

The McMinn County Board of Commissioners met in Regular Session on July 21, 2014, at 7:30 pm, in the Blue Room of the McMinn County Courthouse.

1. CALL TO ORDER

The meeting was called to order by Chairman David Crews.

2. INVOCATION

The Invocation was given by Commissioner Charles Slack.

3. PLEDGE TO THE FLAG

The Pledge to the Flag was led by Commissioner Roger Masingale.

4. ROLL CALL

Roll Call was taken by Evonne Hoback, McMinn County Clerk, as recorded:

Scott Curtis - Present
Dale Holbrook - Present
Tim King - Present
Roger Masingale - Present
Matt Mason - Present
J. W. McPhail - Present
Bob Powers - Present
Tad Simpson - Absent
Charles Slack - Present
Chairman David Crews - Present

5. APPROVAL OF MINUTES

Copies of the Minutes of the Regular Session on June 16, 2014 were provided to the McMinn County Commissioners.

MOTION made by Commissioner Holbrook, and seconded by Commissioner King, to approve the minutes of June 16, 2014.

Motion carried by voice vote.

6. APPROVAL OF BIDS AND PURCHASES

A. A Resolution to Approve Payment Over \$10,000.00 for Baby & Me Program at the McMinn Co. Health Department.

Mr. Luallen presented resolution #14-072, along with requisition from Jeannie Bentley, Director.

Resolution No. 14-072 (con't)

RESOLUTION NO. 14-072

**A RESOLUTION TO APPROVE PAYMENT OVER \$10,000 FOR
BABY & ME PROGRAM AT THE
MCMINN CO. HEALTH DEPARTMENT**

WHEREAS, Jeannie Bentley, Director of the McMinn County Health Dept., requests to make payment to Welco LKA, Inc. for the Baby & Me Program; and

WHEREAS, the payment will be made to Welco LKA, Inc., the only source, in the amount of \$10,848.06; and

WHEREAS, payment will be made from tobacco money; and

WHEREAS, in accordance with Financial Management Committee Policies and Procedures any expense over \$ 10,000 requires Commission approval.

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 21ST DAY OF JULY, 2014, that this Commission does hereby approve the payment for the Baby & Me Program for the McMinn County Health Department.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

MOTION made by Commissioner Mcphail, and seconded by Commissioner Holbrook, to approve this resolution.

Motion carried by voice vote.

B. A Resolution to Approve Payment of Inmate Medical Expenses to Erlanger Health System.

Mr. Luallen presented resolution #14-073, along with a requisition signed by Matt Blair, Department Head.

RESOLUTION NO. 14-073

A RESOLUTION TO APPROVE PAYMENT OF INMATE MEDICAL EXPENSES TO ERLANGER HEALTH SYSTEM

WHEREAS, an inmate of McMinn County Justice Center was injured during an altercation, resulting in transferring this inmate to an out of town hospital; and

WHEREAS, this hospitalization resulted in an invoice amount of \$10,352.16; and

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

WHEREAS, in accordance with Financial Management Committee Policies and Procedures expenses over \$ 10,000 require County Commission approval.

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21ST DAY OF JULY, 2014, that the payment of medical expenses to Erlanger Health Care System in the amount of \$10,352.16 be hereby approved.

Resolution No. 14-073 (con't)

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

C. A Resolution to Approve Payment of Annual Hardware and Software Maintenance Support.

Mr. Luallen presented resolution #14-074, along with a requisition signed by Rhonda Cooley, Circuit Court Clerk.

RESOLUTION NO. 14-074

A RESOLUTION TO APPROVE PAYMENT OF ANNUAL HARDWARE AND SOFTWARE MAINTENANCE SUPPORT

WHEREAS, McMinn County Circuit Court Clerk request renewal of annual hardware and software maintenance support invoiced at \$15,370.00 for the period of July 1, 2014 to June 30, 2015; and

WHEREAS, in accordance with Financial Management Committee Policies and Procedures expenses over \$10,000 require County Commission approval.

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 21st DAY OF JULY, 2014, that the payment for invoiced maintenance agreement to Local Government Corp. in the amount of \$15,370.00 be hereby approved.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

D. A Resolution to Approve Payment of Invoice for Annual FY 2014-15 Hardware and Software and Software maintenance Support for County Clerks Office.

