

The McMinn County Board of Commissioners met in Regular Session on September 26, 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 Vice-Chairman JW McPhail.

2. INVOCATION

The Invocation was given by Commissioner Masingale.

3. PLEDGE TO THE FLAG

The Pledge to the Flag was led by Commissioner Slack.

4. ROLL CALL

Roll Call was taken by Melinda King, McMinn County Clerk as recorded:

Scott Curtis - Present
Scott Cass - Present
Tim King - Present
Roger Masingale - Present
Jerry Millsaps – Absent
J. W. McPhail - Present
Brent Carter -Present
Tad Simpson - Present
Charles Slack – Present
Travis Crisp – Present

5. APPROVAL OF MINUTES

Copies of the Minutes of the Regular Session on August 22, 2022 and special call meeting on August 31, 2022 were provided to the McMinn County Commissioners.

MOTION made by Commissioner King, and seconded by Commissioner Simpson, to approve the minutes of August 22, 2022 and special call meeting on August 31, 2022.

Motion carried by voice vote.

6. ELECTION OF CHAIRMAN & VICE-CHAIR

Vice-Chairman JW McPhail opened the floor for nominations for Chairman.

MOTION made by Commissioner Masingale to nominate Commissioner Curtis as Chairman, and seconded by Commissioner Slack.

Commissioner McPhail made a motion that nominations cease and Commissioner Curtis be elected Chairman.

Motion carried by voice vote.

Chairman Curtis opened the floor for nominations for Vice Chairman.

MOTION made by Commissioner Carter, and seconded by Commissioner Slack, to nominate Commissioner J. W. McPhail as Vice Chairman.

Motion carried by voice vote.

7. APPROVAL OF BIDS AND PURCHASES

A. A Resolution to Approve and Award the Annual Bid for Crushed Stone.

Mr. Luallen presented resolution #22-093 along with a copy of bid summary sheet.

RESOLUTION NO. 22-093

A RESOLUTION TO APPROVE AND AWARD THE ANNUAL
BID FOR CRUSHED STONE

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 requests the purchase of crushed stone for the period of October 1, 2022 through September 30, 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 both bidders, H & H Rock, Inc., and Vulcan Materials; the low bidder meeting specifications of each grade plus a \$.20 haul charge to the center of each job site based on location of plant considering a \$.15 severance tax to be charged to out of county quarries.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 26th DAY OF SEPTMEBER 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 Slack, to approve this resolution.

Motion carried by voice vote.

B. A Resolution to Approve Purchase over \$25,000 from Tennessee State Contract for a 2024 Kenworth T480 to be used at the McMinn County Highway Department.

Mr. Luallen presented resolution #22-094 along with letter of recommendation and a copy of the sales quote.

RESOLUTION NO. 22-094

A RESOLUTION TO APPROVE PURCHASE OVER \$25,000 FROM
TENNESSEE STATE CONTRACT FOR A 2024 KENWORTH T480 TO BE USED AT THE
MCMINN COUNTY HIGHWAY DEPARTMENT

WHEREAS, the McMinn County Highway Commissioner, Dan Evans, requests to purchase a 2024 Kenworth T480; and

WHEREAS, this is to be purchased through Tennessee State Contract Pricing from Worldwide Equipment Enterprises, Inc.; and

WHEREAS, the Chassis Price is \$115,791.00 and the Rogers Manufacturing price for the PTO and Pump is \$6,500.00 making the total price for a completed unit \$122,291.00.

(Res. # 22-094 con't)

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 26th DAY OF SEPTEMBER, 2022, that this Commission does hereby approve the purchase of the 2024 Kenworth T480 from the Tennessee State Contract for the McMinn County Highway Department.

(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 Masingale, to approve this resolution.

Motion carried by voice vote.

C. A Resolution to Declare Items as Surplus Property.

Mr. Luallen presented resolution #22-095 along with a list of items from Rhonda Cooley, Circuit Court Clerk.

