

The McMinn County Board of Commissioners met in Regular Session on November 29, 2021 at 7:30 pm, in the Blue Room of the McMinn County Courthouse.

1. CALL TO ORDER

The meeting was called to order by Chairman David Crews.

2. INVOCATION

The Invocation was given by Commissioner McPhail.

3. PLEDGE TO THE FLAG

The Pledge to the Flag was led by Commissioner Curtis.

4. ROLL CALL

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

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

5. APPROVAL OF MINUTES

Copies of the Minutes of the Regular Session on October 18, 2021 were provided to the McMinn County Commissioners.

MOTION made by Commissioner McPhail, and seconded by Commissioner King, to approve the minutes of October 18, 2021.

Motion carried by voice vote.

6. COUNTY ATTORNEY TIM HILL OPIOID SETTLEMENT

Attorney Tim Hill told the commission there has been a major settlement reached in the opioid litigation. Mr. Hill said that Tennessee's Attorney General was the leader in reaching the settlement. He said 26 billion dollars will be paid over time and its kind of a two-step process on getting involved in the settlement. First step, the states have to agree to participate, second step the subdivisions have to agree to participate. He said we have to January 2, 2022. Mr. Hill said he has looked at the documents and what the county needs to do is a resolution allowing the county to execute the document to participate in the settlement. He said he can't give dollar figures yet but it will be significant.

Mayor Gentry gave a breakdown of how the percentages would be distributed.

A. 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.

Mr. Gentry presented resolution # 21-113 along with a copy of the Tennessee State-Subdivision Opioid Abatement Agreement.

(Res. # 21-113 con't)

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; and

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

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"); and

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

WHEREAS, the Tennessee legislature enacted Public Chapter No. 491 during the 2021 Regular Session of the 112th 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; and

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 opioid related litigation ("Settlement Funds"); and

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; and

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.

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 County Mayor, John Gentry, 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.

(Res. # 21-113 con't)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 29th DAY OF NOVEMBER 2021, that this Commission does hereby approve participation with the State of Tennessee Attorney General's Office to receive funds from the National Opioid Settlement, AND FURTHER RESOLVES to authorize the County Mayor to execute all necessary documents to fulfill the intent of this resolution, the public welfare requiring it.

(Orig signed by John M. Gentry)

McMinn County Mayor

Attest:

(Orig signed by Melinda King)

County Clerk

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

Motion carried by voice vote.

7. APPROVAL OF BIDS AND PURCHASES

A. A Resolution to Approve and Award Annual Requirements Bid for Paper-Plastics Products.

Mr. Luallen presented resolution #21-114 along with letters of recommendation and bid summary sheet from McMinn County Sheriff's Department and Scott McDowell, Supervisor.

RESOLUTION NO. 21-114

A RESOLUTION TO APPROVE AND AWARD ANNUAL REQUIREMENTS BID FOR PAPER-PLASTICS PRODUCTS

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

WHEREAS, the Courthouse Maintenance Department and Sheriff's Department requests the purchase of Paper and Plastic Products from January 1, 2022, to December 31, 2022, to properly carry out the functions of the department; and

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

WHEREAS, Scott McDowell, Courthouse Maintenance Supervisor, and Sheriff Joe Guy, both recommend the bid be awarded to the vendor with the lowest bid price per item meeting specifications. The only exception to this will be toilet tissue and plastic bags. Scott McDowell, Maintenance Supervisor, recommends Vondrehle for toilet tissue and AVM 60 gallon garbage bags.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 29th DAY OF NOVEMBER 2021, that this Commission does hereby approve the recommendation of the Maintenance Supervisor and the Sheriff.

(Orig signed by John M. Gentry)

McMinn County Mayor

Attest:

(Orig signed by Melinda King)

County Clerk

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

Motion carried by voice vote.

B. A Resolution to Approve Emergency Purchase of Condensing Boiler and Mixing Valve for McMinn County Jail.

Mr. Luallen presented resolution #21-115 along with a requisition from Joe Guy, McMinn County Sheriff.

