

The McMinn County Board of Commissioners met in Regular Session on March 20, 2023 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 Slack.

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:

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

5. APPROVAL OF MINUTES

Copies of the Minutes of the Regular Session on January 30, 2023 were provided to the McMinn County Commissioners.

MOTION made by Commissioner King, and seconded by Commissioner Simpson, to approve the minutes of January 30, 2023.

Motion carried by voice vote.

6. APPROVAL OF BIDS AND PURCHASES

A. A Resolution to Approve the Extension of the Annual Liquid Asphalt Bid.

Mr. Luallen presented resolution #23-017 along with a copy of recommendation from Dan P Evans, Chief Administrative Officer.

RESOLUTION NO. 23-017

A RESOLUTION TO APPROVE THE EXTENSION OF THE  
ANNUAL LIQUID ASPHALT BID

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

WHEREAS, the McMinn County Highway Department desires to extend the current bid with Hudson Materials Company of Chattanooga, TN, for liquid asphalt for the period of April 1, 2023 thru March 31, 2024, in order to properly carry out the functions of the department; and

(Res. # 23-017 con't)

WHEREAS, Hudson Materials Company has agreed to a one-year extension of the bid at the current bid prices; and

WHEREAS, Dan Evans, McMinn County Highway Commissioner has recommended the one-year extension for liquid asphalt with Hudson Materials Company of Chattanooga, TN due to their excellent work and their agreement to extend the bid for one-year at the current bid prices.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20<sup>th</sup> DAY OF MARCH 2023, that this Commission does hereby approve the recommendation of the McMinn County Highway Commissioner.

(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 Millsaps, to approve this resolution.

Motion carried by voice vote.

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

Mr. Luallen presented resolution #23-018 along with a copy of recommendation from Dan P Evans, Chief Administrative Officer.

RESOLUTION NO. 23-018

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

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

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

WHEREAS, Dan Evans, McMinn County Highway Commissioner has recommended the bid be awarded to the low bidder meeting specifications for the specified county roads, Caldwell Paving & Grading Company of Charleston, TN, for Spring 2023 bid. As a result of a tied bid between Caldwell Paving & Grading Company and Rogers Group, Inc, there was a coin toss conducted on February 14, 2023 at 11:00a.m. and Caldwell Paving won the toss.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20<sup>th</sup> DAY OF MARCH 2023, that this Commission does hereby approve the recommendation of the Highway Commissioner.

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

Attest:

(Orig signed by Melinda King)  
County Clerk

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

Motion carried by voice vote.

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

Mr. Luallen presented resolution #23-019 along with a copy of recommendation from Dan P Evans, Chief Administrative Officer.

RESOLUTION NO. 23-019

A RESOLUTION TO APPROVE AND AWARD THE  
ANNUAL THIN MIX PAVING BID FOR VARIOUS COUNTY ROADS

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

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

WHEREAS, Dan Evans, McMinn County Highway Commissioner has recommended the bid be awarded to the low bidder, Rogers Group of Knoxville, TN. for \$2,104,914.50. This is for Grade E Mix (All Virgin Material). CW Mix has recycled material.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20<sup>th</sup> DAY OF MARCH 2023, 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 Carter, and seconded by Commissioner Slack, to approve this resolution.

Motion carried by voice vote.

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

Mr. Luallen presented resolution #23-020 along with a copy of recommendation from Dan P Evans, Chief Administrative Officer.

RESOLUTION NO. 23-020

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

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

WHEREAS, the McMinn County Highway Department requested to purchase hot mix for the period of April 1, 2023 through March 31, 2024, in order to properly carry out the functions of the department; and

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

WHEREAS, Dan Evans, McMinn County Highway Commissioner has recommended the bid be awarded to all vendors, Rogers Group, Inc. of Knoxville, TN, Wright Bros. Construction Co, Inc. of Charleston, TN, and Caldwell Paving. of Charleston, TN who will be determined by availability at the plant and haul bill of McMinn County trucks at time of purchase. As with previous bids every effort will be made to use the low bidder, subject to availability and the standard "Bituminous Price Index" rules.

(Res. # 23-020 con't)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20th DAY OF MARCH 2023, 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 Cass, and seconded by Commissioner Slack, to approve this resolution.

Motion carried by voice vote.

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

Mr. Luallen presented resolution #23-021 along with a copy of recommendation from Dan P Evans, Chief Administrative Officer.