Mr. Luallen presented resolution #14-075, with a requisition signed by Chief Deputy Sharon Bright.

July 21, 2014

Resolution No. 14-075 (con't)

RESOLUTION NO. 14-075

**A RESOLUTION TO APPROVE PAYMENT OF INVOICE FOR ANNUAL FY 2014-15
HARDWARE AND SOFTWARE MAINTENANCE SUPPORT FOR COUNTY CLERK'S
OFFICE**

WHEREAS, McMinn County Clerk, Evonne Hoback, requests payment of FY 2014-15 annual hardware and software maintenance invoiced from Business Information Systems for \$14,031.87; and

WHEREAS, in accordance with Financial Management Committee Policies and Procedures expenses over \$10,000 require County Commission approval.

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE MEETING IN REGULAR SESSION ON THIS THE 21ST DAY OF JULY, 2014, payment for invoiced maintenance to Business Information Systems of \$14,031.87 be hereby approved.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

E. A Resolution to Approve Purchase Over \$10,000.00 for a Hay Blower to be used at the Landfill.

Mr. Luallen presented resolution #14-076, with supporting documentation from Stan Moses, Landfill Supervisor attached.

RESOLUTION NO. 14-076

**A RESOLUTION TO APPROVE PURCHASE OVER \$10,000 FOR A
HAY BLOWER TO BE USED AT THE LANDFILL**

WHEREAS, the McMinn County Landfill Supervisor, Stan Moses, requests to purchase a hay blower from Z&M Ag & Turf; and

WHEREAS, the hay blower to be purchased is a Tomahawk valued at \$15,950; and

WHEREAS, according to TCA 12-3-1003 and McMinn County Financial Management Policy and Procedures, the purchase of used items or equipment valued over \$10,000 may be purchased without public advertisement or competitive bidding provided the price falls within 5% of a documented price range from a nationally recognized publication or a licensed appraiser.

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 21ST DAY OF JULY, 2014, that this Commission does hereby approve the purchase of a hay blower for the McMinn County Landfill.

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

Attest:

July 21, 2014

Resolution No. 14-076 (con't)

(Orig signed by Evonne Hoback)

County Clerk

MOTION made by Commissioner Holbrook, and seconded by Commissioner Powers, to approve this resolution.

Motion carried by voice vote.

F. A Resolution to Transfer Funds From General Purpose School Funds to Federal Projects Fund for Fiscal Year Ending June 30, 2014.

Mr. Luallen presented resolution #14-077.

RESOLUTION NO. 10-077

RESOLUTION TO TRANSFER FUNDS FROM GENERAL PURPOSE SCHOOL FUNDS TO FEDERAL PROJECTS FUND FOR FISCAL YEAR ENDING JUNE 30, 2014

WHEREAS, Federal Projects grants operate on a reimbursement basis and funds are requested from the State of Tennessee by McMinn County Board of Education for non-payroll expenditures on a monthly basis; and,

WHEREAS, the Federal Projects Fund operates with a cash deficit at various times throughout the fiscal year due to a slow turn-around time for reimbursements from the State of Tennessee; and

WHEREAS, Generally Accepted Accounting Principles (GAAP) consider a cash deficit in any fund to be a significant deficiency in internal control; and

WHEREAS, McMinn County Board of Education does not desire to operate any fund with a cash deficit.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Education of McMinn County, a school district in Tennessee, meeting in Executive session on this 27th day of June 2014, and by the County Commission of McMinn County, a county in Tennessee, meeting in regular session on this the 21st day of July 2014, that

SECTION 1. The General Purpose School fund shall transfer \$100,000.00 to the Federal Projects Fund on June 30, 2014.

SECTION 2. The \$100,000.00 transfer shall remain in the Federal Projects Fund as a designated fund balance from the General Purpose School Fund and may be repaid at any time as noted in a resolution passed by the Board of Education and County Commission.

SECTION 3. This resolution will take effect on June 30, 2014. The Secretary of the Board of Education shall include this Resolution in the minutes of the McMinn County Board of Education. The County Clerk shall include this Resolution in the Minutes of McMinn County.

Adopted the 21st day of July, 2014.