RESOLUTION NO. 22-095

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:

NEC Telephone DTL-12D-1 (BK) TEL

NEC Telephone DTL-24D-1 (BK) TEL

HP Computer Tower County Tag #7287, Serial No. MXL3050CML

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 26th DAY OF SEPTEMBER 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 Slack, to approve this resolution.

Motion carried by voice vote.

D. A Resolution to Declare as Surplus and Approve the Transfer of Property from the McMinn County Sheriff's Department to Collegedale Police Department.

Mr. Luallen presented resolution #22-096 along with a copy of the requisition signed by Joe Guy, McMinn County Sheriff.

RESOLUTION NO. 22-096

(Res. # 22-096 con't)

A RESOLUTION TO DECLARE AS SURPLUS AND APPROVE THE TRANSFER OF
PROPERTY FROM THE MCMINN COUNTY SHERIFF'S DEPARTMENT TO
COLLEGEDALE POLICE DEPARTMENT

WHEREAS, McMinn County Sheriff, Joe Guy requests approval to declare K-9 "Krino" as surplus and transfer this property to Collegedale Police Department for the amount of \$7,000.00; and

WHEREAS, Krino was formerly assigned to Deputy Derrick Saxe who recently transferred to the Collegedale Police Department; and

WHEREAS, both the McMinn County Sheriff's Office and Collegedale Police Department agree to this sale; and

WHEREAS, according to T.C.A. 12-2-420 purchases/transfers of surplus property may be made without competitive bidding between governmental agencies provided the governing bodies of each agency approves; and

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE MEETING IN REGULAR SESSION ON THIS THE 26th DAY OF SEPTEMBER 2022, that the Commission does hereby approve the request of McMinn County Sheriff, Joe Guy.

(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.

8. REVIEW AND APPROVAL OF CONTRACTS

A. A Resolution to Approve Grant Contract Between McMinn County and the Tennessee Department of Finance and Administration.

Mr. Luallen presented resolution #22-97 along with a copy of the grant contract.

RESOLUTION NO. 22-097

A RESOLUTION TO APPROVE GRANT CONTRACT BETWEEN MCMINN COUNTY AND
THE TENNESSEE DEPARTMENT OF FINANCE AND ADMINISTRATION

WHEREAS, the transportation of inmates with mental health issues to the appropriate facilities has become an increasing burden on the McMinn County Sheriff Department; and

WHEREAS, the State of Tennessee has recognized the challenges faced by Tennessee's sheriffs and has developed the Emergency Mental Health Transport Grant to assist in easing the burden of transporting mentally ill inmates to facilities that can provide appropriate care; and

WHEREAS, the grant does not require a match and is in the amount of \$40,795.00; and

WHEREAS, the sheriff is authorized to secure a third-party provider or use officers not in traditional uniform utilizing unmarked vehicles.

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

(Res. # 22-097 con't)

26th DAY OF SEPTEMBER 2022, that this commission does hereby approve this grant contract between McMinn County and the State of Tennessee Department of Finance and Administration, AND FURTHERMORE, authorizes the County Mayor to execute the appropriate documents 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 Carter, and seconded by Commissioner Slack, to approve this resolution.

Discussion: Commissioner Cass ask if the county would have any liability as a third party when transporting inmates. Joe Guy, McMinn County Sheriff said that this would actually take liability off the county.

Motion carried by voice vote.

B. A Resolution to Approve Grant Contract for Alcohol Countermeasures Highway Safety Project Between State of Tennessee and McMinn County.

Mr. Luallen presented resolution #22-98 along with a copy of the grant contract.

RESOLUTION NO. 22-098

A RESOLUTION TO APPROVE GRANT CONTRACT FOR ALCOHOL COUNTERMEASURES HIGHWAY SAFETY PROJECT BETWEEN STATE OF TENNESSEE AND MCMINN COUNTY

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 contracts with other entities; and

WHEREAS, McMinn County has received a grant from State of Tennessee Department of Transportation for Alcohol Countermeasures Highway Safety Project with contract dates from October 1, 2022, to September 30, 2023; and

WHEREAS, said Grant can and will be used toward various DUI related programs related to this campaign; and

WHEREAS, the amount of this grant amounts to \$25,000.00 with no required match for McMinn County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN SPECIAL CALLED SESSION THIS THE 26th DAY OF SEPTEMBER, 2022 that this Commission does hereby agree to enter into this Grant Contract with the State of Tennessee.