(Res. # 21-115 con't)

RESOLUTION NO. 21-115

A RESOLUTION TO APPROVE EMERGENCY PURCHASE
OF CONDENSING BOILER AND MIXING VALVE FOR
MCMINN COUNTY JAIL

WHEREAS, McMinn County Jail and has need for new Condensing Boilers; and

WHEREAS, McMinn County Sheriff Joe Guy requests approval of an emergency purchase of two Lochinvar Armor 800,000 BTU Condensing Boilers and Replacement of a Mixing Valve to send correct temperature water to the kitchen; and

WHEREAS, the condensing boilers are \$37,900 each for a total of \$75,800 and the Mixing Valve is \$5,720.00 for a Grand Total of \$81,520.00; and

WHEREAS, in accordance with Financial Management Committee Policies and Procedures any expense over \$25,000 requires Commission approval.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 29TH DAY OF NOVEMBER 2021 that this request be hereby approved.

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

Attest:

(Orig signed by Melinda King)
County Clerk

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

Motion carried by voice vote.

C. A Resolution to Approve Purchase Over Twenty-Five Thousand Dollars for a New Pumper Truck for Riceville Fire Department.

Mr. Luallen presented resolution #21-116. This did have Emergency Services Committee approval.

RESOLUTION NO. 21-116

A RESOLUTION TO APPROVE PURCHASE OVER TWENTY-FIVE THOUSAND DOLLARS FOR A
NEW PUMPER TRUCK FOR RICEVILLE FIRE DEPARTMENT

WHEREAS, Riceville's pumper truck was involved in an accident that resulted in the truck being totaled; and

WHEREAS, due to the age of the current fleet of pumper trucks approaching ten years old the county is electing to purchase a new truck for Riceville rather than used; and

WHEREAS, the Emergency Services Committee has worked with Fire Coordinator Scott Thompson and Riceville Chief Brandon Ainsworth and has determined that the 2021 E-One four door, 1,000 gallon pumper truck would best fit the needs of the department; and

WHEREAS, the truck is a demo from Safe Industries, Inc., the Southeast E-One dealer; and

WHEREAS, the total price is \$325,000, less the minimum of \$142,000 reimbursement from the insurance claim, leaves a balance of \$183,000,00 to be paid from the Other Capital Projects Fund.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE MEETING IN REGULAR SESSION THIS THE 29TH DAY OF NOVEMBER 2021, that this Commission does hereby approve the purchase over twenty-five thousand for a new pumper truck for the Riceville Fire Department subject to receiving an appropriate appraisal for purchasing a used vehicle over the \$25,000 minimum bid amount, and authorizes the County Mayor to execute the documents necessary to fulfill the intent of this resolution.

(Res. # 21-116 con't)

(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 Millsaps, to approve this resolution.

Motion carried by voice vote.

8. REVIEW AND APPROVAL OF CONTRACTS

A. A Resolution to Apply and Accept a TDOT Division of Aeronautics Grant for Preliminary Hangar Design and Replacement.

Mr. Gentry presented resolution #21-117 along with copy of the grant contract.

RESOLUTION NO. 21-117

A RESOLUTION TO APPLY AND ACCEPT A TDOT DIVISION OF AERONAUTICS GRANT FOR PRELIMINARY HANGAR DESIGN AND REPLACEMENT

WHEREAS, the McMinn County has systematically been upgrading its hangar facilities, with only 3 of the original structures remaining; and

WHEREAS, the 3 hangars are to be demolished/removed due to the hangars having been identified as violations of the PART 77 surfaces. The taxiways and aprons serving these hangars are violations of the runways OFA, however the grade deficiencies and violations cannot be addressed due to the need for the hangars. Due to these deficiencies, the State and FAA have been moving to relocate the hangars and reconstruct these pavements for many years as opposed to expending funds on pavements that cannot meet geometric safety standards. These asphalt surfaces are now well over forty (40) years old; and

WHEREAS, the state has offered an one hundred percent preliminary grant to develop the best options for the size and relocation of the three hangars; and

WHEREAS, the amount of the grant is \$43,400.00, with no local match required.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 29th DAY OF NOVEMBER, 2021, that this

Commission does hereby approve applying and accepting a TDOT Aeronautics Division Grant in the amount of \$43,400.00, and FURTHERMORE grants authority to 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 Holbrook, to approve this resolution.