Approved:

Original Copy Signed by Kathy Dougherty
Chairman, Board of Education

Original Copy Signed by David Crews
Chairman, County Commission

Attest:

Original Copy Signed by Kim Bivens
Secretary, Board of Education

(Orig signed by Evonne Hoback)
County Clerk

Resolution No. 14-077 (con't)

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

Motion carried by voice vote.

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

Mr. Luallen presented resolution #14-078, along with a copy of the amendment.

RESOLUTION NO. 14-078

**A RESOLUTION TO APPROVE AN AMENDMENT TO THE
CONTRACT BETWEEN MCMINN COUNTY AND
SECURUS TECHNOLOGIES FOR INMATE TELEPHONE SERVICE
AT THE MCMINN COUNTY JUSTICE CENTER**

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

WHEREAS, McMinn County has entered into contract with Securus Technologies to supply inmate telephone service to the McMinn County Justice Center; and

WHEREAS, the amendment adds location based service providing the approximate geographical location of the mobile device user in which inmates are calling from the Securus equipment inside of the Justice Center.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN CALLED SESSION ON THIS THE 21ST DAY OF JULY 2014 THAT THIS commission does hereby approve the amendment to the contract with Securus Technologies.

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 Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

H. A Resolution to Approve Amendment to the Kiosk Site Agreement Contract Between McMinn County and Swanson Services Corp. for Inmate Commissary Funds Management at the McMinn County Justice Center.

Mr. Luallen presented resolution #14-079, along with a copy of the amendment.

RESOLUTION NO 14-079

A RESOLUTION TO APPROVE AMENDMENT TO THE KIOSK SITE AGREEMENT CONTRACT BETWEEN MCMINN COUNTY AND SWANSON SERVICES CORP. FOR INMATE COMMISSARY FUNDS MANAGEMENT AT THE MCMINN COUNTY JUSTICE CENTER

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

WHEREAS, McMinn County currently contracts with Swanson Services Corporation to provide inmates with the option to purchase personal care items or snacks; and

WHEREAS, McMinn County also contracts with Swanson Services Corporation to supply a kiosk site for the collection, disbursement, and account management for the funds used by inmates for commissary services to the McMinn County Justice Center; and

WHEREAS, Swanson Services Corp. requests to amend this contract by providing the McMinn County Justice Center with The Cobra Banker software and hardware at no charge including 4 Cobra kiosks; and

WHEREAS, Swanson Services is responsible for the placement, maintenance, and support for the kiosks; and

WHEREAS, the kiosks will be funded from a surcharge per transaction to the depositor; and

WHEREAS, the terms of this contract include yearly automatic renewal unless terminated by either party in writing; and

WHEREAS, Sheriff Joe Guy recommends this contract be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 21st DAY OF JULY 2014 THAT THIS commission does hereby agree to this Kiosk Site Agreement contract amendment with Swanson Services Corporation.

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 Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

7. REVIEW AND APPROVAL OF CONTRACTS

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

Mr. Luallen presented resolution #14-080, with a copy of the Maintenance Contract attached.

RESOLUTION NO. 14-080

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 # 54-555-1501-04 with the State of Tennessee, Department of Transportation; and

WHEREAS, the term of this grant is July 1, 2014 through June 30, 2015, with the state portion not exceeding \$14,300.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21st DAY OF JULY, 2014, 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 Evonne Hoback)
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 Approve State Reimbursement Contract Application With State of Tennessee Commission on Children and Youth for FY 2014-15.

Mr. Luallen presented resolution #14-081, with a copy of the Contract attached.

RESOLUTION NO. 14-081

A RESOLUTION TO APPROVE STATE REIMBURSEMENT CONTRACT APPLICATION WITH STATE OF TENNESSEE COMMISSION ON CHILDREN AND YOUTH FOR FY 2014-15

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

Resolution No. 14-081 (con't)

WHEREAS, McMinn County has previously entered into a contract with the State of Tennessee Commission on Children and Youth to receive funds to be disbursed for developing and improving juvenile court and community alternative to detention; and

WHEREAS, it is necessary to apply for and renew the contract with McMinn County for the period July 1, 2014 through June 30, 2015.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21st DAY OF JULY, 2014, that this Commission does hereby approve application for this grant and gives authority to the County Mayor to execute any and all documents to execute this grant contract with State of Tennessee, Tennessee Commission on Children and Youth for period July 1, 2014 through June 30, 2015.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

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

Mr. Luallen presented resolution #14-082, with a copy of the Contract attached.