(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.

C. A Resolution to Renew Airport Maintenance Contract with State of Tennessee Department of Transportation.

Mr. Luallen presented resolution #22-099 along with a copy of the contract.

RESOLUTION NO. 22-099

A RESOLUTION TO RENEW AIRPORT MAINTENANCE CONTRACT WITH STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION

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 their Airport Maintenance Contract # 54-555-0765-23 with the State of Tennessee, Department of Transportation; and

WHEREAS, the term of this grant is July 1, 2022 through June 30, 2023, with the state portion not exceeding \$15,000.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 26th DAY OF SEPTEMBER, 2022, that this Commission does hereby agree to renew this Airport Maintenance Contract with the State of Tennessee,

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

Motion carried by voice vote.

9. 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: 09/15/2022		
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Reserve	Unassigned Balance	39000	500,000.00	
Industrial Development	Contracts w/Gov't Agencies	58120-309		576,933.76
Reserve	Hotel/Motel Tax Reserve	39128	500,000.00	
Reserve	Unassigned fund balance	3900		500,000.00
Explanation: To budget expenditures committed to Tennessee Board of Regents to assist in funding the McMinn County Center for Higher Education to include Ag Extension Office Commission Approved 5/20/2019				

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

Scott Curtis – Aye
 Scott Cass - Aye
 Tim King – Aye

(con't)

Roger Masingale - Aye
 Brent Carter - Aye
 J. W. McPhail - Aye
 Jerry Millsaps - Absent
 Tad Simpson - Aye
 Charles Slack - Aye
 Travis Crisp – Aye

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

Fund: Other Capital Projects #189			Date:09/15/2022	
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Reserve	Unassigned Fund Balance	39000	15,492,506.00	
General Administration Projects	Airport Improvement	91110-702		418,856.00
General Administration Projects	Building Const. (Expo/Rec)	91110-706		123,085.00
General Administration Projects	Communication Equipment	91110-708		436,251.00
General Administration Projects	Data Processing Equipment	91110-709		2,245.00
General Administration Projects	Land	91110-715		3,020,618.00
General Administration Projects	Motor Vehicles	91110-718		157,696.00
General Administration Projects	Voting Machines	91110-731		140,513.00
General Administration Projects	Building Purch. (Courthouse Impr)	91110-732		807,444.00
General Administration Projects	Other Equipment (Fire)	91110-790		173,757.00
General Administration Projects	Other Const. Spec Projects)	91110-791		698,500.00
Administration of Justice Projects	Building Improvements	91120-707		1,120,875.00
Administration of Justice Projects	Law Enforcement Equip	91120-716		186,674.00
Public Health Projects	Other Capital Outlay (Water)	91140-799		1,996,153.00
Highway & Street Capital Proj.	Highway Construction	91200-713		451,141.00
Educational Capital Projects	Building Construction	91300-706		5,758,365.00
Explanation: To budget balances from FY 21-22				

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

Scott Curtis – Aye
 Scott Cass - Aye
 Tim King - Aye
 Roger Masingale - Aye
 Brent Carter - Aye
 J. W. McPhail - Aye
 Jerry Millsaps - Absent
 Tad Simpson - Aye
 Charles Slack - Aye
 Travis Crisp – 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: 08/16/2022	
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Reserve	Unassigned Fund Balance	39000	1,147,885.00	
Regular Capital Outlay	Building Improvements	76100-707		1,147,885.00
Explanation: To move from Unassigned Fund Balance to Capital Outlay for Rogers Creek roofing project.				

