

The McMinn County Board of Commissioners met in Regular Session on October 17, 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 Curtis.

2. INVOCATION

The Invocation was given by Commissioner Millsaps.

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 Clerk as recorded:

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

5. APPROVAL OF MINUTES

Copies of the Minutes of the Regular Session on September 26, 2022 were provided to the McMinn County Commissioners.

MOTION made by Commissioner King, and seconded by Commissioner Simpson, to approve the minutes of September 26, 2022.

Motion carried by voice vote.

6. APPROVAL OF BIDS AND PURCHASES

A. A Resolution to Approve and Award the Re-Roof Portion of Weight Room Roof Bid for McMinn County High School.

Mr. Luallen presented resolution #22-105 along with a copy of bid summary sheet.

RESOLUTION NO. 22-105

A RESOLUTION TO APPROVE AND AWARD THE RE-ROOF PORTION OF WEIGHT
ROOM ROOF BID FOR
MCMINN COUNTY HIGH SCHOOL

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

(Res. # 22-105 con't)

WHEREAS, McMinn County Board of Education has requested re-roofing of Weight Room at McMinn County High School in order to properly carry out the functions of the school; and

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

WHEREAS, architects Main Street Studios recommends that the McMinn County High School Weight Room Roof bid go to the lowest bidder, Eskola Roofing, for the lump sum bid amount of \$490,655.00; and

WHEREAS, this re-roofing portion, in the amount of \$375,170.00, will be paid utilizing American Rescue Plan funds.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF OCTOBER 2022, that this Commission does hereby approve the re-roof portion of the recommendation of the architect, Main Street Studios, in the amount of \$375,170.00, contingent upon the McMinn County School Board approval of the new roof portion of the bid, and further authorize the County Mayor to execute all documents essential to fulfilling said project.

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

Attest:

(Orig signed by Melinda King)
County Clerk

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

Motion carried by voice vote.

B. A Resolution to Approve Advanced Payment of 2022 Inservice/Supplemental Pay to Eligible Officers of the McMinn County Sheriff's Department.

Mr. Luallen presented resolution #22-106.

RESOLUTION NO. 22-106

A RESOLUTION TO APPROVE ADVANCE PAYMENT OF 2022 INSERVICE/SUPPLEMENTAL PAY TO ELIGIBLE OFFICERS OF THE MCMINN COUNTY SHERIFF'S DEPARTMENT

WHEREAS, McMinn County receives payment of in-service supplemental pay from the State of Tennessee Peace Officer Standards and Training Commission for eligible officers as defined in Tennessee Code Annotated Title 38 Chapter 8; and

WHEREAS, the amount of the supplemental pay is \$800.00 per officer, and is received in the month of June; and

WHEREAS, McMinn County Sheriff Joe Guy requests this money be paid in the month of December.

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE MEETING IN REGULAR SESSION ON THIS THE 17th DAY OF OCTOBER 2022, that this Commission does hereby approve the request of Sheriff Guy.

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

Attest:

(Orig signed by Melinda King)
County Clerk

(Res. # 22-106 con't)

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

Motion carried by voice vote.

7. REVIEW AND APPROVAL OF CONTRACTS

A. A Resolution to Approve Contract Between Off Duty Management and McMinn County Sheriff's Department.

Mr. Luallen presented resolution #22-107 along with a copy of the contract.

RESOLUTION NO. 22-107

A RESOLUTION TO APPROVE
CONTRACT BETWEEN OFF DUTY MANAGEMENT
AND MCMINN COUNTY SHERIFF'S DEPARTMENT

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 Sheriff, Joe Guy, recommends to enter into contract with Off Duty Management; and

WHEREAS, this contract is to provide support services for the coordination, management, and provision of its personnel related to the Client's off duty uniformed officer outside employment services; and

WHEREAS, the term of this contract shall be two (2) years, renewable in one-year increments for two (2) years.