RESOLUTION NO. 14-082

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

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

WHEREAS, McMinn County Juvenile Services has agreed to provide for the school year of 2014-15 one youth services officer stationed at McMinn County High School five days a week and McMinn Central High School four days a week and available on an as needed basis to all other county schools. Referrals will be seen that are of high risk with the court system; and

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

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

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21st DAY OF JULY, 2014, that this Commission does hereby agree to enter into this contract with the McMinn County School System and McMinn County Department of Juvenile Services for the 2014-15 school year.

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

Attest:

Resolution No. 14-082 (con't)

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

D. A Resolution to Approve an Amendment of the Contract Between McMinn County And the State of Tennessee Regarding Mental Health Treatment Services for Misdemeanor Criminal Defendants.

Mr. Luallen presented resolution #14-083, with a copy of the contract attached.

RESOLUTION NO. 14-083

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

WHEREAS, McMinn County is currently in a non-exclusive contractual agreement between the Department of Mental Health which allows for reduced billing rates for counties; and

WHEREAS, McMinn County wishes to amend this current contract by extending the date to end June 30, 2015.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21st DAY OF JULY 2014, that this contract amendment with the DMH 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 Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

E. A Resolution to Approve the Contract Between McMinn County and Windstream for Local Telephone Service for McMinn County Courthouse and Justice Center.

Mr. Luallen presented resolution #14-084, with a copy of the Contract attached.

RESOLUTION NO. 14-084

**A RESOLUTION TO APPROVE THE CONTRACT BETWEEN MCMINN COUNTY AND
WINDSTREAM FOR LOCAL TELEPHONE SERVICE FOR MCMINN COUNTY
COURTHOUSE AND JUSTICE CENTER**

Resolution No. 14-084 (con't)

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 recently bid new phone systems for the Courthouse and Justice Center; and

WHEREAS, McMinn County desires to enter into contract with Windstream for to provide two primary rate interface services to serve the two facilities for a rate of \$332.99 per month for each PRI to provide local telephone access; and

WHEREAS, the term of this contract is for a three-year term, for the period of August 1, 2014 through July 31, 2017; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 21ST DAY OF JULY 2014 THAT THIS commission does hereby agree to enter into the attached contract with Windstream.

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 Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

8. APPROVAL OF BUDGET AMENDMENTS

Fund: General Purpose School #141, Voc. Rehab Grant

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

Fund: General Fund #141,

DATE: June 24, 2014

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Other Programs	Assistant	72290-103	3,681.47	
Other Programs	Secretary	72290-161	117.08	
Other Programs	State Retirement	72290-201	235.22	
Other Programs	Medical Insurance	77290-207	231.15	
Other Programs	Employer Medicare	72290-212	14.10	
Other Programs	Other Fringe Binge Benefits	72290-299	55.69	
Other Programs	Communication	72290-307	0.04	
Other Programs	Postal Charges	77290-348	0.06	
Other Programs	Office Supplies	72290-435		4,806.41
Explanation: To enter Budget Amendment No. 2 to the 2013-2014 Voc. Rehab. Grant				

(con't)

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

Fund: Federal Projects # 141

Date: June 26, 2014

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Reserve	Undesignated Fund Balance	39000	100,000	
Transfer Out	Transfer to Other Funds	99100-590		100,00.00
<u>Explanation: To budget fund balance to be transferred to the Federal Project Fund in order to provide operating funds until federal reimbursement of grant expenditures are received.</u>				
LEAPS-Mountain View	Teachers	71400-116	1,199.40	
LEAPS-Mountain View	Other Contracted Services	71400-399	56.00	
LEAPS-Mountain View	Social Security	71400-201		125.59
LEAPS-Mountain View	State Retirement	71400-204		130.78
LEAPS-Mountain View	Employer Medicare	71400-212		28.92
LEAPS-Mountain View	Travel	71400-355		138.08
LEAPS-Mountain View	Other Supplies & Materials	71400-499		832.03
<u>Explanation: To enter Budget Amendment No. 1 to the FY 2013-2014 Mountain View School LEAPS Grant. Approved by the state June 27, 2014.</u>				