Date: 08/18/2022				
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
State Revenues	Coordinated School Health	46591	131,000.00	
Health Services	Supervisor/Director	72120-105		66,475.75
Health Services	Other Salaries & Wages	72120-189		28,302.00

(con't)

Health Services	Social Security	72120-201		5,876.22
Health Services	State Retirement	72120-204		4,503.98
Health Services	Life Insurance	72120-206		216.00
Health Services	Medical Insurance	72120-207		16,102.00
Health Services	Employer Medicare	72120-212		1,374.28
Health Services	Retirement-Hybrid Stabilization	72120-217		2,659.03
Health Services	Travel	72120-355		1,100.00
Health Services	Other Supplies & Materials	72120-499		3,140.74
Health Services	In-Service/Staff Development	82120-524		250.00
Health Services	Other Charges	72120-599		500.00
Health Services	Other Equipment	72120-790		500.00
Explanation: To enter budget for the Coordinated School Health Grant for FY 2022-2023.				
Date: 08/31/2022				
Federal Thru State	Other Federal Thru State	47590	75,277.35	
Community Services	Case Management Assistant	73300-103		17,685.00
Community Services	Educational Assistants	73300-163		32,425.50
Community Services	Social Security	73300-201		3,106.85
Community Services	State Retirement	73300-204		2,089.61
Community Services	Life Insurance	73300-206		243.00
Community Services	Medical Insurance	73300-207		19,000.78
Community Services	Medicare	73300-212		726.61
Explanation: To enter approved Voc-Rehab (School to work) budget for the period of Oct 1, 2022 through Sept 30, 2023				
Fund: General Purpose School Fund # 141 Date: 09/13/2022				
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
State Revenues	Safe Schools Grant	46981	100,000.00	
Other Student Support	Contracts with Government Age	72130-309		67,846.45
Support Ser/Regular Instru	Other Equipment	72210-790		32,153.55
Explanation: To move from Unassigned Fund Balance to Capital Outlay for Rogers Creek roofing project.				

MOTION made by Commissioner McPhail and seconded by Commissioner Carter to approve these budget amendments.

- Scott Curtis – Aye
- Scott Cass - Aye
- Tim King - Aye
- Roger Masingale - Aye
- Brent Carter - Aye
- J. W. McPhail - Aye
- Jerry Millsaps - Absent
- Tad Simpson - Aye
- Charles Slack - Aye
- Travis Crisp – 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, # 820		DATE: 9/01/2022		
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Other Student Support	In-Service/Staff Development	72130-524		4,000.00
Support Serv/Vocational Edu	In-Service/Staff Development	72230-524	4,000.00	
Explanation: To enter the budget in order to be the same as the FY 2022-2023 ePlan document				

(con't)

Fund: Federal Projects # 142, Math Implementation Support Grant, #933 Date: 08/23/2022				
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Revenue	COVID-19 Grant	47307	71,250.00	
Support Services/Regular Instruction	Other Contracted Services	72210-399		71,250.00
Explanation: To enter budget for Math Implantation Supports Grant for FY 2022-2023				
Federal Projects #142, Fiscal Pre-Monitoring Supports Grant, #934 Date: 08/24/2022				
Revenue	COVID 19-Grant B	47307	39,981.44	
Fiscal Services	Other Contracted Services	72510-399		39,981.44
Explanation: To enter budget for the Fiscal Pre-Monitoring Supports Grant for FY 22-23.				
Federal Projects #142, ARP Homeless 2.0, #701 Date: 8/24/2022				

Fund: Federal Projects # 142, ESSER 2.0, #938 Date: 08/31/2022				
Revenue	COVID-19 Grant B	47307	902,720.39	
Regular Instruction Program	Instructional Supplies & Mat	71100-429		51,261.16
Regular Instruction Program	Textbooks-Bound	71100-449		6,500.00
Regular Instruction Program	Regular Instruction Equip.	71100-722		144,375.00
Vocational Educational Program	Vocational Instruction Equip.	71300-730		42,150.00
Support Serv/Regular Instruction	Supervisor/Director	72210-105		79,827.00
Support Serv/Regular Instruction	Other Salaries & Wages	72210-189		61,994.00
Support Serv/Regular Instruction	Social Security	72210-201		8,792.91
Support Serv/Regular Instruction	State Retirement	72210-204		11,815.90
Support Serv/Regular Instruction	Life Insurance	72210-206		223.00
Support Serv/Regular Instruction	Medical Insurance	72210-207		21,895.00
Support Serv/Regular Instruction	Employer Medicare	72210-212		2,056.42
Support Serv/Regular Instruction	Other Equipment	72210-790		133,107.00
Maintenance of Plant	Maintenance& Repair Serv.	72620-335		4,523.00
Food Service	Transportation-Other than Stu	73100-354		75,000.00
Food Service	Food Service Equipment	73100-710		4,200.00
Regular Capital Outlay	Building Improvements	76100-707		255,000.00
Explanation: To enter budget for the ESSER 2.0 Grant (CRRSA Act) for FY 2022-2023.				