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 17th DAY OF OCTOBER, 2022, that the Contract with OFF DUTY MANAGEMENT be approved contingent upon the ability to request reimbursement for cost of fuel of use of vehicle.

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

Attest:

(Orig signed by Melinda King)
County Clerk

MOTION made by Commissioner Masingale with stipulation that they add compensation for use of the county car and seconded by Commissioner Cass, to approve this resolution.

Discussion: Commissioner McPhail wanted to know if this would relieve the county of the liability. Finance Director Jason Luallen said the way it was explained to him it would. Commissioner King said the insurance information is on page 4. Sheriff Guy gave background information on why this service would benefit McMinn County.

Motion carried by voice vote.

B. A Resolution to Approve an Amendment to the Contract Between McMinn County and State of Tennessee Department of Corrections.

Mr. Luallen presented resolution #22-108 along with a copy of the Amendment.

RESOLUTION NO. 22-108

A RESOLUTION TO APPROVE AN AMENDMENT TO THE
CONTRACT BETWEEN MCMINN COUNTY AND
STATE OF TENNESSEE DEPARTMENT OF CORRECTIONS

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 Tennessee Department of Correction to house state felons within the McMinn County Justice Center for the period beginning July 1, 2022 and ending June 30, 2027, at the rate of \$39.00 per inmate per day; and

WHEREAS, Tennessee Department of Correction has requested an amendment to the contract increasing the rate to \$41.00 per day per inmate and to allow potential programming reimbursements.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEEE, MEETING IN REGULAR SESSION ON THIS THE 17th DAY OF OCTOBER, 2022 THAT THE COMMISSION DOES APPROVE THIS AMENDMENT TO THE CONTRACT WITH TENNESSEE DEPARTMENT OF CORRECTIONS, AND FURTHERMORE RESOLVES TO GRANT AUTHORITY TO THE COUNTY MAYOR OR HIS DESIGNEE TO CARRY OUT THE DUTIES OF SAID CONTRACT, the public welfare demanding it.

(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 Millsaps, to approve this resolution.

Commissioner Masingale made note that it had been a long time since the rate for this went up.

Motion carried by voice vote.

C. A Resolution to Approve a Contract Between McMinn County and the State of Tennessee Regarding Mental Health Treatment Services for Misdemeanor Criminal Defendants.

Mr. Luallen presented resolution #22-109 along with a copy of the contract.

RESOLUTION NO. 22-109

A RESOLUTION TO APPROVE A CONTRACT BETWEEN MCMINN COUNTY AND THE STATE
OF TENNESSEE REGARDING MENTAL HEALTH TREATMENT SERVICES FOR MISDEMEANOR
CRIMINAL DEFENDANTS

WHEREAS, General Sessions, Criminal, and Circuit Court judges have the authority to order mental health evaluations and treatment for misdemeanor criminal defendants; and

WHEREAS, legislation (Public Chapter 531) makes counties responsible for the cost of inpatient and outpatient mental health treatment and evaluations ordered for misdemeanor defendants; and

WHEREAS, the Department of Mental Health and Substance Abuse Services provides these services through outpatient provider contracts and inpatient services at the state's mental health hospitals; and

(Res. # 22-109 con't)

WHEREAS, a non-exclusive contractual agreement between counties and the Department of Mental Health and Substance Abuse Services allows for reduced billing rates for counties; and

WHEREAS, McMinn County wishes to enter into such an agreement with the Department of Mental Health and Substance Abuse Services to take advantage of such rates.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF OCTOBER, 2022 that this contract with the Department of Mental Health and Substance Abuse Services for mental health and treatment for misdemeanor criminal defendants is approved, and FURTHER approves the County Mayor to execute all necessary documentation regarding said contract.

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

Attest:

(Orig signed by Melinda King)
County Clerk

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

Motion carried by voice vote.

County Mayor said that Judge Richardson rarely uses this service.

D. A Resolution to Approve a Contract Between McMinn County and the State of Tennessee, Tennessee Corrections Institute.

Mr. Luallen presented resolution #22-110 along with a copy of the contract.