Date: June 30, 2014

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
LEAPS-Niota	Teachers	71600-116	6,671.25	
LEAPS-Niota	Educational Assistants	71600-163		1,479.51
LEAPS-Niota	Social Security	71600-201		31.52
LEAPS-Niota	State Retirement	71600-204	145.25	
LEAPS-Niota	Employer Medicare	71600-212		7.17
LEAPS-Niota	Travel	71600-355	2,986.81	
LEAPS-Niota	Instructional Supplies	71600-429		8,285.14
<u>Explanation: To enter Budget Amendment No. 1 to FY 2013-2014 Niota School LEAPS Grant. Approved by the state June 27, 2014</u>				
<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Charges for Services	Other Charges-TN System	43900	15,000.00	
Vocational Education Support	Other Supplies & Materials	72230-499		15000.00
<u>Explanation: To enter Pathways to Prosperity Funding Budget for FY 2013-2014.</u>				
<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Attendance	Other Contracted Services	72110-399		25,000.00
Regular Instruction Program Support	Other Contracted Services	72110-399		15,000.00
Capital Outlay	Building Improvements	76100-707		311,000.00
Regular Instructional Program	Teachers	71100-116	170,000.00	
Regular Instructional Program	Other Supplies & Materials	71100-499	30,000.00	
Other Student Support	School Resource Officer	72130-170	13,400.00	
Other Student Support	Guidance Personnel	72130-123	40,000.00	
Other Student Support	Evaluation & Testing	72130-322	7,600.00	
Board of Education Services	Other Fringe Benefits	72130-299	90,000.00	
<u>Explanation: To avoid functional category deficits for FY 13-14</u>				

(con't)

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

- Scott Curtis - Aye
- Dale Holbrook - aye
- Tim King - Aye
- Roger Masingale - Aye
- Matt Mason - Aye
- J. W. McPhail - Aye
- Bob Powers - Aye
- Tad Simpson - Absent
- Charles Slack - Aye
- Chairman David Crews - Aye

Motion carried by roll call vote, as recorded:

Mr. Luallen presented Federal Project budget amendments, a copy of which was provided to each Commissioner. These did have School Board Approval on June 27, 2014.

FUND: FEDERAL PROJECTS #142, Title VI, #604

DATE: June 12, 2014

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Regular Instruction Education	Other Salaries & Wages	<u>71100-189</u>	<u>6,120.83</u>	
Regular Instruction Education	Teachers	<u>71100-116</u>		<u>4,460.96</u>
Regular Instruction Education	Medical Insurance	<u>71100-207</u>		<u>1,659.87</u>
<u>Explanation: To enter Budget Amendment #2 for Federal Projects Title VI for FY2013-14.</u>				
Vocational Ed. Program Support	Other Supplies & Materials	<u>71300-499</u>	<u>4,323.14</u>	
Vocational Ed. Program Support	Equipment	<u>71300-730</u>		<u>6,160.09</u>
Other Student Support	Bus Drivers	<u>72130-146</u>	<u>640.00</u>	
Other Student Support	Social Security	<u>72130-201</u>	<u>95.48</u>	
Other Student Support	State Retirement	<u>72130-204</u>	<u>93.48</u>	
Other Student Support	Employer Medicare	<u>72130-355</u>	<u>983.66</u>	
Other Student Support	Travel	<u>72130-355</u>	<u>983.66</u>	
Federal Thru State Revenue	Vocational Ed-Basic Grants to States	<u>47131</u>	<u>1.00</u>	
<u>Explanation: To enter Budget Amendment #2 to the 2014 Carl Perkins Federal Grant.</u>				

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

Motion carried by roll call vote, as recorded:

- Scott Curtis - Aye
- Dale Holbrook - aye
- Tim King - Aye
- Roger Masingale - Aye
- Matt Mason - Aye
- J. W. McPhail - Aye
- Bob Powers - Aye
- Tad Simpson - Absent
- Charles Slack - Aye
- Chairman David Crews - Aye

(con't

9. PRESENTATION TO PUBLISH PROPOSED 2014-2015 BUDGET

Mr. Luallen presented copies of the Proposed Balanced Budget for FY 2014-2015 which was submitted by the Budget Committee to the Full Commission. Mr. Luallen explained to the County Commission that what they would be approving tonight would be the publication in the paper of the proposed budget to be approved on Thursday July 31st, 2014 at a special called session at 12:00: pm in the Blue Room of the Courthouse.

