him many years of happiness and success; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 22nd DAY OF AUGUST 2022, that this Commission does hereby approve this resolution to honor Chairman David Crews for his dedication and willingness to serve the citizens of McMinn County.

(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.

I. A Resolution to Recognize Chairman Dale Holbrook for his Honorable Twenty Years of Service as a McMinn County Commissioner.

Mr. Gentry presented resolution # 22-090. Mayor Gentry read the resolution for Commissioner Holbrook and said since he wasn't at the meeting, he would make sure to get his plaque to his family.

RESOLUTION NO. 22-090

A RESOLUTION TO RECOGNIZE DALE HOLBROOK FOR HIS HONORABLE TWENTY YEARS OF SERVICE AS A MCMINN COUNTY COMMISSIONER

(Res. # 22-090 con't)

WHEREAS, Dale Holbrook selflessly served on the McMinn County Commission from 2002 to 2022; and

WHEREAS, Dale Holbrook is a favorite son and native of the Etowah community and represented the Fourth Civil District with distinction and dedication; and

WHEREAS, Dale Holbrook gave special attention to constituent relations ensuring that the people of the Fourth District received efficient and effective service from their county government; and

WHEREAS, Dale Holbrook left his mark on numerous projects that made McMinn County a better place to live such as the new Bicentennial Park, the Etowah Depot and Gem Theater renovations and multiple industrial park improvements; and

WHEREAS, Dale Holbrook was a valuable member of the McMinn County Budget Committee and helped keep McMinn County debt-free for over two decades without a single property tax increase; and

WHEREAS, the citizens of McMinn County would like to thank Dale Holbrook for his numerous contributions to his community and wish him many years of happiness and success; and

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 22nd DAY OF AUGUST 2022, that this Commission does hereby approve this resolution to honor Dale Holbrook for his dedication and willingness to serve the citizens of 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 King, to approve this resolution.

Motion carried by voice vote.

J. A Resolution to Congratulate Billy Roach on Being Named the 2022 volunteer Fire Chief of the Year.

Mr. Gentry presented resolution # 22-091. Mayor Gentry presented Billy Roach with a plaque and read the resolution in honor of being named Volunteer Fire Chief of the Year.

RESOLUTION NO. 22-091

A RESOLUTION TO CONGRATULATE BILLY ROACH ON BEING NAMED THE 2022 VOLUNTEER FIRE CHIEF OF THE YEAR

WHEREAS, Billy Roach was named the 2022 Volunteer Fire Chief of the Year by the Tennessee Fire Chiefs Association; and

WHEREAS, Billy Roach has been an active member of the Englewood Rural Fire Department for over four decades; and

WHEREAS, Billy Roach has consistently displayed a passion for his community and for providing life-saving care for those in need; and

WHEREAS, during his time as Englewood Rural Fire Chief Billy Roach has consistently managed an efficient and effective fire department focused on protecting the public; and

(Res. # 22-091 con't)

WHEREAS, Billy Roach consistently recruits young volunteers and inspires them to serve for many years and ensures that the active members of his department receive adequate training to prepare them for situations they will face in the field; and

WHEREAS, McMinn County appreciates Billy Roach's many years of sacrifice and selflessness as a first responder; and

WHEREAS, this Commission is compelled and honored to recognize excellence and exceptional achievement among its citizenry; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 22nd DAY OF AUGUST 2022, that this Commission does hereby congratulate and commend Billy Roach on being named the Tennessee Fire Chiefs Association 2022 Volunteer Fire Chief of the 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.

11. ELECTIONS, APPOINTMENTS AND CONFIRMATIONS

None.

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

Commissioner Curtis—Budget Committee met and discussed money for the schools and said there will be a resolution later.

All the commissioners wished Chairman Crews the best and thanked him for his many years of service.

13. COMMENTS FROM THE COUNTY MAYOR

- Mr. Gentry said the Airport had another lighting strike so they will be getting new lighting for the airport.
- Attorney Tim Hill said there will be a delinquent property tax sale for 2016 taxes on September 14, 2022 at 10 am at the courthouse.
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14. APPROVAL OF NOTARY APPLICATION

Notaries to be elected August 22, 2022

KAYLAN BARBER
PAMELA BARNETT
JENNIFER BROCK
KELLIE ANN COLLINS
MICHAEL G DEPEW
ANGEL C GABLE
JENNIFER HENSLEY

AMY G KIDD
TISHA L MARTIN
LAUREN S NATION
ZACHARY TYTLER PRESLEY
GIDGET WALDEN
CHARLENE M. WEBB

(con't)

MOTION made by Commissioner Simpson, and seconded by Commissioner McPhail, 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 at 8:07 pm.

MELINDA KING
McMinn County Clerk

Attest:

Deputy Clerk (date)