RESOLUTION NO. 22-110

A RESOLUTION TO APPROVE GRANT CONTRACT BETWEEN MCMINN COUNTY AND THE STATE OF TENNESSEE, TENNESSEE CORRECTIONS INSTITUTE

WHEREAS, McMinn County Sheriff Department has been awarded a Training Equipment Grant in the amount of \$9,954.00 for use at the justice center; and

WHEREAS, the State of Tennessee has recognized the challenges faced by Tennessee's sheriffs and made these funds available subject to grant approval; and

WHEREAS, the grant does not require a match; and

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF OCTOBER 2022, that this Commission does hereby approve this grant contract between McMinn County and the Tennessee Corrections Institute 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 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: General Fund: 101			Date: 10/13/2022	
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Reserve	Unassigned Balance	39000	16,113.00	
Agricultural Ext. Service	Other Salaries & Wages	57100-189		12,652.00
Agricultural Ext. Service	Other Fringe Benefits	57000-299		3,191.00
Agricultural Ext. Service	Dues & Memberships	27100-320		270.00
Explanation: To budget expenditures related to FY 22-23 increase and a salary increase for Sarah Smith to perform Keep America Beautiful duties, reimbursable through Litter Grant. Also to correct line item typographical error in Memberships.				
Fund: General Fund: 101			Date: 10/13/2022	
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Revenue Other Gov't & Citizens	Donations	48610-Shop	750.00	
Sheriff Department	Other Charges	54110-599		750.00
Explanation: To budget revenue and expenditures related to Walmart Shop with a Cop Program.				

MOTION made by Commissioner Simpson, 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 – Aye
- Tad Simpson - Aye
- Charles Slack - Absent
- 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: General Purpose School Fund # 141			Date: 09/21/2022	
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Federal Funds Received /State	CLC Grant Funds	47147	67,254.72	
Other	Teachers	71900-116		33,700.00
Other	Educational Assistants	71900-163		16,450.00
Other	Other Salaries & Wages	71900-189		4,500.00
Other	Social Security	71900-201		1,999.50
Other	State Retirement	71900-204		1,686.70
Other	Employer Medicare	71900-212		792.43
Other	Other Fringe Benefits	71900-299		680.00
Other	Travel	71900-355		425.00
Other	Instructional Supplies & Materials	71900-429		3,621.00
Other	In-service/Staff Development	71900-524		600.00
Other	Other Charges	71900-599		2,800.00
Explanation: To enter the approved budget for the 21 st Century Grant for FY 22-23.				

			Date: 09/30/2022	
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Other Local Revenue	Investment Income	44110	11,620.00	
Reserve	Unassigned Fund Balance	39000		11,620.00
Explanation: To increase investment income for budget year FY 22-23 to reflect a more precise project.				

(con't)

MOTION made by Commissioner McPhail and seconded by Commissioner Simpson 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 - Aye
- Tad Simpson - Aye
- Charles Slack - Absent
- 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, ARP Homeless 2.0, #701		DATE: 9/22/2022		
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Regular Instruction Program	Instructional Supplies & Materials	7110-429	1,409.89	
Other Student Support	Other Charges	72130-599		409.89
Transportation	Gasoline	72710-425		1,000.00
Explanation: To amend the budget for the ARP Homeless 2.0 Grant for FY 2022-2023.				
FUND: # 142 CTE Perkins Reserve, # 820		DATE: 8/17/2022		
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
State Revenue	Vocational Education-Basic Grants	47131	22,882.44	
Voc. Education Program	Vocational Instruction Equipment	71300-730		22,882.44
Explanation: To enter the budget in order to be the same as the FY 2022-2023 ePlan document				