Motion carried by voice vote.

B. A Resolution to Approve the "Shop with a Cop" Local Community Contribution Grant for McMinn Co Sheriff's Dept.

Mr. Gentry presented resolution #21-118 along with copy of the grant contract.

(Res. # 21-118 con't)

RESOLUTION NO. 21-118

A RESOLUTION TO APPROVE THE "SHOP WITH A COP" LOCAL COMMUNITY CONTRIBUTION GRANT FOR MCMINN CO SHERIFF'S DEPT

WHEREAS, McMinn County Sheriff, Joe Guy has applied for a Local Community Contribution Grant; and

WHEREAS, this grant will provide monies to aid in buying Christmas gifts for underprivileged children; and

WHEREAS, this grant in the amount of \$2,000 is through Walmart for the Shop with a Cop program and requires no county match.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 29th DAY OF NOVEMBER 2021, 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.

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.

Motion carried by voice vote.

C. A Resolution to Approve the Grant Funding Through East TN State University.

Mr. Gentry presented resolution #21-119.

RESOLUTION NO. 21-119

A RESOLUTION TO APPROVE THE GRANT FUNDING THROUGH EAST TN STATE UNIVERSITY

WHEREAS, McMinn County Sheriff's Department has been approved for funding as part of a state-wide initiative to address COVID-19 health disparities by the Tennessee Department of Health with funding from the Centers for Disease Control and Prevention; and

WHEREAS, The grant amount is up to \$60,000 and requires no county match.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 29th DAY OF NOVEMBER, 2021, that this Commission does hereby approve this grant funding.

Orig signed by John M. Gentry
McMinn County Mayor

Attest:

(Orig signed by Melinda King)
County Clerk

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

Motion carried by voice vote.

9. APPROVAL OF BUDGET AMENDMENTS

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

FUND: Road & Bridge Fund # 131			DATE: 11/23/2021	
DEPARTMET	ACCOUNT	FOLIO	DEBIT	CREDIT
Local Taxes	Mineral Severance	40280	3,200.00	
Reserve	Unassigned fund Balance	39000		3,200.00
Explanation: To increase budget revenue to meet maintenance of effort.				

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

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

Motion carried by roll call vote, as recorded:

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

FUND: GENERAL PURPOSE SCHOOL FUND # 141			DATE: 10/20/2021	
DEPARTMET	ACCOUNT	FOLIO	DEBIT	CREDIT
Reserve	Unassigned Fund Balance	39000	2,358.40	
Office of the Superintendent	County Official/Administration	72320-101		2,000.00
Office of the Superintendent	Social Security	72320-201		124.00
Office of the Superintendent	State Retirement	72320-204		205.40
Office of the Superintendent	Medicare	72320-212		29.00
Explanation: To Budget expenditures for the Director of Schools \$4,000 salary increase for the remainder of FY 21-22, effective 01/01/2022 .				
FUND: GENERAL PURPOSE SCHOOL FUND # 141			DATE: 09/02/2021	

(con't)

DEPARTMET	ACCOUNT	FOLIO	DEBIT	CREDIT
Early Childhood Education	In-Service/Staff Development	73400-524	4,233.62	
Early Childhood Education	Other Equipment	73400-790		4,233.62
Explanation: To adjust line items for the Pre-K budget for FY 21-22 to match ePlan.				

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

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

Motion carried by roll call vote, as recorded:

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

Fund: Federal Projects # 142, Consolidated Admin, # 022		Date: 10/22/2021		
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Federal Through State	Title I Grants	47141	160,000.00	
Federal Through State	Eisenhower Prof. Development State	47189	15,000.00	
Federal Through State	Other Federal Through State	47590	180.00	
Support Ser/Regular Instr Prog	Supervisor/Director	72210-105		83,561.34
Support Ser/Regular Instr Prog	Secretary	72210-161		31,267.58
Support Ser/Regular Instr Prog	Social Security	72210-201		7,120.00
Support Ser/Regular Instr Prog	State Retirement	72210-204		9,911.00
Support Ser/Regular Instr Prog	Life Insurance	72210-206		223.00
Support Ser/Regular Instr Prog	Medical Insurance	72210-207		21,602.00
Support Ser/Regular Instr Prog	Employer Medicare	72210-212		1,666.00
Support Ser/Regular Instr Prog	Other Supplies and Materials	72210-499		3,000.00
Support Ser/Regular Instr Prog	In-service/Staff Development	72210-524		6,100.00
Support Ser/Regular Instr Prog	Other Equipment	72210-790		10,729.08
Explanation: To Amend current budget in order to match the FY 2021-2022 ePlan document.				
Fund: Federal Projects # 142, Title I Grants 122		Date: 10/22/2021		
Federal Through State Revenue	Title I Grants	47141		56,202.37
Federal Through State Revenue	Other Federal Through State	47590	103,725.00	
Regular Instruction Program	Teachers	71100-116		4,513.96
Regular Instruction Program	Educational Assistants	71100-163	21,482.00	
Regular Instruction Program	Social Security	71100-201	1,336.00	
Regular Instruction Program	State Retirement	71100-204	6,290.00	
Regular Instruction Program	Life Insurance	71100-206	108.00	
Regular Instruction Program	Medical Insurance	71100-207	4,863.73	
Regular Instruction Program	Employer Medicare	71100-212	309.00	
Regular Instruction Program	Instructional Supplies & Mater	71100-429		35,687.18
Regular Instruction Program	Other Charges	71100-599		500.00
Regular Instruction Program	Regular Instruction Equipment	71100-722	28,191.98	
Other Student Program	Other Charges	72130-599		143,100.41

(con't)

Support Serv./Regular Instruction Program	Supervisor/Director	72210-105	82,276.75	
---	---------------------	-----------	-----------	--

Support Serv./Regular Instruction Program	Bonus Payments	72210-188	30,785.91	
Support Serv./Regular Instruction Program	Other Salaries & Wages	72210-189		28,314.00
Support Serv./Regular Instruction Program	Social Security	72210-201	7,286.54	
Support Serv./Regular Instruction Program	State Retirement	72210-204	10,218.36	
Support Serv./Regular Instruction Program	Life Insurance	72210-206	208.55	
Support Serv./Regular Education Program	Medical Insurance	72210-207		10,433.75
Support Serv./Regular Education Program	Employer Medicare	72210-212	1,302.40	
Support Serv./Regular Education Program	Travel	72210-355	517.52	
Support Serv./Regular Education Program	Other Supplies/& Materials	72210-499	27,646.02	
Support Serv./Regular Education Program	In-Service/Staff Development	72210-524		4,000.00
Support Serv./Regular Education Program	Other Equipment	72210-790	482.75	
EXPLANATION: To amend the current budget in order to match the FY 21-22 ePlan document (page 1 of 2)				

Fund: Federal Projects # 142 Title I, #122			Date: 10/22/2021	
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Transportation	Bus Drivers	72710-146		14,472.00
Transportation	Social Security	72710-201		897.80
Transportation	Medicare	72710-212		209.04
Transportation	Travel	72710-355		4,000.00
Transportation	Transportation Equipment	72710-729		24,700.00
EXPLANATION: To adjust the budget for the ESSER 2.0 grant (ARP Act) for FY 21-22 (page 2 of 2)				

Fund: Federal Projects # 142 Title II, #222			Date: 10/22/2021	
Federal Through State Revenue	Eisenhower Prof Development	47189	75,748.11	
Support Serv./Regular Instruction Program	Supervisor/Director	72210-105	2,837.13	
Support Serv./Regular Instruction Program	Secretary	72210-161	1,061.58	
Support Serv./Regular Instruction Program	Other Salaries & Wages	72210-189		4,600.00
Support Serv./Regular Instruction Program	Social Security	72210-201	241.74	
Support Serv./Regular Instruction Program	State Retirement	72210-204	336.53	
Support Serv./Regular Instruction Program	Life Insurance	72210-206	7.19	
Support Serv./Regular Education Program	Medical Insurance	72210-207		37,068.56
Support Serv./Regular Education Program	Employer Medicare	72210-212	56.57	
Support Serv./Regular Education Program	Other Supplies/& Materials	72210-499	17.84	
Support Serv./Regular Education Program	In-Service/Staff Development	72210-524		38,654.78
Support Serv./Regular Education Program	Other Equipment	72210-790	16.65	
EXPLANATION: To amend the current budget in order to match the FY 2021-022 ePlan document.				