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

- Scott Curtis – Aye
- Scott Cass - Aye
- Tim King - Aye
- Roger Masingale - Aye
- Brent Carter - Aye
- J. W. McPhail - Aye
- Jerry Millsaps - Absent
- Tad Simpson - Aye
- Charles Slack - Aye
- Travis Crisp - Aye

Motion carried by roll call vote, as recorded:

10. COMMENTS FROM THE AUDIENCE

Thomas Hughes came to follow up a problem with neighbors on County Road 179. He said that he had went to the mayor’s office today to show him a picture of a load of junk dumped in the drive way. He said that Mayor Gentry and Harry from TDEC went out and moved the garbage over. Mr. Hughes said he feels like his wife’s health is in danger and ask each county commissioner to look into the problems they are having.

Mayor Gentry told Mr. Hughes he felt like TEDC is helping with the situation and the county would look at enacting the county powers act. He also went over some of the guidelines that would fall under county powers act. Mr. Gentry said the county looked at this 18 years ago and didn’t go anywhere.

(con't)

Chairman Curtis and Mayor Gentry said they would look at getting a committee together to look at county powers act again.

11. RESOLUTIONS

A. A Resolution to Approve the Statutory Bonds/Insurance for McMinn County Elected Officials

Mr. Gentry presented resolution # 22-100.

RESOLUTION NO. 22-100

A RESOLUTION TO APPROVE THE STATUTORY BONDS/INSURANCE FOR MCMINN COUNTY ELECTED OFFICIALS

WHEREAS, TCA 8-19-101 requires that public officials execute a surety bond upon taking public office; and
WHEREAS, Public Chapter 749 has modified TCA 8-19-101 to allow a county government to purchase an insurance policy in lieu of individual bonds so long as the policy has limits of not less than \$400,000 per occurrence; and
WHEREAS, McMinn County has said insurance coverage through Tennessee Risk Management Trust for the following public officials in the amount of \$400,000 per occurrence; and

County Mayor, Sheriff, Highway Commissioner, Register of Deeds,
Circuit Court Clerk, including Commissioner and Receivership,
County Clerk, Clerk & Master, including Commissioner and Receivership,
Property Assessor, Director of Finance; and

WHEREAS, McMinn County has executed public officials' bonds for the following officials and amounts; and

Trustee - \$2,309.944
Constables- \$8,000

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 26th DAY OF SEPTEMBER, 2022, that this Commission does approve these surety bonds and insurance coverage for McMinn County Officials, and FURTHER approves the Finance Director, County Mayor, Register of Deeds and County Clerk to execute all related documents, the public welfare requiring it.

(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 Delegate Review Authority for Eligible Subdivision Plats to Planning Staff as Detailed in Tennessee Code Annotated 13-3-402 and Updated by the Adoption of Public Chapter 994.

Mr. Gentry presented resolution # 22-101. This did have Planning Committee approval.

RESOLUTION NO. 22-101

(Res. # 22-101 con't)

A RESOLUTION TO DELEGATE REVIEW AUTHORITY FOR ELIGIBLE SUBDIVISION PLATS TO PLANNING STAFF AS DETAILED IN TENNESSEE CODE ANNOTATED 13-3-402 AND UPDATED BY THE ADOPTION OF PUBLIC CHAPTER 994

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 13-3-402(a) provides requirements that the County Commission of McMinn County may delegate approval authority to staff; 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, Tennessee Code Annotated, as amended in 2022 by the adoption of Public Chapter 994 by the Tennessee State Legislature, amends Section 13-3-402(c) as follows:

(1) A regional planning commission may delegate the responsibility for approval of a subdivision plat to the staff of the regional planning commission by a majority vote of the regional planning commission that is taken in a public meeting after being placed on the regional planning commission's meeting agenda and notice being provided as required for other matters before the regional planning commission.