RESOLUTION NO. 23-021

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

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

WHEREAS, the McMinn County Highway Department requested to purchase hot mix for the period of April 1, 2023 through March 31, 2024, in order to properly carry out the functions of the department; and

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

WHEREAS, Dan Evans, McMinn County Highway Commissioner has recommended the bid be awarded to all vendors, Rogers Group, Inc. of Knoxville, TN, Hiwassee Paving, LLC of Charleston, TN, Talley Construction Co. Inc. d/b/a Southeastern Materials, Inc. of Rossville, GA, APAC-Atlantic, Inc d/b/a Harrison Construction of Knoxville, TN, and Manhattan Materials, LLC of Charleston, TN to be determined by availability at the plant and haul bill of McMinn County trucks at time of purchase. As with previous bids, every effort will be made to use the low bidder, subject to availability and the standard "Bituminous Price Index" rules.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20th DAY OF MARCH 2023, 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 Millsaps, and seconded by Commissioner Slack, to approve this resolution.

Motion carried by voice vote.

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

Mr. Luallen presented resolution #23-022. This did have Properties Committee approval.

RESOLUTION NO. 23-022

A RESOLUTION TO APPROVE 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 that were taken on July 7, 2022 were rejected and resubmitted revised plans according to State Fire Marshall approval; and

WHEREAS, bids were taken again on March 2, 2023 with Apex Construction Group submitting the lowest bid of \$247,287.00; and

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

WHEREAS, Sam Moser, Main Street Architect’s recommendation of Apex Construction is subject to Properties Committee recommendation.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20<sup>th</sup> DAY OF MARCH 2023, 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 Slack, and seconded by Commissioner King, to approve this resolution.

Motion carried by voice vote.

G. A Resolution to Approve Miscellaneous Construction Renovation Services from Knox County, Tennessee Formal Bid.

Mr. Luallen presented resolution #23-023 along with bid sheet.

RESOLUTION NO. 23-023

A RESOLUTION TO APPROVE MISCELLANEOUS CONSTRUCTION RENOVATION SERVICES  
FROM KNOX COUNTY, TENNESSEE FORMAL BID

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, Per Tennessee Code Annotated, counties are allowed to purchase from bids that have been competitively secured by other Tennessee governments, and McMinn County Financial Management Committee Policy & Procedures allows the use of these competitive formal bids; and

(Res. # 23-023 con't)

WHEREAS, Knox County, Tennessee has solicited and awarded bids for MISCELLANEOUS CONSTRUCTION AND RENOVATION SERVICES FOR KNOX COUNTY SCHOOLS; and

WHEREAS, McMinn County desires to purchase construction services from the Knox County bid when it is in the best financial interest of McMinn County.

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 20<sup>th</sup> DAY OF MARCH, 2023 that purchases for construction and renovation services from the Knox County Bid be allowed when it is in the financial best interest of McMinn County.

(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.

H. A Resolution to Declare Items as Surplus Property.

Mr. Luallen presented resolution #23-024 along with a copy of the list from Register of Deeds, Cheryl Ingram.

RESOLUTION NO. 23-024

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 Register of Deeds, Cheryl Ingram requests to have the following items declared as surplus property:

Dell Wired Keyboard x2; Logitech Wireless Keyboard x2;  
Logitech Wireless Mouse x2; Logitech Wired Speaker Sets x4;  
Brother Type Writer & Correction Film (Brother); National Lighting Surge Protector  
Elden Office Pencil/Folder Holder; OIC (2) Hanging File Holder Frames  
Brown Wooden File Folder Organizer; Black Wired Mesh File Folder Organizer  
Extra Cables x3; New in Box – Dell Wired Keyboard; Keyboard Trays for desk x4  
Dell Drivers & Documentation CD; Dell Wired Mouse; Cash Register  
1 Plaid Office Chair w/rollers; 1 Red Rolling Chair (no arms)  
1 Blue Rolling Chair (no arms); KIP 3000 Plat Scanner (purchased in 2008)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 30<sup>th</sup> DAY OF JANUARY 2023, 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

(Res. # 23-024 con't)

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

Motion carried by voice vote.

7. REVIEW AND APPROVAL OF CONTRACTS

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

Mr. Luallen presented resolution #23-025.

RESOLUTION NO. 23-025

A RESOLUTION TO APPROVE GRANT CONTRACT BETWEEN STATE OF TENNESSEE  
DEPARTMENT OF HEALTH AND MCMINN COUNTY

WHEREAS, it is the conviction of McMinn County, that every individual in the County has good health care readily available; and

WHEREAS, in order to properly perform the duties of county government as prescribed by law, it is often in McMinn County's interest to enter into contracts with other entities; and

WHEREAS, McMinn County is requesting to enter into a contract with the State of Tennessee Department of Health for ARP funding to construct a new McMinn County Health Department.; and

WHEREAS, the McMinn County is designated to receive \$3,550,600.00 in ARP funding. This grant contract is designated at \$4,595,500.00 with Grantee participation of \$1,044,900.00.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20<sup>th</sup> DAY OF MARCH 2023, that this Commission does hereby approve this contract.