Fund: Federal Projects # 142, Title III, #322			Date: 10/22/2021	
Federal Through State	Title III Grant	47146	362.50	
Regular Instruction Program	Instructional Supplies	71100-429		2,475.60
Regular Instruction Program	Other Charges	72210-599	2113.10	
EXPLANATION: To amend the current budget in rder to match the FY 2021-2022 ePlan document.				

Fund: Federal Projects # 142 Title IV, #422			Date: 10/22/2021	
Federal Through State Revenue	Rural Education	47148		180.00
Regular Instruction Program	Supervisor/Director	72210-105	102.13	
Regular Instruction Program	Secretary	72210-161	38.22	
Regular Instruction Program	Social Security	72210-201	8.70	
Regular Instruction Program	State Retirement	72210-204	12.11	
Regular Instruction Program	Life Insurance	72210-206	.26	
Regular Education Program	Medical Insurance	72210-207	14.48	
Regular Education Program	Employer Medicare	72210-212	2.04	
Regular Education Program	Other Supplies/& Materials	72210-499	.64	
Regular Education Program	In-Service/Staff Development	72210-524	.82	

(con't)

Regular Education Program	Other Equipment	72210-790	.60	
EXPLANATION: To amend the current budget in order to match the FY 2021-2022 ePlan document.				
Fund: Federal Projects #142, IDEA, Part B, #922		Date: 10/22/2021		
Federal Through State	Special Education Grants to States	47143	137,210.54	
Special Education Program	Teachers	71200-116		86,747.15
Special Education Program	Educational Assistants	71200-163	33,703.00	
Special Education Program	Speech Pathologist	71200-171	36,090.81	
Special Education Program	Social Security	71200-201		1,051.78
Special Education Program	State Retirement	71200-204		552.39
Special Education Program	Life Insurance	71200-206	94.62	
Special Education Program	Medical Insurance	71200-207	4,7849.16	
Special Education Program	Employer Medicare	71200-212		246.00
Special Education Program	Contracts with Private Agencies	71200-312		183,261.64
Special Education Program	Instructional Supplies	71200-429		999.00
Special Education Program	Other Supplies & Materials	71200-499		999.00
Special Education Program	Special Educational Equipment	71200-725		999.00
Support Serv./Special Edu. Progr.	Phycological Personnel	72220-124	294.00	
Support Serv./Special Edu. Progr	Other Salaries and Wages	72220-189	56,781.00	
Support Serv./Special Edu. Progr	Social Security	72220-201	3,538.66	
Support Serv./Special Edu. Progr	State Retirement	72220-204	5,878.72	
Support Serv./Special Edu. Progr	Life Insurance	72220-206	108.00	
Support Serv./Special Edu. Progr	Medical Insurance	72220-207	7,564.00	
Support Serv./Special Edu. Progr	Employer Medicare	72220-212	827.59	
Support Serv./Special Edu. Progr	Other Contracted Services	72220-399		12,581.00
Transportation	Bus Drivers	72710-146		121.00
Transportation	Social Security	72710-201		7.51
Transportation	State Retirement	72710-204		5.04
Transportation	Medical Insurance	72710-207	632.76	
Transportation	Employer Medicare	72710-212		1.75
Explanation: To amend the current budget in order to match the FY 2021-2022 ePlan document.				
FUND: Federal Projects #142 IDEA, Pre-K, #929		DATE: 10/22/2021		
DEPARTMET	ACCOUNT	FOLIO	DEBIT	CREDIT
Revenue	Special Education Preschool Grants	47145	590.00	
Special Education Program	Teacher	71200-116		590.00
Explanation: To amend the current budget in order to match the FY 2021-2022 ePlan document.				
Federal Through State Revenue	COVID-19 Grant D	47309	80,000.00	
Support Services/Regular Instruction	Other Contracted Services	72210-399		80,000.00
Explanation: To enter budget for the Early Literacy Networks Grant for FY 2021-2022 to match the ePlan document.				