(2) A regional planning commission may only delegate the responsibility for approval of a subdivision plat that includes:

(A) No more than twenty-five (25) lots and only if the development received preliminary plan approval through the regional planning commission; or

(B) No more than five (5) lots if the development did not require preliminary plan approval through the regional planning commission; provided, that:

(i) The subdivision complies with such regulations governing a subdivision of land as adopted by the regional planning commission pursuant to § 13-3-403;

(ii) No request for a variance from such regulations has been requested; and

(iii) A division of land requiring new road or utility construction is not approved by the planning staff under this subsection (c) unless the plan received preliminary approval by the regional planning commission.

(3) A regional planning commission shall not delegate to its planning staff the authority to preliminarily approve, finalize approval of, or certify a subdivision plat, regardless of the number of lots proposed for the subdivision plan, consistent with the parameters of this section, unless each county and municipal legislative body, lying in whole or in part within, and subject to, the jurisdiction of the regional planning commission, approves such delegation by a majority vote of their respective legislative bodies.

WHEREAS, The McMinn County Regional-Municipal Planning Commission recommends having the authority to delegate to its planning staff the authority to preliminarily approve, finalize approval of, or certify eligible subdivision plats up to five (5) lots provided that:

(i) The subdivision complies with such regulations governing a subdivision of land as adopted by the regional planning commission pursuant to § 13-3-403;

(ii) No request for a variance from such regulations has been requested; and

(Res. # 22-101 con't)

- (iii) A division of land requiring new road or utility construction is not approved by the planning staff under this subsection (c) unless the plan received preliminary approval by the regional planning commission.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 26th DAY OF SEPTEMBER, 2022, that this Commission does approve the delegation of review authority for eligible subdivision plats to the McMinn County planning staff as detailed in Public Chapter 994.

(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.

C. A Resolution Authorizing McMinn County to Participate in the Riceville Utility Board Water Line Extension Project on State Highway 11.

Mr. Gentry presented resolution # 22-102. This did have Budget Committee approval.

RESOLUTION NO. 22-102

A RESOLUTION AUTHORIZING MCMINN COUNTY TO PARTICIPATE IN THE RICEVILLE UTILITY BOARD WATER LINE EXTENSION PROJECT

ON STATE HIGHWAY 11

WHEREAS, McMinn County desires for all of its citizens to have access to safe and potable water; and

WHEREAS, Riceville Utility Board desires to participate in McMinn County's program for the installation of 6" water lines on Highway 11 South starting at County Road 157 and making a connection to Stone Crest Subdivision; and

WHEREAS, the total cost of this projects with the 30% portion to be funded by McMinn County is outlined below:

	<u>Total Cost</u>	<u>30% Co Match</u>
2,060 feet of 6" line	\$134,000.00	\$40,200

NOW THEREFORE BE IT RESOLVED that the McMinn County Commission agrees to provide \$40,200, which is thirty percent (30 %) matching funds, to assist with the extension of water lines to serve these homes; and

BE IT ADDITIONALLY RESOLVED that the McMinn County Commission, meeting in regular session on the 26th day of September 2022, authorizes the mayor to enter into agreements and execute documents necessary to carry out 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 McPhail, and seconded by Commissioner Slack, to approve this resolution.

Motion carried by voice vote.

12. ELECTIONS, APPOINTMENTS AND CONFIRMATIONS

- A. A Resolution to Confirm the Appointment of Frank Clark to the Woods Hospital Foundation Board.

Mr. Gentry presented resolution # 22-103.

