

The McMinn County Board of Commissioners met in Regular Session on October 20, 2025 at 6:00 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 Cass.

3. PLEDGE TO THE FLAG

The Pledge to the Flag was led by Commissioner Masingale.

4. ROLL CALL

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

Chairman Scott Curtis - Present
Tim King - Present
Roger Masingale - Present
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 August 18, 2025 were provided to the McMinn County Commissioners.

MOTION made by Commissioner King, and seconded by Commissioner Millsaps, to approve the minutes of August 18, 2025 meeting.

Motion carried by voice vote.

6. ELECTION OF COMMISSION CHAIRMAN AND CO-CHAIR

Chairman Curtis opened the floor for nominations for Chairman and Vice-Chair.

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

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

Motion carried by voice vote.

Chairman Curtis opened the floor for nominations for Vice Chairman.

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

Motion carried by voice vote.

7. REVIEW AND APPROVAL OF FINANCE RESOLUTIONS

A. A Resolution to Approve and Award Replacement Hangar Bid at the McMinn County Airport.

Mr. Luallen presented resolution #25-071 along with a copy of bid sheet. This did have Airport Committee approval.

RESOLUTION NO. 25-071

A RESOLUTION TO APPROVE AND AWARD REPLACEMENT HANGAR BID AT THE
MCMINN COUNTY AIRPORT

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 requested replacement hangar bids and associated site preparation and apron for the McMinn County Airport; and

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

WHEREAS, McMinn County has received bids for replacement hangar and site preparation and apron; and

WHEREAS, Wilson Construction Group, LLP of Athens, TN is the apparent low bidder with Schedule 1 site prep and preparation at \$474,255.45. Schedule 2 T-Hangar building at \$1,113,457.00 and Schedule 3 add alternate apron and tie downs at \$195,782.57; and

WHEREAS, the bid will be awarded to Wilson Construction Group, LLP, in the amount of \$1,783,495.02 at the recommendation of Goodwyn Mills Cawood, LLC.

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

20th DAY OF OCTOBER, 2025, that this Commission does hereby approve the recommendation of the County Mayor.

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

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

Attest:

(Orig signed by Melinda King)
County Clerk

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

Motion carried by voice vote.

B. A Resolution to Approve Advance Payment of 2025 Inservice/Supplemental Pay to Eligible Officers of the McMinn County Sheriff's Department.

Mr. Luallen presented resolution #25-072.

RESOLUTION NO. 25-072

(Res # 25-072 con't)

A RESOLUTION TO APPROVE ADVANCE PAYMENT OF 2025
INSERVICE/SUPPLEMENTAL PAY TO ELIGIBLE OFFICERS OF THE MCMINN COUNTY
SHERIFF'S DEPARTMENT

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

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

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

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE MEETING IN REGULAR SESSION ON THIS THE 20th DAY OF OCTOBER 2025, that this Commission does hereby approve the request of Sheriff Guy.

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

Attest:

(Orig signed by Melinda King)
County Clerk

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

Motion carried by voice vote.

C. A Resolution Declare Items as Surplus Property.

Mr. Luallen presented resolution #25-073.

RESOLUTION NO. 25-073

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 Sheriff, Joe Guy requests to have the following vehicles declared as surplus property:

Nine marked patrol vehicles that have been wrecked or are no longer in running condition:

1. 2011 Ford Crown Victoria – VIN 2FABP7BV6BX134396
2. 2013 Dodge Charger – VIN 2C3CDXATXDH667649
3. 2014 Dodge Charger – VIN 2C3CDXAT4EH198852
4. 2009 Ford Explorer – VIN FMEU73E49UA21302
5. 2008 Chevrolet Tahoe – VIN 1GNEC03028R261458
6. 2011 Ford Crown Victoria – VIN 2FABP7BV4BX134395

(Res # 25-073 con't)

7. 2013 Dodge Charger – VIN 2C3CDXAT3DH721597
8. 2006 Ford Crown Victoria – VIN 2FAHP71W17X104443
9. 2007 Ford Crown Victoria – VIN 2FAHP71W47X136764

One unmarked vehicle that is no longer needed or in running condition:
2009 Honda Odyssey – VIN 5FNRL38769B406915

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20th DAY OF OCTOBER 2025, that this Commission does hereby declare these items as surplus property.

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

Attest:

(Orig signed by Melinda King)
County Clerk

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

Motion carried by voice vote.

D. A Resolution to Declare Items as Surplus Property.

Mr. Luallen presented resolution #25-074.