Fund: Federal Projects # 142, ESSER 3.0, #9389		Date: 09/29/2022		
Revenue	American Rescue Plan Act Gr	47401	10,572,482.22	
Regular Instruction Program	Teachers	71100-116		1,722,182.00
Regular Instruction Program	Educational Assistants	71100-163		186,440.00
Regular Instruction Program	Social Security	71100-201		122,116.54
Regular Instruction Program	State Retirement	71100-204		225,868.85
Regular Instruction Program	Life Insurance	71100-206		2,174.00
Regular Instruction Program	Medical Insurance	71100-207		195,762.44
Regular Instruction Program	Employer Medicare	71100-212		28,556.96
Regular Instruction Program	Instructional Supplies & Mater	71100-429		205,920.00
Regular Instruction Program	Textbooks bound	71100-449		1,500,000.00
Regular Instruction Program	Regular Instruction Equipment	71100-722		990,025.64
Special Education Program	Teachers	71200-116		61,600.00
Special Education Program	Speech pathologist	71200-171		13,062.00
Special Education Program	Social Security	71200-201		4,629.00
Special Education Program	State Retirement	71200-204		8,548.15
Special Education Program	Employee Medicare	71200-212		1,083.20
Attendance	Bonus Payments	72110-188		6,000.00
Attendance	Social Security	72110-201		372.00
Attendance	State Retirement	72110-204		618.00
Attendance	Employer Medicare	72110-212		87.00
Health Services	Medical Professional	72120-131		433,200.00
Health Services	Bonus Payments	72120-188		12,000.00
Health Services	Other Salaries & Wages	72120-189		24,640.00
Health Services	Social Security	72120-201		29,130.07
EXPLANATION: To enter budget for the ESSER 3.0 grant (CRRSA Act) for FY 22-23 (page 1 of 4)				

(con't)

Fund: Federal Projects # 142, ESSER 3.0, #939			Date: 09/29/2022	
Health Services	State Retirement	72120-204		3,000.00
Health Services	Life Insurance	72120-206		74.40
Health Services	Medical Insurance	72120-207		31.49
Health Services	Employer Medicare	72120-212		17.40
Other Student Support	Social Workers	72130-130		18,480.00
Other Student Support	Social Security	72130-201		1,145.76
Other Student Support	State Retirement	72130-204		470.64
Other Student Support	Life Insurance	72130-206		267.96
Other Student Support	Medical Insurance	72130-207		300.00
Other Student Support	Employer Medicare	72130-212		
Other Student Support	Evaluation & Testing	72130-322		
Regular Instruction Program	Supervisor/Director	72210-105		76,666.84
Regular Instruction Program	Bonus Payments	72210-188		22,174.20
Regular Instruction Program	Other Salaries & Wages	72210-189		154,709.30
Regular Instruction Program	Social Security	72210-201		16,459.34
Regular Instruction Program	State Retirement	72210-204		28,109.05
Regular Instruction Program	Life Insurance	72210-206		315.00
Regular Education Program	Medical Insurance	72210-207		36,783.51
Regular Education Program	Employer Medicare	72210-212		3,851.81
Regular Education Program	Travel	72210-355		5,000.00
Regular Education Program	Other supplies & materials	72210-499		4,000.00
Regular Education Program	In Service/Staff Development	72210-524		75,524.00
Regular Education Program	Other Equipment	72210-790		6,000.00
Regular Education Program	Bonus Payments	72220-188		
EXPLANATION: To enter budget for the ESSER 3.0 grant (CRRSA Act) for FY 22-23 (page 2 of 4)				