AND FURTHERMORE RESOLVES to give authority to the County Mayor or his designee to execute and administer the duties of said contract.

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

Attest:

(Orig signed by Melinda King)  
County Clerk

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

Motion carried by voice vote.

B. A Resolution to Approve Grant Application Between McMinn County and Tennessee Department of Health.

Mr. Luallen presented resolution #23-026 along with a copy of the grant.

RESOLUTION NO. 23-026

A RESOLUTION TO APPROVE A GRANT APPLICATION BETWEEN MCMINN COUNTY AND  
TENNESSEE DEPARTMENT OF HEALTH

(Res. # 23-026 con't)

WHEREAS, it is the goal of the McMinn County Sheriff's Department to reduce and prevent virus born disease within the McMinn County Justice Center; and

WHEREAS, McMinn County Sheriff Joe Guy wishes to enter into a contract with the Tennessee Department of Health and Tennessee Corrections Institute; and

WHEREAS, this project will consist of purchasing two transport vans, inmate mattresses, washing machines, 2 HVAC units and various supplies; and

WHEREAS, the total amount awarded by the grant is \$226,000 with no required match by McMinn County; and

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20<sup>th</sup> DAY OF MARCH 2023, that this Commission does hereby agree to enter into a contract with the Tennessee Department of Health, and FURTHER authorizes the County Mayor to execute the documents necessary to fulfill the intent of this resolution.

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

Attest:

(Orig signed by Melinda King)  
County Clerk

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

Motion carried by voice vote.

- C. A Resolution to Approve Grant Contract Between McMinn County and Tennessee Department of Finance and administration and Office of Criminal Justice Programs.

Mr. Luallen presented resolution #23-027 along with a copy of the grant contract.

#### RESOLUTION NO. 23-027

#### A RESOLUTION TO APPROVE A GRANT CONTRACT BETWEEN MCMINN COUNTY AND TENNESSEE DEPARTMENT OF FINANCE AND ADMINISTRATION AND OFFICE OF CRIMINAL JUSTICE PROGRAMS

WHEREAS, it is the goal of the McMinn County Sheriff's Department to reduce and prevent violent crimes; and

WHEREAS, McMinn County Sheriff Joe Guy wishes to enter into a contract with the Tennessee Department of Finance and Administration Office of Criminal Justice Programs Violent Crime Intervention Fund; and

WHEREAS, this project will consist of purchasing 40 ballistic shields, high speed license plate reader systems, lap tops, tactical flash lights, and drone; and

WHEREAS, the McMinn County Sheriff's proposal has been provisionally approved by the Tennessee Department of Finance and Administration pending Commission approval, and

WHEREAS, the total amount awarded by the grant is \$138,000 with no required match by McMinn County; and

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20<sup>th</sup> DAY OF MARCH 2023, that this Commission does hereby agree to enter into a contract with the Tennessee Department of Finance



(Res. # 23-027 con't)

and Administration, and FURTHER authorizes the County Mayor to execute the documents necessary to fulfill the intent of this resolution.

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

Attest:

(Orig signed by Melinda King)  
County Clerk

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

Motion carried by voice vote.

- D. A Resolution to Approve Grant Contract Between McMinn County and Tennessee Department of Finance and administration for Evidence-Based Programming Project.

Mr. Luallen presented resolution #23-028 along with a copy of the grant contract.

RESOLUTION NO. 23-028

A RESOLUTION TO APPROVE A GRANT CONTRACT BETWEEN MCMINN COUNTY AND TENNESSEE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR EVIDENCE-BASED PROGRAMMING PROJECT

WHEREAS, it is the goal of the McMinn County Sheriff's Department to reduce inmate recidivism and create opportunities for inmates after their release; and

WHEREAS, McMinn County Sheriff Joe Guy wishes to enter into a contract with the Tennessee Department of Finance and Administration for an Evidence-Based Programming Project; and

WHEREAS, this project will consist of providing adult education classes and skilled-labor training for inmates, including welding and HVAC classes; and

WHEREAS, this programming will require a new 1600 square foot building and two additional officers as well as the necessary equipment for teaching the classes that are offered; and

WHEREAS, the total amount awarded by the grant is \$705,465 to be distributed over three fiscal years with no required match by McMinn County; and

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20<sup>th</sup> DAY OF MARCH 2023, that this Commission does hereby agree to enter into a contract with the Tennessee Department of Finance and Administration, and FURTHER authorizes the County Mayor to execute the documents necessary to fulfill the intent of this resolution.

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

Attest:

(Orig signed by Melinda King)  
County Clerk

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

Discussion: Joe Guy McMinn County Sheriff introduced Chloe Beasley, Warrant's Clerk and said she would be in charge of this program.

Motion carried by voice vote.