RESOLUTION NO. 25-074

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 Property Assessor, Keith Price requests to have the following items declared as surplus property:

10. HP 7302 Laptop
11. HP 7303 Laptop
12. Dell 06360 Laptop
13. Brother 775C Fax Machine – U56583H9K760211

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20th DAY OF OCTOBER 2025, 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 # 25-074 con't)

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

Motion carried by voice vote.

E. A Resolution to Declare Items as Surplus Property and Place them for Sale at Public Auction.

Mr. Luallen presented resolution #25-075.

RESOLUTION NO. 25-075

A RESOLUTION TO DECLARE ITEMS AS SURPLUS PROPERTY
AND PLACE THEM FOR SALE AT PUBLIC AUCTION

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 Landfill Director, Charlie Donaldson, desires to declare the following item as surplus property and provide it for sale by public auction; and WHEREAS, the items listed for surplus are as follows:

2001 White Chevrolet 1500

VIN – 2GCEK19T911347352

2008 White Ford F150 Truck

VIN – 1FTRF14V78KD25178

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20th DAY OF OCTOBER, 2025, that this Commission hereby approves the sale of surplus property and any other items which may have been inadvertently omitted and declared surplus by agreed collective consent of the respective department head, director of finance and the county mayor.

(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.

F. A Resolution to Approve Grant for Historical Society and Archives.

Mr. Luallen presented resolution #25-076 along with a copy of the grant.

RESOLUTION NO. 25-076

A RESOLUTION TO APPROVE GRANT FOR HISTORICAL SOCIETY AND ARCHIVES

WHEREAS, the Tennessee State Library and Archives has provided a grant opportunity to local archives across the state for their archival needs; and

(Res # 25-076 con't)

WHEREAS, the McMinn County Historical Society has received a grant from the Tennessee State Library and Archives in the amount of \$7,720.00; and

WHEREAS, the Tennessee State Library and Archives Department requires that the county administer and facilitate the grant funds and purchases related to said grant; and

WHEREAS, there is no cost to McMinn County.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20th DAY OF OCTOBER 2025, that this Commission does hereby agree to approve this Grant with the TENNESSEE STATE LIBRARY AND ARCHIVES in the amount of \$7,720.00, 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 McPhail, and seconded by Commissioner Masingale, to approve this resolution.

Motion carried by voice vote.

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

Mr. Luallen presented resolution #25-077 along with copy of Grant Contract.

RESOLUTION NO. 25-077

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

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

WHEREAS, McMinn County has received a grant from State of Tennessee Department of Transportation for Alcohol Countermeasures Highway Safety Project with contract dates from October 1, 2025, to September 30, 2026; and

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

WHEREAS, the amount of this grant amounts to \$30,000.00 with no required match for McMinn County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN SPECIAL CALLED SESSION THIS THE 20th DAY OF OCTOBER , 2025 that this Commission does hereby agree to enter into this Grant Contract with the State of Tennessee.

(Res # 25-077 con't)

(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.

A Resolution to Approve Application for Statewide School Resource Officer Grant and MOU Between McMinn County, McMinn County Sheriff, and McMinn County Board of Education.

Mr. Luallen presented resolution #25-078. This did have Budget Committee Approval.

RESOLUTION NO. 25-078

A RESOLUTION TO APPROVE APPLICATION FOR STATEWIDE SCHOOL RESOURCE OFFICER GRANT AND MOU BETWEEN MCMINN COUNTY, MCMINN COUNTY SHERIFF AND MCMINN COUNTY BOARD OF EDUCATION

WHEREAS, the Tennessee Department of Safety & Homeland Security has made available a Statewide School Resource Officer Grant to provide an SRO in each school across the state; and

WHEREAS, said grant will provide up to \$75,000 annually for each SRO and its equipment; and

WHEREAS, said grant requires an MOU be executed between McMinn County, McMinn County Sheriff and McMinn County Board of Education.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20th DAY OF OCTOBER, 2025 that this Commission does authorize McMinn County to apply for grant and enter into a memorandum of understanding with the McMinn County Sheriff and the McMinn County Board of Education as stipulated by the terms of the Statewide School Resource Officer Grant Program; and

FURTHER RESOLVES that the County Mayor and/or his designee is authorized to execute all documents necessary 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 Crisp, and seconded by Commissioner King, to approve this resolution.

Motion carried by voice vote.

H. A Resolution to Approve Contract Between McMinn County and Blount County Center for the Detention of Juvenile Offenders.

(Res # 25-079 con't)

Mr. Luallen presented resolution #25-079 along with a copy agreement from Blount County Sheriff's Department.