MOTION made by Commissioner McPhail, and seconded by Commissioner Curtis, to approve publication for the FY 2014-2015 Budget Proposal.

Motion carried by roll call vote, as recorded:

Scott Curtis - Aye
Dale Holbrook - aye
Tim King - Aye
Roger Masingale - Aye
Matt Mason - Aye
J. W. McPhail - Aye
Bob Powers - Aye
Tad Simpson - Absent
Charles Slack - Aye
Chairman David Crews - Aye

10. COMMENTS FROM THE AUDIENCE

None.

11. RESOLUTIONS

A. A Resolution to Authorize a Joint venture's Participation in the Tennessee Consolidated Retirement System in Accordance with Tennessee Code Annotated, Title 8, Chapters 34-37.

Mr. Gentry presented Resolution # 14-086 and ask Kathy Knight Executive Director of Economic Development to explain what is needed for participation by authorization by the County Commission.

RESOLUTION 14-085

**Tennessee Consolidated
Retirement System
(Joint Venture – Political Subdivision)**

A RESOLUTION to authorize a joint venture's participation in the Tennessee Consolidated Retirement System in accordance with Tennessee Code Annotated, Title 8, Chapters 34 – 37.

WHEREAS, Tennessee Code Annotated, Section 8-35-201 provides that any governing body of a joint venture between one or more political subdivisions of this State may by resolution authorize the employees of the joint venture to participate in the Tennessee Consolidated Retirement System (“TCRS”) subject to the approval of the TCRS Board of Trustees; provided that each political subdivision of the State which is represented in the joint venture passes a resolution guaranteeing the payment of its prorated share of any outstanding liability so incurred by the participation; and

WHEREAS, the governing body of the McMinn County Economic Development Authority (“Joint Venture”) has passed a resolution authorizing its employees to become members of TCRS under the provisions of state law, and under the following terms and conditions:

A. TYPE PLAN. (*CHECK BOX 1 OR BOX 2 OR BOX 3 OR BOX 4*). The Joint Venture adopts the following type plan:

Resolution No. 14-085 (con't)

- (1) Regular Defined Benefit Plan.
- (2) Alternate Defined Benefit Plan.
- (3) Local Government Hybrid Plan (*If this Plan is chosen, the Joint Venture MUST also maintain a defined contribution plan on behalf of its employees and pass the attached resolution that describes the type of defined contribution plan the Joint Venture will adopt. The defined contribution plan could provide for employer contributions of 0% to up to 7% of its employees' salaries*).
- (4) State Employee and Teacher Hybrid Plan (*If this Plan is chosen, the Joint Venture MUST also maintain a defined contribution plan on behalf of its employees whereby the Joint Venture makes a mandatory employer contribution on behalf of each of its employees participating in the Hybrid Plan equal to 5% of the respective employee's salary subject to the cost controls and unfunded liability controls of the Hybrid Plan. The Joint Venture must also pass the attached resolution that describes the type of defined contribution plan the Joint Venture will adopt*).

B. ASSUMPTION OF EMPLOYEE CONTRIBUTIONS. (CHECK BOX 1 OR BOX 2 OR BOX 3 - IF THE STATE EMPLOYEE AND TEACHER HYBRID PLAN IS SELECTED ABOVE, NO EMPLOYEE CONTRIBUTIONS MAY BE ASSUMED AND BOX 1 MUST BE CHECKED). The Joint Venture shall:

- (1) NOT assume any employee contributions.
- (2) ASSUME 2.5% of its employees' contributions.
- (3) ASSUME 5.0% of its employees' contributions.

C. COST-OF-LIVING INCREASES FOR RETIREES. (CHECK BOX 1 OR BOX 2 – IF EITHER THE LOCAL GOVERNMENT, OR THE STATE EMPLOYEE AND TEACHER HYBRID PLAN IS SELECTED ABOVE, COST-OF-LIVING INCREASES FOR RETIREES MUST BE GIVEN, SUBJECT TO ANY APPLICABLE COST CONTROLS AND UNFUNDED LIABILITY CONTROLS AND BOX 2 MUST BE CHECKED). The Joint Venture shall:

- (1) NOT provide cost-of-living increases for its retirees.
- (2) PROVIDE cost-of-living increases for its retirees.