E. A Resolution to Approve the Contract Between McMinn County Sheriff's Dept and John Bohannon (Bid to Buy Auction Company).

Mr. Luallen presented resolution #23-029 along with a copy of the contract.

RESOLUTION NO. 23-029

A RESOLUTION TO APPROVE THE CONTRACT BETWEEN  
MCMINN COUNTY SHERIFF'S DEPT AND JOHN BOHANNON (BID TO BUY AUCTION  
COMPANY)

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 desires for McMinn County Sheriff's Department to enter into contract with John Bohannon (Bid to Buy Auction Company); and

WHEREAS, this contract allows McMinn County Sheriff's Department to employ John Bohannon to sell at Online Auction to the highest bidder, without limits or reserve, certain property. This property will be sold at the Bid To Buy Auction, 732 Tennessee Ave, Etowah, TN on Monday, April 17, 2023 @ 10 a.m. through May 20, 2023 with a soft close. Sheriff's Department personnel are to be on the auction premises to inventory and prepare the property for sale and deliver the property to the purchaser. Property is to be sold is such a lot as the Auctioneer or his agent may determine.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 20<sup>th</sup> DAY OF MARCH, 2023 THAT THIS commission does hereby agree to enter into contract with JOHN BOHANNON (BID TO BUY AUCTION COMPANY).

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 Slack, and seconded by Commissioner Cass, to approve this resolution.

Motion carried by voice vote.

F. A Resolution to Approve a Premise Land Lease with Lamar Outdoor Advertising (Lamar Companies).

Mr. Luallen presented resolution #23-030 along with a copy of the lease.

RESOLUTION NO. 23-030

A RESOLUTION TO APPROVE A PREMISE LAND LEASE WITH LAMAR OUTDOOR  
ADVERTISING (Lamar Companies)

WHEREAS, McMinn County currently has property located at 1319 South White Street, aka McMinn County Justice Center, which has been leased to advertising companies for billboard use; and

WHEREAS, Lamar Outdoor Advertising (Lamar) wishes to renew its lease extending it to 15 years and increasing the land lease fee from the current \$27,000 for ten years to \$93,000 over 15 years; and

(Res. # 23-030 con't)

WHEREAS, Lamar has agreed to honor its current commitment to not allow alcohol and political advertising; and

WHEREAS, Lamar intends to make a substantial investment converting the existing tri-panel board to an LED board; and

WHEREAS, Lamar agrees to provide limited access to the billboard for public safety announcements, such as Amber Alerts.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20<sup>th</sup> DAY OF MARCH 2023, that this Commission does hereby agree to enter into a land lease with the Lamar Companies, and FURTHER authorizes the County Mayor to execute the documents necessary to fulfill the intent of this resolution.

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

Attest:

(Orig signed by Melinda King)  
 County Clerk

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

Motion carried by voice vote.

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: 01/27/2023	
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
State of Tennessee	Other State Education Funds	45690-MCHS	250.00	
State of Tennessee	Other State Education Funds	45690-CTRL	250.00	
State of Tennessee	Other State Education Funds		250.00	
State of Tennessee	Other State Education Funds		250.00	
State of Tennessee	Other State Education Funds		250.00	
Other Student Support	Other Charges			1,250.00
Explanation: To budget funds received for Youth Wellness in FY 2019-2022 for FY 22-23 budget.				
Date: 2/08/2023				
Other Local Revenue	Contributions & Gifts	44570	3,000.00	
Regular Education Program Sup	Other Supplies & Materials	72210-499		3,000.00
Explanation: To budget the Adopt a School donation from Denso for FY 2022-2023.				
Date: 02/16/2023				
Vocational Education Program	Vocational Instructional Equ	71300-730SPARC		8,968.00
Vocational Education Program	Other Supplies & Materials	72230-499SPARC	8,968.00	
Explanation: To amend the approved budget for the Supporting Postsecondary Access in Rural Communities (SPARC) Grant for FY 22-23.				
Date: 2/22/2023				
Other Local Revenue	Contributions & Gifts	44570	500.00	
Regular Education Program Sup	Other Charges	72210-599		500.00
Explanation: To enter budget for the McMinn County Education Fund donation for STEAM in FY 22-23.				
Date: 02/22/2023				

(con't)

Other Local Revenue	Contributions & Gifts	44570	1,500.00	
Regular Education Program	Other Charges	71100-599		1,500.00
Explanation: To enter the budget for the STEM Classroom Grants from Battelle Education for FY 22-23 for Calhoun Elementary.				

Date: 2/22/2023				
Other Gov & Citizens Groups	Other	48990	20,300.00	
Board of Education Services	Other Charges	72310-599		20,300.00
Explanation: To budget the Utrust mini grant for FY 2022-2023.				