Fund: Federal Projects # 142, ESSER 3.0, #939			Date: 09/29/2022	
Special Education Program	Social Security	72220-201		372.00
Special Education Program	State Retirement	72220-204		618.00
Special Education Program	Employer Medicare	72220-212		87.00
Vocational Education	Bonus Payments	72230-188		6,000.00
Vocational Education	Social Security	72230-201		372.00
Vocational Education	State Retirement	72230-204		618.00
Vocational Education	Employer Medicare	72230-212		87.00
Office of the Principle	Bonus Payments	72410-188		26,000.00
Office of the Principle	Other Salaries & Wages	72410-189		307,200.00
Office of the Principle	Social Security	72410-201		20,658.40
Office of the Principle	State Retirement	72410-204		34,319.60
Office of the Principle	Employer Medicare	72410-212		4,831.40
Education Technology	Bonus Payments	72250-188		4,500.00
Education Technology	Social Security	72250-201		279.00
Education Technology	State Retirement	72250-204		187.00
Education Technology	Employer Medicare	72250-212		65.25
Fiscal Services	Other supplies & materials	72510-189		114,434.00
Fiscal Services	Social Security	72250-201		7,094.90
Fiscal Services	State Retirement	72510-204		9,994.32
Fiscal Services	Life Insurance	72510-206		230.00
Fiscal Services	Medical Insurance	72510-207		27,686.24
Fiscal Services	Employer Medicare	72510-212		1,659.30
Fiscal Services	Travel	72510-335		27,000.00
Operation of Plant	Bonus Payments	72510-188		46,000.00
Operation of Plant	Social Security	72610-201		2,852.00
EXPLANATION: To enter budget for the ESSER 3.0 grant (CRRSA Act) for FY 22-23 (page 3 of 4)				

(con't)

Fund: Federal Projects # 142, ESSER 3.0, #938			Date: 09/29/2022	
Operation of Plant	State Retirement	72610-204		1,918.20
Operation of Plant	Employer Medicare	72610-212		667.00
Transportation	Bus Drivers	72710-146		245,320.00
Transportation	Bonus Payments	72710-188		6,000.00
Transportation	Social Security	72710-201		15,581.83
Transportation	State Retirement	72710-204		10,846.05
Transportation	Employer Medicare	72710-212		3,644.14
Transportation	Gasoline	72710-425		48,967.00
Transportation	Transportation Equipment	72710-729		443,988.00
Food Service	Bonus Payments	73100-188		52,265.34
Food Service	Social Security	73100-201		3,265.34
Food Service	State Retirement	73100-204		2,446.40
Food Service	Employer Medicare	73100-212		647.00
Food Service	Other Charges	73100-599		3,000.00
Food Service	Building Equipment	76100-707		1,900,000.00
EXPLANATION: To enter budget for the ESSER 3.0 grant (ARP Act) for FY 22-23 (page 4 of 4)				

MOTION made by Commissioner Millsaps and seconded by Commissioner King 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 - Aye
- Tad Simpson - Aye
- Charles Slack - Absent
- 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: Other Capital Projects #189			Date:10/13/2022	
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Reserve	Unassigned Fund Balance	39000	174,310.00	
Admin. Of Justice Project	Building Construction	91120-706		174,310.00
	JOURNAL ENTRY REQUIRED			
RESERVE	Litigation Tax-Jail Reserve	39131	174,310.00	
RESERVE	Unassigned Fund Balance	39000		174,310.00
Explanation: To budget expenditures related to jail camera system. Commission approved 7/26/2021.				

(con't)

MOTION made by Commissioner Carter, and seconded by Commissioner Simpson 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 - Aye
Tad Simpson - Aye
Charles Slack - Absent
Travis Crisp – Aye

Motion carried by roll call vote, as recorded:

9. COMMENTS FROM THE AUDIENCE

None.

10. RESOLUTIONS

A. A Resolution Authorizing a Service Agreement with Envirosuite Technology to Provide Independent Third-Party Odor/Air Monitoring.

Mr. Gentry presented resolution # 22-111. This did have Solid Waste Committee approval.