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

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

Motion carried by roll call vote, as recorded:

10. COMMENTS FROM THE AUDIENCE

- Melissa Hughes Director of Youth Affairs handed out copies of the annual report (a copy is on file in her office) which she went over various items.

11. RESOLUTIONS

A. A Resolution to Approve Additional Grant Match Funds to Englewood Rural Fire Department.

Mr. Gentry presented resolution # 21-120. This did have Emergency Services Committee approval.

RESOLUTION NO. 21-120

A RESOLUTION TO AUTHORIZE GRANT MATCH FUNDS TO
ENGLEWOOD RURAL FIRE DEPARTMENT

WHEREAS, the McMinn County Commission passed a resolution in October, 2020 authorizing the establishment of a fund of up to five thousand dollars (\$5,000) per fiscal year, per volunteer fire department to help meet grant match funding requirements; and

WHEREAS, the grant matching fund was established to encourage the eleven volunteer fire departments to seek private, state and federal grant funds to purchase firefighting equipment; and

WHEREAS, often the matching fund requirement is a significant barrier to volunteer fire departments applying for grants, which rely significantly on private donations; and

WHEREAS, the Englewood Volunteer Fire Department has been awarded a FEMA AFG Grant for the replacement of 20 air packs and 40 bottles at a cost of \$142,960.00; and

WHEREAS, the FEMA grant was for \$133,333.33, leaving a balance of \$9,627.00.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 29TH DAY OF NOVEMBER, 2021, that this Commission commends the Englewood Volunteer Fire Department for soliciting grant funds and authorizes the payment of \$5,000.00 to help offset the grant match, and FURTHERMORE, authorizes the County Mayor and Fire Coordinator to pay the \$4,627.00 balance of the purchase, due to the extraordinary savings it generated for the county's efforts to maintain lifesaving air pack and bottle systems.

(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.

B. A Resolution to Approve Interlocal Agreement for use of the Athens Animal Shelter

Mr. Gentry presented resolution # 21-121.

RESOLUTION NO. 21-121

A RESOLUTION TO APPROVE AN INTERLOCAL AGREEMENT FOR USE OF THE
ATHENS ANIMAL SHELTER

WHEREAS, McMinn County entered into an agreement with the City of Athens in 2005, and the four municipalities of Etowah, Englewood, Niota and Calhoun to provide assistance with operating the Athens animal shelter; and

(Res. # 21-121 con't)

WHEREAS, McMinn County recently approved \$250,000 to assist in the conversion costs associated with the City of Athens purchase of the former Daily Post-Athenian building into a new, larger animal shelter to serve all of McMinn County; and

WHEREAS, the City of Athens has requested McMinn County and the other municipalities renew the interlocal agreement first adopted in 2005 and described below:

INTERLOCAL AGREEMENT FOR USE OF ANIMAL SHELTER
BY CITIZENS OF MCMINN COUNTY, ATHENS, ETOWAH,
ENGLEWOOD, NIOTA, AND CALHOUN

WHEREAS, stray and unwanted animals have been a longstanding public health and policy issue for local governments in McMinn County; and

WHEREAS, McMinn County's only animal shelter is owned and operated by the City of Athens, with operational assistance from the McMinn County Regional Humane Society; and

WHEREAS, McMinn County, in conjunction with McMinn County Regional Humane Society and area veterinarians instituted a spay/neuter program to help control the proliferation of the canine and feline population; and

WHEREAS, currently the citizens of McMinn County do not have a shelter to take stray and unwanted animals; and

WHEREAS, McMinn County, the City of Etowah, Town of Englewood, Town of Calhoun, and Town of Niota wish to enter into an agreement with the City of Athens to provide their respective citizen's and governments the ability to bring stray and unwanted animals to the animal shelter; and