Date: 02/28/2023				
Other Local Revenue	Contributions & Gifts	44570-TENNS	18,800.00	
Regular Capital Outlay	Building Improvements	76100-707TENNS		18,800.00
Explanation: To enter budget for the Faun Ramey donations for the Tennis Pavilion.				

Date: 02/28/2023				
Other Local Revenue	Other Local Revenues	44990	200.00	
Vocational Education Program	Vocational Instruction Equip	71300-730		200.00
Explanation: To budget a donation from ABB Thomas & Betts Corporation to the Mechatronics program for FY 22-23				

Date: 03/02/2023				
Vocational Education Program	Other Charges	71300-599	120,000.00	
Vocational Education Program	Vocational Instruction Equip	71300-730		20,000.00
Regular Capital Outlay	Architects	76100-304		100,000.00
Explanation: To amend the budget for the Innovative School Models (ISM) Grant for FY 22-23				

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

- Chairman Scott Curtis – Aye
- Tim King - Aye
- Roger Masingale - Absent
- Brent Carter - Aye
- J. W. McPhail - Aye
- Jerry Millsaps - Aye
- Tad Simpson - Aye
- Charles Slack - Aye
- Travis Crisp – Aye
- Scott Cass - 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: Federal Projects #142, Carl Perkins, #820					Date: 2/23/2023
Vocational Education Program	Other Supplies & Materials	71300-499	2,800.00		
Other Student Support	Travel (CTSO)	72130-355			4,981.94
Support Services/Vocational Edu.	In-Service/Staff Development	72230-524	1,330.94		
Support Services/Vocational Edu.	Other Equipment	72230-790	851.00		
EXPLANATION: To amend the budget in order to be the same as the FY 2022-2023 ePlan document.					
Fund: Federal Projects # 142, Epidemiology and Laboratory Capacity (ELC) Grant, 940					Date: 02/01/2023
Health Services	Drugs & Medical Supplies	72120-413	83,266.05		
Health Services	In-Service/Staff Development	72120-524			1,000.00
Health Services	Health Equipment	72120-735	55,733.95		
Health Services	Building Improvements	76100-707			138,000.00
EXPLANATION: To amend the budget for the Epidemiology and Laboratory Capacity (ELC).					

(con't)

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

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

Motion carried by roll call vote, as recorded:

Mr. Luallen presented the following budget amendments, a copy of which was provided to each Commissioner.

Fund: General Purpose School Fund # 189		Date: 3/16/2023		
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Public Health Projects	Other Capital Outlay (Water)	91140-799	757,388.00	
Unassigned Fund Reserve	Unassigned Fund Balance	39000		757,388.00
Explanation: To correct carry over balance from FY 21-22 that included unrealized revenue from Community Development Block Grant.				

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

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

9. COMMENTS FROM THE AUDIENCE

Jason Wright from the McMinn County Historical Society gave a report on compiled data for inquires the Historical Society has recieved. He also gave information about the Sons of the American Revolution. Mr. Wright said the local Sons of the American Revolution cleaned Matlock Cemetery on County Road 209.

10. RESOLUTIONS

- A. A Resolution of the McMinn County Commission Authorizing an Application for Funding Under the Local Parks and Recreation Funds Grant Program.

Mr. Gentry presented resolution # 23-031.

(Res. # 23-031 con't)

A RESOLUTION OF THE MCMINN COUNTY COMMISSION AUTHORIZING AN APPLICATION  
FOR FUNDING UNDER THE LOCAL  
PARKS AND RECREATION FUNDS GRANT PROGRAM

WHEREAS, McMinn County desires to offer and expand recreational opportunities available for citizens of the community by expanding the turf outfields on fields 2 and 3at Bicentennial Park with multi-use markings; and

WHEREAS, McMinn County is eligible to receive a 50/50 matching grant for the Local Parks and Recreation Fund grant program administered by the Tennessee Department of Environment and Conservation; and

NOW, THEREFORE, BE IT RESOLVED that the County Commission of McMinn County, Tennessee, hereby authorizes the Mayor to submit an application for a Local Parks and Recreation Fund (LPRF) grant request of up to \$800,000 in grant funds for the expansion of McMinn County's Bicentennial Park.

BE IT FURTHER RESOLVED that McMinn County agrees to provide the required local match of up to or greater than fifty percent (50%) \$400,000 of the total project cost to be funded from the Hotel/Motel reserve fund.

BE IT FURTHER RESOLVED that if the project is selected for funding, the Southeast Tennessee Development District will administer the grant and complete the required environmental review.

BE IT FURTHER RESOLVED that McMinn County will register a Notice of Limitation of Use (NLU) against the deeds of the affected property if the project is funded through the LPRF program.