RESOLUTION NO. 22-111

A RESOLUTION AUTHORIZING A SERVICE AGREEMENT WITH
ENVIROSUITE TECHNOLOGY TO PROVIDE INDEPENDENT
THIRD-PARTY ODOR/AIR MONITORING

WHEREAS, McMinn County citizens residing in the vicinity of Meadow Branch Landfill have been reporting nuisance run-off odors believed to be sourced from the landfill; and

WHEREAS, the Tennessee Department of Environment and Conservation (TDEC) is the lawful regulator of solid waste facilities in Tennessee; and

WHEREAS, Meadow Branch Landfill is owned by Waste Connections; and

WHEREAS, Meadow Branch has initiated odor control countermeasures, such as drilling additional gas wells, increasing daily soil cover and placing odor controls on the leachate evaporators with limited success; and

WHEREAS, citizens have requested an independent third-party monitoring system be engaged to provide more conclusive answers to the source and time of the odors; and

WHEREAS, Envirosuite Technology provides run-off odor analysis and data collection for numerous industries, as well as the neighboring Bradley County landfill; and

WHEREAS, McMinn County desires to understand the cause/contributing factors to the odor complaints on a data driven platform.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF OCTOBER, 2022, that this commission hereby approves entering into a professional services agreement with Envirosuite

(Res. # 22-111 con't)

Technologies for a fee not to exceed \$49,091 in year one, and FURTHERMORE, authorizes the County Mayor to execute the necessary documents to fulfill the directive of this resolution.

(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 Crisp to approve this resolution.

Motion carried by voice vote.

B. A Resolution to Approve Applying for a State Industrial Access Road Construction Grant for County Road 608 to Serve the North Etowah Industrial Park from State Route 30.

Mr. Gentry presented resolution # 22-112. Mr. Gentry ask Lindsey Ferguson if she had any comments on this resolution. Ms. Ferguson gave a brief update on the progress of the grant.

RESOLUTION NO. 22-112

A RESOLUTION TO APPROVE APPLYING FOR A STATE INDUSTRIAL ACCESS ROAD CONSTRUCTION GRANT FOR COUNTY ROAD 608 TO SERVE THE NORTH ETOWAH INDUSTRIAL PARK FROM STATE ROUTE 30

WHEREAS, McMinn County, Tennessee, is vitally interested in the economic welfare of its citizens and wishes to provide the necessary leadership to enhance this area's capabilities for growth and development, and

WHEREAS, the provision of jobs to area citizens by local industry is both necessary and vial to the economic well-being of McMinn County; and

WHEREAS, the Industrial Highway Act of 1959 authorizes the Tennessee Department of Transportation to contract with cities and counties for the construction of "industrial Highways" to provide access to industrial areas and to facilitate the development and expansion of industry within the State of Tennessee, and

WHEREAS, McMinn County will be responsible for all maintenance of the proposed industrial access roadway upon completion of this project, and

WHEREAS, Piedmont Lithium plans to construct a facility in McMinn County; and

WHEREAS, the construction of an industrial access road to serve said proposed plant is necessary and vital to the successful completion of this project and the future economic well-being of this area; and

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF OCTOBER, 2022, that the McMinn County Commission approves this contract with the Tennessee Department of Transportation for construction of way the industrial access highway, and FURTHERMORE, authorizes the County Mayor to execute all documents necessary for the completion of construction of the industrial access road.

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

Attest:

(Res. # 22-112 con't)

(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.

C. A Resolution to Approve the Application Regarding Funding and Placement of a Rural Fire Hydrant.

Mr. Gentry presented resolution # 22-113. This did have Emergency Services Committee approval.

RESOLUTION NO. 22-113

A RESOLUTION TO APPROVE THE APPLICATION REGARDING
FUNDING AND PLACEMENT OF A RURAL FIRE HYDRANT

WHEREAS, in order to properly perform the essential means of fighting fires in McMinn County, it is necessary to provide fire hydrants to rural areas; and

WHEREAS, it is the policy of McMinn County to aid in the funding of the placement of one rural fire hydrant per year in each fire district; and

WHEREAS, the following application has been recommended for approval by the Rural Fire Committee:

As a service to the citizens of McMinn County, the McMinn County Commission approves a grant for payment toward the installation of ONE fire hydrant per fire district per fiscal year. The grant amount is \$6,000.00 per hydrant, based on available funds and approval of the Budget Committee.