WHEREAS, "SHELTERING" means the quartering of animals to the standards currently in place at the existing animal shelter; and

WHEREAS, the City of Athens respectfully requests, and the respective local governments do agree to pay an annual fee to the City of Athens to offset the operational costs experienced by the city; and

WHEREAS, the annual fee, as collected in the fiscal year 2021-2022, shall be as follows for the respective local governments:

McMinn County	\$19,900
City of Etowah	\$6,839
Town of Englewood	\$7,500
Town of Calhoun	\$2,048
Town on Niota	\$2,048

WHEREAS, the contracting governments agree to accept an annual fee increase of two percent (2%) to help address operation cost increases; and

WHEREAS, the City of Athens shall maintain exclusive rights of ownership and operation of the shelter including but not limited to hours of operation, adoption, and euthanasia policies; and

WHEREAS, in the event the annual fees do not adequately address the increased operational costs, the contracting governments agree to accept a reduction in the service hours of operation available to the citizens of the respective governments; and

WHEREAS, this interlocal agreement, upon passage by all herein named local governments shall serve as the governing agreement for shared use of the animal shelter; and

WHEREAS, this agreement, upon passage by all governments shall be binding for three consecutive fiscal years with the current year prorated and the expiration date being June 30, 2025; and

WHEREAS, this agreement shall automatically renew between all parties, unless notice of termination by any party is given at least ninety (90) days prior to the expiration date; and

WHEREAS, any party desiring not to renew the agreement shall notify by registered mail all parties of the same; and

(Res. # 21-121 con't)

WHEREAS, it is understood by all parties that this agreement pertains only to the sheltering of unwanted and stray animals and does not include any other animal control techniques.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMIN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 29th DAY OF NOVEMBER 2021, hereby approves McMinn County's capital contribution and annual allocation to the new City of Athens Animal Shelter.

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

Attest:

(Orig signed by Melinda King)
County Clerk

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

Motion carried by voice vote.

C. A Resolution to Authorize the use of the Property Known as the "Old Highway Department Maintenance Garage" by the McMinn County Board of Education.

Mr. Gentry presented resolution # 21-122. This did have Properties Committee approval.

RESOLUTION NO. 21-122

A RESOLUTION TO AUTHORIZE THE USE OF THE PROPERTY KNOWN AS THE "OLD HIGHWAY DEPARTMENT MAINTENANCE GARAGE" BY THE
MCMINN COUNTY BOARD OF EDUCATION

WHEREAS, McMinn County has constructed a new Highway Department Maintenance Facility on County Road 552; and

WHEREAS, the McMinn County Board of Education has requested the use of the old highway department maintenance facility to expand the operations of their adjacent maintenance and transportation departments; and

WHEREAS, the county mayor concurs with the request, with the exception of the portion of the facility known as the "sign shop," which is requested for use by the General Fund maintenance department; and

WHEREAS, the General Fund and General Purpose School Fund shall assume the costs associated with operating the facilities, including capital upgrades, insurance, general maintenance and utilities.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 29TH DAY OF NOVEMBER, 2021, that this Commission authorizes the use of the "old highway department maintenance facility," by the McMinn County Board of Education and the "sign shop," by the General Fund maintenance department, with each fund assuming the operational costs of each facility.

(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.

D. A Resolution to Amend the Lease Policies for the McMinn County Layman Ag/Expo Center.

Mr. Gentry presented resolution # 21-123.

(Res. # 21-123 con't)

RESOLUTION NO. 21-123

A RESOLUTION TO AMEND THE LEASE POLICIES FOR THE McMINN COUNTY LAYMAN
AG/EXPO CENTER

WHEREAS, McMinn County has lease policies which provide guidance for the renting of the McMinn County Layman Ag/Expo Center; and

WHEREAS, the facility experiences significantly reduced use during the winter months, most notably December 1 through February 28; and

WHEREAS, members of the local equine community have long requested use of the facility during the winter months; and

WHEREAS, County Mayor Gentry, recommends amending the current policies to allow for reduced daily rental rate during the months of December through February to fully utilize the potential of the facility with the proposed language under Payment Terms of the lease agreement stating:

Day Use Winter Season: Lessee agrees to pay \$150 per day for use of the facility during the dates of December 1, thru February 28. Concession stand use is included if requested. Insurance and deposit requirements are not waived during this special rental season.