RESOLUTION NO. 25-079

A RESOLUTION TO APPROVE A CONTRACT BETWEEN
MCMINN COUNTY AND BLOUNT COUNTY CENTER FOR THE DETENTION OF
JUVENILE OFFENDERS

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 in contract with Blount County; and

WHEREAS, the terms of the contract currently are \$120.00 per day per child for each twenty-four (24) hour period or part thereof that the child is in custody at the Blount County Center; and

WHEREAS, the terms of the contract are being changed to \$170.00 per day per child for each twenty-four (24) hour period or part thereof that the child is in custody at the Blount County Center.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20th DAY OF OCTOBER, 2025, that this Commission does hereby agree to new terms of this contract with the Blount County Center.

(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 McPhail, to approve this resolution.

Motion carried by voice vote.

- I. A Resolution to Approve a Memorandum of Understanding Between the State of Tennessee Department of Finance and Administration, Benefits Administration and McMinn County.

Mr. Luallen presented resolution #25-080. Mr. Luallen said Insurance Committee and Finance Committee met and approved to move to State Health Insurance plan for employees.

RESOLUTION NO. 25-080

A RESOLUTION TO APPROVE
A MEMORANDUM OF UNDERSTANDING BETWEEN THE STATE OF TENNESSEE
DEPARTMENT OF FINANCE AND ADMINISTRATION, BENEFITS ADMINISTRATION AND
MCMINN COUNTY

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

(Res # 25-080 con't)

WHEREAS, McMinn County Insurance Committee and Financial Management Committee approved changing to employee and dependent medical insurance coverage to the State of Tennessee Plan, it is necessary to enter into a Memorandum of Understanding with the State of Tennessee Department of Finance and Administration, Benefits Administration; and

WHEREAS, the purpose of this agreement is to define the administrative requirements and responsibilities of the Tennessee Department of Finance and Administration, Benefits Administration and McMinn County Finance Office for participation in the group health plan coverage through the State of Tennessee's Local Government Plan and available Voluntary Benefits pursuant to TCA 8-27-702 *et seq.* and TCA 8-27-104 by the eligible Local Government Agency; and

WHEREAS, the term of this agreement shall be upon approval by the County Commission until terminated by mutual agreement.

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 20th DAY OF OCTOBER 2025, that this MEMORANDUM OF UNDERSTANDING be approved.

(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.

8. APPROVAL OF BUDGET AMENDMENTS

Fund: #General Fund #101			Date: 10/16/2025	
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Reserve	Unassigned Fund Balance	39000	46,000.00	
Sheriff Department	Liability Insurance	54110-506		46,000.00
Explanation: To budget additional funds for Law Enforcement Liability Insurance for FY 25-26.				
Veterans Service	Other Salaries & Wages	58300-189	2,475.00	
Veterans Service	Supervisor/Director	58300-105		1,877.00
Veterans Service	Part-time Personnel	58300-169		598.00
Explanation: To provide additional compensation for enhanced Veterans' Service Officer Certification.				
Fund: #General Fund #101			Date: 10/16/2025	
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Reserve	Unassigned Fund Balance	39000	300,000.00	
Federal through State	Appalachian Regional Commission	101-47170-ARC	300,000.00	
Tourism	Other Capital Outlay	101-58110-799		600,000.00
JOURNAL ENTRY REQUIRED				
Reserve	Hotel/Motel Tax Reserve	39128		300,000.00

(con't)

Reserve	Unassigned Fund Balance	39000	300,000.00	
Explanation: To budget revenue & expenditures related to ARC Grant for County Forest Strategic Plan. Match funded from Tourism portion of Hotel/Motel Tax Reserve. No affect on general budget.				

Fund: #General Fund #101			Date: 10/16/2025	
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Reserve	Unassigned Fund Balance	39000	52,159.00	
Sexual Offender Registry	Law Enforcement Equipment	54160-716		52,159.00
JOURNAL ENTRY REQUIRED				
Reserve	Sexual Offender Registry Reserve	39128	52,159.00	
Reserve	Unassigned Fund Balance	39000		52,159.00
Explanation: To budget fund from Sexual Offender Registry reserve for purchase of vehicles. No affect on general budget.				

Fund: #General Fund #101			Date: 10/16/2025	
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Reserve	Unassigned Fund Balance	39000	24,374.00	
Accounting & Budgeting	Data Processing Services	52100-317		24,374.00
Explanation: To budget for accounting software upgrades required as old version is phased out.				
	Other State Grants	46980-HIST		7,720.00
State of Tennessee	Other Supplies & Materials	51300-499		
7,720.00County Mayor				
Explanation: To budget expenditures related to Tennessee State Library and Archive Grants for Archive support, supplies and equipment.				