D. ELIGIBILITY OF PART-TIME EMPLOYEES. (CHECK BOX 1 OR BOX 2). The Joint Venture shall:

- (1) NOT allow its part-time employees to participate in TCRS.
- (2) ALLOW its part-time employees to participate in TCRS.

E. PRIOR SERVICE. (CHECK AND COMPLETE BOX 1 OR BOX 2 OR BOX 3 OR BOX 4 OR BOX 5 – CAUTION: IF THE STATE EMPLOYEE AND TEACHER HYBRID PLAN IS SELECTED ABOVE AND IF BOX 3 BELOW IS NOT CHOSEN, THE EMPLOYER CONTRIBUTION COULD EXCEED 4% THEREBY CAUSING THE COST CONTROLS AND UNFUNDED LIABILITY CONTROLS TO AUTOMATICALLY APPLY. ACCORDINGLY, PRIOR SERVICE IS NOT RECOMMENDED). For each employee employed with the Joint Venture on the effective date of the Joint Venture's participation in TCRS, the Joint Venture shall:

- (1) Purchase ALL years of prior service credit on behalf of its employees.
- (2) Purchase NO years of prior service credit on behalf of its employees, but shall accept the unfunded liability should its employees establish ALL years of prior service.
- (3) NOT allow its employees to establish any prior service credit with the Joint Venture.
- (4) Purchase _____ years of prior service credit on behalf of its employees and accept the unfunded liability should its employees establish an additional _____ years of prior service credit.
- (5) Purchase _____ years of prior service credit on behalf of its employees and no additional prior service credit may be established; and

F. MAXIMUM UNFUNDED LIABILITY. (COMPLETE THIS ITEM F ONLY IF THE STATE EMPLOYEE AND TEACHER HYBRID PLAN IS SELECTED ABOVE). For purposes of the cost control provisions of Tennessee Code Annotated, Section 8-36-922(d), the Joint Venture defines "maximum unfunded liability" to mean an unfunded liability of no greater than

N/A.

Resolution No. 14-085 (con't)

WHEREAS, the effective date of participation shall be on October 1, 2014 or on such later date as determined by the TCRS Board of Trustees, and the initial employer contribution rate will be 12.93%, which is based on the estimated lump sum accrued liability of \$12,431; and

WHEREAS, the McMinn County is represented in such Joint Venture and desires to allow all the employees of the Joint Venture to participate in TCRS under the above terms and conditions, or under such other terms and conditions the governing body of the Joint Venture may adopt pursuant to the laws governing TCRS; provided, however, this governing body must approve by resolution any such action that would increase the liabilities of either the Joint Venture or the Political Subdivision; and

WHEREAS, the liability for participation and costs of administration shall be the sole responsibility of the Joint Venture and all public entities responsible for the direct funding of the Joint Venture and not the State of Tennessee; and

WHEREAS, the Joint Venture has passed a budget amendment appropriating the funds necessary to meet such liability and the same is attached hereto.

NOW, THEREFORE, BE IT RESOLVED that the County Commission of McMinn County hereby authorizes all the employees of the Joint Venture to become eligible to participate in TCRS in accordance with the above terms and conditions subject to the approval of the TCRS Board of Trustees, and hereby guarantees the payment of its prorated share of any outstanding liability so incurred by the above-referenced action of the Joint Venture. It is acknowledged and understood that pursuant to Tennessee Code Annotated, Section 8-35-111 neither the Joint Venture nor the Political Subdivision shall make employer contributions to any other retirement or deferred compensation plans on behalf of any employee who participates in TCRS pursuant to this Resolution wherein the total combined employer contributions to such plans exceed 3% of the employee's salary, unless the Local Government Hybrid Plan or the State Employee and Teacher Hybrid Plan is adopted by the Joint Venture for such employee. If either the Local Government Hybrid Plan or the State Employee and Teacher Hybrid Plan is adopted by the Joint Venture, the Joint Venture or the Political Subdivision may make employer contributions to the defined contribution plan component of that Plan and to any one or more additional tax deferred compensation or retirement plans on behalf of such employee provided that the total combined employer contributions to such plans on behalf of the employee does not exceed 7% of the employee's salary.