WHEREAS, the new rates would become effective subject to Commission approval.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE MEETING IN REGULAR SESSION THIS THE 29th DAY OF NOVEMBER 2021, that this Commission does hereby approve amending the Layman Ag/Expo Center lease policies as stated in the body 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.

Motion carried by voice vote.

E. A Resolution to Accept Donation of Property Adjacent to the McMinn County Landfill.

Mr. Gentry presented resolution # 21-124. This did have Properties Committee approval.

RESOLUTION NO. 21-124

A RESOLUTION TO ACCEPT DONATION OF PROPERTY ADJACENT TO THE McMINN COUNTY
LANDFILL

WHEREAS, McMinn County citizen Roy Holmes owns a .54-acre parcel of landlocked property adjacent to the southern boundary of the McMinn County landfill; and

WHEREAS, Mr. Holmes has offered to donate the property to McMinn County subject to McMinn County paying for deed preparation and recording fees; and

WHEREAS, Landfill Supervisor Charlie Donaldson has reviewed the property and recommends McMinn County accept the donation of property due to its proximity to one of the landfill's detention ponds; and

WHEREAS, County Attorney Tim Hill has reviewed the property and also recommends accepting the donation of property.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE MEETING IN REGULAR SESSION THIS THE 29th DAY OF NOVEMBER 2021, that this

(Res. # 21-124 con't)

Commission does hereby accept the donation of property from Roy Holmes and authorizes the County Mayor and County Attorney to execute all documents necessary, and pay all fees required 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 Holbrook, and seconded by Commissioner Simpson, to approve this resolution.

Motion carried by voice vote.

12. ELECTIONS, APPOINTMENTS AND CONFIRMATIONS

None.

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

- Commissioner King—Properties Committee met prior to tonight's meeting and recommended 3 resolutions (21-122, 21-123, 21-124) to go to the full committee.
- Commissioner Simpson—Emergency Services Committee met prior to tonight's meeting and recommended 2 resolutions (21-116, 21-120) to the full committee.
- Commissioner Curtis—Budget Committee met prior to tonight's meeting and had a presentation on actometry to help the Tax Assessors office with appraisals.

14. COMMENTS FROM THE COUNTY MAYOR

Mayor Gentry said he really appreciated to great turn out at tonight's meeting.

Joint meeting County Commission & Members of the Woods Hospital Foundation.

Mayor Gentry said that with the passing of Durant Tullock the foundation will need to reorganize. Mr. Gentry said that even before Mr. Tullock's passing there had been talk about revisiting the agreement. He said that within the following weeks he hopes to have a meeting scheduled with the foundation and the county commission.

Maxine Gernert Retirement

Mayor Gentry said tomorrow is Maxine Gernert 's last day. He said she is our Congressional Rep and have been blessed to have her in the courthouse. He wanted to wish Maxine a lot of happy years of retirement and thankful for her many years of service.

15. APPROVAL OF NOTARY APPLICATION

Notaries to be elected November 29, 2021

DEDRA L. BACON
DANIELLE BIGGAM
DELANA B BUCKLEW
COURTNEY CORNETT
BRIANNA NICOLE GRAHAM
STEPHEN M HATCHETT
TINA HUCKABEY
DEBRAHIA D KING
JASMINE NYREE MCDERMOTT
STEVEN R. MCDERMOTT

REBECCA NEWTON
PAUL RAY OGLE
CYNTHIA D. OWENS
JORDAN PERLEONI
QUINN K. SATHERLIE
KAITLYN SCHLEMMER
CHRISTIN D SIERRA
JULIE A STANDRIDGE
ALEXIS WELLS
STEPHANIE CHRISTINE YOUNG

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

Motion carried by voice vote.

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

There being no other business, Chairman Crews declared the Commission meeting adjourned at 8:08 pm.

MELINDA KING
McMinn County Clerk

Attest:

Deputy

(date)