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

- Chairman Scott Curtis – Aye
- Tim King - Aye
- Roger Masingale - Aye
- 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 # 141			Date: 08/15/2025	
Early Childhood Education	Teachers	73400-116		10,279.38

(con't)

Early Childhood Education	Clerical Personnel	73400-162		.94
Early Childhood Education	Educational Assistants	73400-163	12,633.55	
Early Childhood Education	Social Security	73400-201	1,946.71	
Early Childhood Education	Pensions	73400-204	1,6387.87	
Early Childhood Education	Employer Medicare	73400-212	455.10	
Early Childhood Education	Retirement-Hybrid Stabilization	73400-217		6,393.91
Explanation: To amend the budget for FY 2025-26 Voluntary Pre-K budget to match ePlan.				

FUND: General Purpose School Fund # 141			DATE: 08/29/2025	
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Other Local Revenues	Early Childhood Education	46515-SSEPG	57,580.27	
Special Education Program	Teachers	71200-116 SSEPG		50,300.00
Special Education Program	Social Security	71200-201 SSEPG		3,118.60
Special Education Program	State Retirement	71200-204 SSEPG		2,515.00
Special Education Program	Life Insurance	71200-206 SSEPG		108.00
Special Education Program	Medical Insurance	71200-207 SSEPG		809.32
Special Education Program	Employer Medicare	71200-212 SSEPG		729.35
Explanation: To enter current budget for the State Special Education Preschool Grant for FY 2028-2026				

FUND: General Purpose School Fund # 141			DATE: 08/19/2025	
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Other Local Revenues	Other Local Revenues	44900-RAISE	25,000.00	
Revenue	Unassigned Fund Balance	39000	5,096.56	
Special Education Program Support	Other Salaries & Wages	72220-189 RAISE		25,600.00
Special Education Program Support	Social Security	72220-201 RAISE		1,587.20
Special Education Program Support	State Retirement	72220-204 RAISE		2,106.16
Special Education Program Support	Medicare	72220-212 RAISE		371.20
Special Education Program Support	Retirement-Hybrid Stabilization	72220-217 RAISE		432.00
Explanation: To add the budget for Project Raise Grant for Recruitment and Retention Award for FY 25-26. This year's grant is for \$25,000 and the remainder was carried over from FY 24-25.				

Federal Funds Received Through State	21 st Century Community	47150	195,000.00	
Community Services	Supervisor/Director	73300-105		29,957.37
Community Services	Teachers	73300-116		42,000.00
Community Services	Education Assistants	73300-163		28,000.00
Community Services	Other Salaries & Wages	73300-189		58,800.00
Community Services	Social Security	73300-201		9,842.96
Community Services	State Retirement	73300-204		7,456.82
Community Services	Life Insurance	73300-206		52.96
Community Services	Medical Insurance	73300-207		5,448.71
Community Services	Employer Medicare	73300-212		2,301.98
Community Services	Ret-Hybrid Stabilization	73300-217		4,032.00
Community Services	Travel	73300-355		100.00
Community Services	Other Contracted Services	73300-399		3,600.00
Community Services	Food Supplies	73300-422		407.00
Community Services	Instructional Supplies	73300-429		500.00
Community Services	Other Supplies and Materials	73300-499		500.00
Community Services	In-Services/Staff Development	73300-524		1,500.00
Community Services	Other Charges	73300-599		500.00
Explanation: To enter approved budget for the 21 st Century (After School) Grant for FY 25-26.				

(con't)