RESOLUTION NO. 22-103

A RESOLUTION TO CONFIRM THE APPOINTMENT OF FRANK CLARK TO THE WOODS HOSPITAL FOUNDATION BOARD

WHEREAS, the excess proceeds plan, that resulted from the sale of Woods Memorial Hospital District, created a foundation to oversee the proceeds realized from the sale of the hospital district; and

WHEREAS, the excess proceeds plan calls for the Etowah Chamber of Commerce to have two appointments on this foundation board; and

WHEREAS, each appointment to the Woods Hospital Foundation Board is subject to confirmation by the full McMinn County Commission for a six year term; and

WHEREAS, the Etowah Chamber wishes to nominate Frank Clark as one of its two representatives on the Woods Hospital Foundation Board.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 26th DAY OF SEPTEMBER 2022, that this Commission does hereby confirm the appointment of Frank Clark to the Woods Hospital Foundation Board.

(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 Slack, to approve this resolution.

Motion carried by voice vote.

- B. A Resolution to Confirm the Re-Appointment of Ron Banks to the Riceville Utility District Board of Commissioners,

Mr. Gentry presented resolution # 22-104.

RESOLUTION NO. 22-104

A RESOLUTION TO CONFIRM THE RE-APPOINTMENT OF RON BANKS TO THE RICEVILLE UTILITY DISTRICT BOARD OF COMMISSIONERS

WHEREAS, Mr. Ron Banks four-year term on the Riceville Utility District Board of Commissioners has expired; and

WHEREAS, Tennessee Code Annotated 7-82-307 empowers utility districts to submit the names of prospective board members to the County Mayor for appointment; and

WHEREAS, based upon the recommendation of the Riceville Utility District Board of Commissioners, and finding no sound reason to reject the recommendation, County Mayor John Gentry does recommend Mr. Ron

(Res. # 22-104 con't)

Banks of the Riceville community to be re-appointed as a member of the Riceville Utility District Board of Commissioners for a four-year term subject to County Commission confirmation.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMinn County, Tennessee Meeting in Regular Session this the 26th day of September 2022, that this Commission does hereby confirm the re-appointment of Mr. Ron Banks to the Riceville Utility District Board of Commissioners.

(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 Masingale, to approve this resolution.

Motion carried by voice vote.

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

Commissioner Masingale welcomed new commissioners Scott Cass and Travis Crisp.

14. COMMENTS FROM THE COUNTY MAYOR

- Mr. Gentry congratulated Chairman Curtis on his election to Chairman. He also welcomed the new commissioners Scott Cass and Travis Crisp and told them he would be glad to answer any questions they may have.
- Mr. Gentry gave a brief update on the Meadow Branch Landfill monitoring situation.
- Mr. Gentry said that last month when they done the TDEC (American Rescue Plan Allocation) have all been submitted. He said he appreciated the way the commission handled it and everyone seemed very pleased with the way it was allocated.
- Broadband allocations of 10.3 million 3 million was allocated for broadband expansion. Mr. Gentry said that AUB and VEC were denied but Charter/Spectrum were approved and said the commission could re-allocate a partition of the 3 million.
- Mr. Gentry reminded the commissioners of the County Services fall conference Oct 11-13, 2022.

15. APPROVAL OF NOTARY APPLICATION

Notaries to be elected September 26, 2022

TAYLOR BARSELOU
KIM D. BIVENS
NICOLE DAWN BLACK
DEBBIE BRAKEBILL
TIFFINY CRAIN
ROBIN FULLER
GINGER GOFORTH
JESSE GOODWIN
WILLIAM ANDREW HARDY

TABETHA CAROLYN HICKMAN
CHERYL M. KNIGHT
RICKY R MCCOWAN
TAWNIE ANNE MILLER
KASSIE S MITCHELL
KATIE L RAGSDALE
AMY TOTHEROW
SARAH L. WILLIAMS
AMY M. HENRY

(con't)

MOTION made by Commissioner Simpson, and seconded by Commissioner McPhail, 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 Curtis declared the Commission meeting adjourned at 8:07 pm.

MELINDA KING
McMinn County Clerk

Attest:

Deputy Clerk (date)