BE IT FURTHER RESOLVED that the Mayor and County Commission are fully supportive of this project and are committed to completing the project within two years of the contract start date, if funded.

BE IT FURTHER RESOLVED that the Mayor and County Commission are fully aware that, if selected for funding, the project will meet all Federal, State, and local regulations including the Americans with Disabilities Act.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately after its passage, the public welfare of the County requiring it.

Passed this 20th day of March, 2023.

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

Attest:

(Res. # 23-031 con't)

(Orig signed by Melinda King)  
County Clerk

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

Motion carried by voice vote.

B. McMinn County Bicentennial Park Upgrades-Phase II 2023 CDBG Application.

Mr. Gentry presented resolution # 23-032.

RESOLUTION NO. 23-032

MCMINN COUNTY BICENTENNIAL PARK UPGRADES-PHASE II  
2023 CDBG APPLICATION

WHEREAS, McMinn County wishes to expand recreational opportunities available for citizens of the community and to be able to increase economic development by hosting tournaments; and

WHEREAS, McMinn County initially renovated the former William G. Cooke Park in 2019 and rededicated the facility as McMinn County Bicentennial Park; and

WHEREAS, these initial renovations included the installation of artificial turf on 2 of the 4 ballfields, new playground equipment, restroom facilities, lighting, and ADA improvements; and

WHEREAS, the installation of the artificial turf fields have allowed the County to host many county-level, regional, state, and national baseball, softball, soccer, and football tournaments, due to the fields' ability to be played on constantly, no matter how much rain had recently fallen, and

WHEREAS, McMinn County has seen an increase in its sales tax and tourism revenue, due to the many county-hosted tournaments; and

WHEREAS, McMinn County's Comprehensive Recreation Plan has identified Phase II Renovations, such as fencing, parking improvement and placing artificial turf on the remaining two fields' outfields, in order to ensure that all-weather play can continue and that all scheduled sports tournaments can be played and completed as scheduled; and

WHEREAS, The State of Tennessee Community Development Block Grant program has grant funds available to assist with Community Livability Projects, that compete within the Community Revitalization Project Category; and

WHEREAS, since McMinn County is a member of the Tennessee Department of Economic and Community Development's Three-Star Economic & Community Development Program, McMinn County is eligible to apply for up to \$630,000 in CDBG funds and is eligible for a 4% discount towards the required local match;

WHEREAS, McMinn County can apply for a \$630,000 CDBG grant, with a required local match of 16% (or \$120,000),

BE IT THEREFORE RESOLVED that the McMinn County Mayor is authorized to submit an application for \$630,000 in CDBG funds for the Bicentennial Park Improvements Phase II Project and hereby commits to the required 16% local match.

BE IT FURTHER RESOLVED that the County Mayor is authorized to enter into any agreements necessary for the successful award of the grant, subject to its approval by the State.

(Res. # 23-032 con't)

BE IT EVEN FURTHER RESOLVED, if said application is approved, the County Mayor is hereby authorized to accept on behalf of McMinn County said Community Development Block Grant, execute any and all documents and enter into agreements necessary for the successful application and award of the grant and to enter into a project administration agreement with the Southeast Tennessee Development District, subject to TNECD approval.

(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 Millsaps, to approve this resolution.

Motion carried by voice vote.

- C. A Resolution to Institute Special Rates for the Disposal of Residential Cleanup Materials at the McMinn County Sanitary Landfill, Effective April 17-22, 2023 and to Designate that Week as "Cleanup, Fix-Up, Sparkle Week" in McMinn County.

Mr. Gentry presented resolution # 23-033.

RESOLUTION NO. 23-033

A RESOLUTION TO INSTITUTE SPECIAL RATES FOR THE DISPOSAL OF RESIDENTIAL CLEANUP MATERIALS AT THE McMINN COUNTY SANITARY LANDFILL, EFFECTIVE APRIL 17-22, 2023 AND TO DESIGNATE THAT WEEK AS "CLEANUP, FIX-UP, SPARKLE WEEK" IN McMINN COUNTY

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

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

WHEREAS, the Keep McMinn Beautiful, and other municipal and commercial entities in McMinn County wish to schedule their annual beautification promotions during the week of April 17-22<sup>nd</sup>, and this Commission wishes to designate that week as "Cleanup, Fix-up, Sparkle Week" in 2023; and

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

NOW, THEREFORE, BE IT RESOLVED, BY THE COMMISSION OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20<sup>th</sup> DAY OF MARCH, 2023, that this Commission authorizes the disposal of residential cleanup materials at no charge at the McMinn County Sanitary Landfill during April 17-22, 2023, and formally designates that week as "Cleanup, Fix-up, Sparkle Week" in McMinn County, and calls upon all its citizens to join in this worthy observance.

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

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

Attest:



(Res. # 23-033 con't)

(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.