STATE OF TENNESSEE

COUNTY OF McMINN

I, Evonne Hoback, Clerk of the Board of the McMinn County, Tennessee do hereby certify that this is a true and exact copy of the foregoing Resolution that was approved and adopted in accordance with applicable law at a meeting held on the 21st day of JULY, 2014, the original of which is on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand, and the seal of the County of McMinn

Resolution No. 14-085 (con't)

(Orig signed by Evonne Hoback)
As Clerk of the Board, as aforesaid

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

Motion carried by voice vote.

B. A Resolution to Approve the Request by the Niota Depot Preservation Committee to Assist in Funding Renovations for the Historic Niota Depot.

Mr. Gentry presented Resolution #14-086. This did have full recommendation from the Budget Committee with a copy of information regarding some history on the depot.

RESOLUTION NO.14-086

A RESOLUTION TO APPROVE THE REQUEST BY THE NIOTA DEPOT PRESERVATION COMMITTEE TO ASSIST IN FUNDING RENOVATIONS FOR THE HISTORIC NIOTA DEPOT

WHEREAS, the historic Niota Depot has been a part of McMinn County since 1854; and

WHEREAS, the Niota Depot is the oldest standing train depot in Tennessee and draws visitors to McMinn County with its rich history; and

WHEREAS, the building and grounds are often used for community meetings, celebrations houses the Niota City Hall and is on the Tennessee Civil War Trail and National Registry of Historic Places; and

WHEREAS, the Tennessee Department of Transportation awarded the City of Niota with a \$196,000 grant which requires a match of \$39,200; and

WHEREAS, additional architectural and engineering fees not covered by the grant will equal approximately \$20,000; and

WHEREAS, the Niota Depot Preservation Committee has raised approximately \$40,000 in their efforts to save Tennessee's oldest standing depot and preserve a wonderful community asset; and

WHEREAS, the Niota Depot Preservation Committee has requested McMinn County assist in renovating this important structure by supplying the matching funds for the grant; and

WHEREAS, this request was approved by the budget committee and shall be funded from Tourism/Hotel-Motel Tax funds in the amount of \$39,200; and

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 21st DAY OF JULY 2014, that this Commission does hereby approve this appropriation of Tourism funds to the City of Niota for renovations to the historic Niota Depot, the public welfare requiring it.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

Resolution No. 14-086 (con't)

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

Motion carried by voice vote.

12. ELECTIONS, APPOINTMENTS AND CONFIRMATIONS

None.

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

County Attorney—School Law Suit is scheduled in Court of Appeals on August 27th at 9:30 am in Knoxville in the Court of Appeals building. Anyone wishing to attend may do so.

14. COMMENTS FROM THE COUNTY MAYOR

- A. Cook Park Design—Mr. Gentry said the design team has met a couple of times and informed everyone that there will be other meetings that everyone will have a chance to attend.
- B. Justice Center—Mr. Gentry said there was a problem with the polished concrete but that issue is being corrected. Mr. Gentry said there were issues on some mill work on judge's benches, humidity with the heating & air which has been corrected.
- C. AMR—Mr. Gentry said he talked to AMR to see how the last 20 days have been with the change in operations. They have seen an average of 10 to 15 additional calls per week. They have added 2 new trucks which make a total of 6 per day
- D. 2014-2015—Mr. Gentry Thanked Jason Luallen Finance Director and his staff and all department heads and Elected Officials for coming together with a balanced budget for the 15th year without a tax increase.

15. APPROVAL OF NOTARY APPLICATIONS

The following notary applications were submitted to the County Clerk's Office:

Notary Applications for July 2014

- 1. Vance L. Baker
- 2. Kathy S. Cobble
- 3. Kimberly D. Culberson
- 4. Donald R. Gaddis
- 5. Corinne P. Hockman
- 6. Harold Lloyd Hutsell
- 7. Tanya F. Leonard
- 8. Sandra J Lowry

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

Motion carried by voice vote.

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

None.

17. ADJOURNMENT

There being no other business, Chairman Crews declared the Commission meeting adjourned at 7:53 pm.

EVONNE HOBACK
McMinn County Clerk

Attest:

Deputy (date)