I, William H. Slack, Fire Chief of Niota Volunteer Fire District 2, wish to request the placement of one fire hydrant at the following location:

Intersection of County Road 260 @ County Road 263 Athens TN.

This form stands as a Hold Harmless agreement whereas McMinn County Rural Fire is not responsible for any fees relating to maintenance of said fire hydrant. The undersigned applicant understands that this hydrant, should its funding be approved by the McMinn County Commission, will be installed by the local utility provider, and may or may not be maintained by the utility. The person/group making this request accepts the responsibility of maintaining this hydrant, which could include, but not be limited to: painting, mowing, arranging hydrant testing, keeping maintenance records, etc.

Signature: David Dillbeck (Original On file)

Address: 201 E Main St, Niota, Tn 37826

Telephone: 423-568-2584

Date of Request: October 17, 2022

As Rural Fire District Chief, I approve this recommendation: Lee Mason (Original On file)

Fire District: 2

Commission District: 2

Commissioner Signature: Jerry Millsaps Commissioner Signature: J W McPhail (Signatures on File).

(Res. # 22-113 con't)

This hydrant was approved by the McMinn County Commission on October 17, 2022.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th Day of October, 2022 that this Commission does hereby approve this Fire Hydrant Request.

(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.

D. A Resolution to Approve the Allocation of Volunteer Fire Department Funds for Off-Road Emergency Response Vehicle.

Mr. Gentry presented resolution # 22-114. This did have Emergency Services Committee approval.

RESOLUTION NO. 22-114

A RESOLUTION TO APPROVE THE ALLOCATION OF VOLUNTEER FIRE DEPARTMENT FUNDS FOR OFF-ROAD EMERGENCY RESPONSE VEHICLE

WHEREAS, the McMinn County Commission allocated thirty thousand dollars (\$30,000) to each of the eleven volunteer fire departments to improve their firefighting and emergency response equipment; and

WHEREAS, the Englewood Volunteer Fire Department requests the authority to use their allocation to purchase a Polaris Ranger XP 1000 side by side for off-road emergency responses, such as tornado, logging and farming incidents; and

WHEREAS, the Englewood Fire Department has the funds necessary to cover the additional costs of purchasing and outfitting the vehicle; and

WHEREAS, due to receiving several firefighting grants, the Englewood Fire Department's turn out gear and other equipment is currently compliant.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF OCTOBER, 2022, that the McMinn County Commission approves the Englewood Volunteer Fire Department using its allocation to purchase a Polaris Ranger Side by Side to be used for off road emergency response, as long as other primary fire equipment is in good working condition.

(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 Cass, 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 Simpson said Emergency Committee Services met and approved 2 resolutions.

13. COMMENTS FROM THE COUNTY MAYOR

- Mr. Gentry said he hoped everyone received their invitation for the meet and greet for Piedmont. Which will be Thursday October 20, 2022 from 3pm to 5pm at the Etowah Community Center.
- Mr. Gentry said tomorrow they will be meeting with Charter/Spectrum to see what area's they plan to serve with broadband.
- Properties Committee will be meeting October 27, 2022 at 7pm at the Board of Education Building.
- Mr. Gentry said Tim Watson with Waste Connections is in the audience if anyone has any questions.
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14. APPROVAL OF NOTARY APPLICATION

Notaries to be elected October 17, 2022

DANA BURKE	MELISSA ANN PARSONS
AMANDA R COLLOMS	STEPHANIE RICHENSON
RACHEL COOK	BRANDI MICHELLE SHANKS
SABASTION AMANDA CULLEN	KIMBERLY STANIFER
PATRICIA B HARBIN	ANNETTE M TORRES
ALYSSA JAYE HOOPER	RHONDA C. WILSON
CASSANDRA MORGAN	RICKEY RANDALL OSBORN

MOTION made by Commissioner McPhail, and seconded by Commissioner Masingale, 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 Curtis declared the Commission meeting adjourned at 8:10 pm.

MELINDA KING
McMinn County Clerk

Attest:

Deputy Clerk (date)