D. A Resolution Authorizing McMinn County to Join the State of Tennessee and Other Local Governments in Amending the Tennessee State-Subdivision Opioid Abatement Agreement and Approving the Related Settlement Agreements.

Mr. Gentry presented resolution # 23-034.

RESOLUTION NO. 23-034

A RESOLUTION AUTHORIZING McMINN COUNTY TO JOIN THE STATE OF TENNESSEE AND OTHER LOCAL GOVERNMENTS AS PARTICIPANTS IN THE TENNESSEE STATE-SUBDIVISION OPIOID ABATEMENT AGREEMENT AND APPROVING THE RELATED SETTLEMENT AGREEMENTS

WHEREAS, the opioid epidemic continues to impact communities in the United States, the State of Tennessee, and McMinn County, Tennessee.

WHEREAS, McMinn County has suffered harm and will continue to suffer harm as a result of the opioid epidemic;

WHEREAS, the State of Tennessee and some Tennessee local governments have filed lawsuits against opioid manufacturers, distributors, and retailers, including many federal lawsuits by Tennessee counties and cities that are pending in the litigation captioned In re: National Prescription Opiate Litigation, MDL No. 2804 (N.D. Ohio) (the MDL case is referred to as the "Opioid Litigation");

WHEREAS, certain pharmaceutical distributors and a manufacturer have proposed settlements that McMinn County find acceptable and in the best interest of the community;

WHEREAS, the Tennessee legislature enacted Public Chapter No. 491 during the 2021 Regular Session of the 112<sup>th</sup> Tennessee General Assembly and was signed into law by Governor Bill Lee on May 24, 2021, which addresses the allocation of funds from certain proposed opioid litigation settlements;

WHEREAS, the State of Tennessee, non-litigating counties, and representatives of various local governments involved in the Opioid Litigation have proposed a unified plan for the allocation and use of certain prospective settlement and bankruptcy funds from opioiated litigation ("Settlement Funds");

WHEREAS, the Tennessee State-Subdivision Opioid Abatement Agreement (the "Tennessee Plan"), attached hereto as "Exhibit A," sets forth a framework of a unified plan for the proposed allocation and use of the Settlement Funds; and

WHEREAS, participation in the settlements and Tennessee Plan by a large majority of Tennessee cities and counties will materially increase the amount of settlement funds that Tennessee will receive from pending proposed opioid settlements;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSION OF McMINN COUNTY, TENNESSEE,

Section 1. That McMinn County finds that participation in the Tennessee Plan is in the best interest of McMinn County and its citizens because such a plan would ensure an effective structure for the commitment of Settlement Funds to abate and seek to resolve the opioid epidemic.

(Res. # 23-034 con't)

Section 2. That McMinn County hereby expresses its support for a unified plan for the allocation and use of Settlement Funds as generally described in the Tennessee Plan.

Section 3. That the McMinn County Mayor is hereby expressly authorized to execute the Tennessee Plan in substantially the form attached as Exhibit "A" and the County Mayor is hereby authorized to execute any formal agreements necessary to implement a unified plan for the allocation and use of Settlement Funds that is substantially consistent with the Tennessee Plan and this Resolution.

Section 4. That the McMinn County Mayor is hereby expressly authorized to execute any formal agreement and related documents evidencing McMinn County's agreement to the settlement of claims [and litigation] specifically related to AmerisourceBergen Corporation, Cardinal Health, Inc, McKesson Corporation, Janssen Pharmaceuticals, Inc, and Johnson & Johnson.

Section 5. That the McMinn County Mayor is authorized to take such other action as necessary and appropriate to effectuate McMinn County's participation in the Tennessee Plan and these settlements.

Section 6. This Resolution is effective upon adoption, the welfare of McMinn County, Tennessee requiring it.

ADOPTED this the 20<sup>th</sup> day of March, 2023.

(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.

E. A Resolution to Congratulate the Englewood Elementary School Girls' Basketball Team Upon Winning the TMSAA Class A State Championship.

Mr. Gentry presented resolution # 23-035.

#### RESOLUTION NO. 23-035

#### A RESOLUTION TO CONGRATULATE THE ENGLEWOOD ELEMENTARY SCHOOL GIRLS' BASKETBALL TEAM UPON WINNING THE TMSAA CLASS A STATE CHAMPIONSHIP

WHEREAS, it is fitting that this commission should salute those student athletes who, through their extraordinary efforts, have distinguished themselves as true champions of whom we can all be proud; and

WHEREAS, one such exemplary group of young athletes is the Englewood Elementary School girls' basketball team, whose members have proven themselves to be the fiercest of competitors by winning the Tennessee Middle School Athletic Association (TMSAA) Class A state championship; and

WHEREAS, during this standout season, the Englewood Lady Rams averaged 49.8 points per game while holding opponents to an average of 18.8 points per game; of their 123 quarters played, twenty-three saw opponents held to zero points, and 113 saw opponents held to ten points or less; and

(Res. # 23-035 con't)

WHEREAS, a season highlight for the team was going 4-0 at the prestigious Eagleton Christmas Classic tournament, with a notable win against 3A runner-up in the state, Alcoa Middle School; and

WHEREAS, during the Lady Rams' run to the state championship, they outscored their sectional opponents by twenty points; their record for the last four years since entering TMSAA is 105-5; and

WHEREAS, the members of this state champion squad are Millie Latham, Kytalin Davis, Taryn McConkey, Adra McCaslin, Malea Masingale, Alahna Powell, Sydney Martin, Lily Wright, Sofia Watson, and Makayla Raper; and

WHEREAS, this championship season may not have been possible without the stellar leadership and support of coaches Renee Stinson, Mark Davis, and Kevin Hammonds and managers Rae Stiner and Caroline Hammons; and

WHEREAS, the members of the Englewood Elementary School girls' basketball team epitomize all that is good in today's student athletes, as they have achieved a premier level of success in competition while exhibiting the highest degree of character in all aspects of life; and

WHEREAS, the perseverance, determination, work ethic, and talent of this group of young women not only made possible a championship season but also surely bode well for their future success; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20<sup>th</sup> DAY OF MARCH 2023, that this Commission does hereby congratulate and commend the Lady Rams of Englewood School on their 2022-23 state championship season and wishes them continued success both on and off the court.

(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 Cass to approve this resolution.

Motion carried by voice vote.

#### 11. ELECTIONS, APPOINTMENTS AND CONFIRMATIONS

- A. A Resolution to Confirm the Appointment of Scott Cass to the McMinn County Regional Planning Commission.

Mr. Gentry presented resolution # 23-036.

#### RESOLUTION NO. 23-036

#### A RESOLUTION TO CONFIRM THE REAPPOINTMENT OF SCOTT CASS TO THE MCMINN COUNTY REGIONAL PLANNING COMMISSION

WHEREAS, McMinn County has a regional planning commission to provide for the review of the proposed development of property in McMinn County subject to the rules and regulations of said regional planning commission; and

WHEREAS, state law grants authority to the County Mayor to appoint members to the regional planning commission upon confirmation by the county legislative body; and

(Res. # 23-036 con't)

WHEREAS, John Gentry, McMinn County Mayor nominates Scott Cass to fulfill a second term through 2024 on the McMinn County Regional Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 20<sup>th</sup> DAY OF MARCH 2023, that this commission does hereby confirm the appointment of Clinton Davis to the McMinn County Regional Planning Commission.

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

Attest:

(Orig signed by Melinda King)  
County Clerk

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

Motion carried by voice vote.

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

- Commissioner King- Properties Committee met and sent resolution # 23-022 to the full commission.
- Commissioner McPhail – Financial Committee met tonight before the County Commission Meeting to discuss Bid Limit Policy, Bid Approval Policy, Sick/Annual Leave Policy, and Meal Reimbursement Policy.
- Melinda King McMinn County Clerk – Ms. King invited everyone to Isaiah House fund raiser on April 6<sup>th</sup> at the Barn at Faith Farms also the ribbon cutting for the house on April 12<sup>th</sup> at 5:30.

13. COMMENTS FROM THE COUNTY MAYOR

- Mayor Gentry gave an update on the opioids settlement.
- Mayor Gentry reminded the commissioners to let him know if they would be attending the Post Legislative Conference in May.

Notaries to be elected March 20, 2023

M. B. BOYD  
MARTHA ANN BOYD  
SHARON B CATTANEO  
MEGAN CHURCH  
RHONDA COLEMAN  
AMANDA COLEMAN  
ALEX L DODEZ  
CHICKANYA DOMINGUEZ  
LISA FARRIS  
MELISSA FREEMAN  
MARY J. GLOVER  
ANGELA HILL  
GINGER HOLLAND  
FREDERICK M JACKSON  
MELINDA KING

TABITHA J LOWE  
NANCY L MILLER  
TINA D. PARTRIDGE  
MIRANDA S. ROGERS  
LISSETTE SILVA  
DEBORAH ANN SMITH  
REBECCA E. STEPHENS  
SHEILA STEWART  
CHARLENE FAYE SUCH  
LEAH N TAVERNESE  
MICHELLE TAYLOR  
EVAN A. WALDEN  
KATHARINE ALEXA WATSON  
AMANDA WORKS  
FALLON LEE

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

( con't)

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 8:18 pm.

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MELINDA KING  
McMinn County Clerk

Attest:

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Deputy Clerk                      (date)