Fund: General Purpose School Fund # 141			Date: 09/03/2025	
Revenue	Unassigned Fund Balance	39000	300,000.00	
Maintenance of Plant	Maintenance & Repair Service	72620-335		300,000.00
Explanation: To move funds from Unassigned Fund Balance to increase the Maintenance line item for the remainder of FY 25-26.				
Date: 09/19/2025				
Other State Revenue	Other State Grants	46980-SECUR	98,244.72	
Other Student Support	Other Supplies & Materials	72130-499SECUR		21,560.00
Maintenance of Plant	Other Equipment	72620-790SECUR		76,684.72
Explanation: To enter the budget for the Public-School Security Grant for FY 2025-2026. These funds would be used for additional cameras, outdoor surveillance, door hardware, and lock boxes.				
Date: 09/18/2025				
Other Local Revenue	Other Local Revenue	44990-ART	8,000.00	
Regular Education Program	Other Supplies & Materials	71100-499ART		8,000.00
Explanation: To enter budget for the Mayfield Art grant for FY 2025-2026				
Date: 09/18/2025				
State Revenue	Other State Education Funds	46590	2,233.00	
Career & Technical Education Program	Bonus Payments	71300-188		2,000.00
Career & Technical Education Program	Social Security	71300-201		24.00
Career & Technical Education Program	State Retirement	71300-204		100.00
Career & Technical Education Program	Employer Medicare	71300-212		29.00
Career & Technical Education Program	Ret-Hybrid Stabilization	71300-217		80.00
Explanation: One-Time Teacher Bonus of \$2,000 plus benefits by the State for one employee after an appeal was approved.				
Date: 09/09/2025				
Revenue	Unassigned Fund Balance	39000	124,993.00	
Regular Education Program	Teachers	71100-116		56,514.00
Regular Education Program	Social Security	71100-201		3,504.00
Regular Education Program	State Retirement	71100-204		2,826.00
Regular Education Program	Life Insurance	71100-206		115.00
Regular Education Program	Medical Insurance	71100-207		15,970.00
Regular Education Program	Employer Medicare	71100-212		819.00
Regular Education Program	Ret-Hybrid Stabilization	71100-217		2,261.00
Special Education Program	Educational Assistants	71200-163		24,376.00
Special Education Program	Social Security	71200-201		1,511.00
Special Education Program	State Retirement	71200-204		1,017.00
Special Education Program	Life Insurance	71200-206		115.00
Special Education Program	Medical Insurance	71200-207		15,612.00
Special Education Program	Employer Medicare	71200-212		353.00
Explanation: To add a teaching position at Mountain View Elementary and on educational aide position Riceville Elementary for the remainder of FY 25-26.				

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

- Chairman Scott Curtis – Aye
- Tim King - Aye
- Roger Masingale - Aye
- 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:

Mellisa Hughes was not on the agenda but gave her annual report after Budget Amendments.

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.

9. COMMENTS FROM THE AUDIENCE

None.

10. RESOLUTIONS

- A. A Resolution to Approve an Extension of the Ambulance Service Contract with American Medical Response (AMR).

Mr. Gentry presented resolution # 25-081.

RESOLUTION NO. 25-081

A RESOLUTION TO APPROVE AN EXTENSION OF THE AMBULANCE SERVICE CONTRACT WITH AMERICAN MEDICAL RESPONSE (AMR)

WHEREAS, AMR is McMinn County's contracted ambulance service provider for both emergency and non-emergency calls; and

WHEREAS, the contract automatically renews for a five-year period, unless either party provides a 120-day notice; and

WHEREAS, both parties have requested a six-month extension of the current contract which moves the termination date to September 9, 2026, and the notification of termination date to May 12, 2026; and

WHEREAS, AMR neither receives nor requests a subsidy to provide the service during the six-month contract extension; and

WHEREAS, both parties also agree to the 6-month extension, with an amendment to include the following items:

- A. All references to Advanced Life Support (ALS) ambulances shall be interpreted as the definition of ALS truck as defined by the State of Tennessee.
- B. AMR shall provide five (5) ALS trucks, of which the fifth truck may operate on a twelve (12) hour flex schedule with at least one quick response vehicle available as needed.
- C. Approval for AMR to charge market rates (Attached) as authorized by Section 10 (c) ii of the contract

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE MEETING IN REGULAR SESSION ON THIS THE 20th DAY OF OCTOBER 2025, that this Commission does hereby approve a six-month extension to the contract with American Medical Response and FURTHERMORE, grants authority to the county mayor to execute any and all documents to fulfill the intent of this resolution.

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

Attest:

(Orig signed by Melinda King)
County Clerk

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

Motion carried by voice vote

B. A Resolution to Enter into a Consent Order and Agreement Between McMinn County and the Tennessee Department of Environment and Conservation Division of Solid Waste Management.

Mr. Gentry presented resolution # 25-082. This did have Solid Waste Committee approval.

RESOLUTION NO. 25-082

A RESOLUTION TO ENTER INTO A CONSENT ORDER AND AGREEMENT BETWEEN McMINN COUNTY AND THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION DIVISION OF SOLID WASTE MANAGEMENT

WHEREAS, McMinn County owns an inactive Class I Sanitary Landfill at 391 County Road 750, Athens, Tennessee: and

WHEREAS, the Division of Solid Waste Management (the Division) is charged with the supervision over the operation and maintenance of solid waste disposal facilities; and

WHEREAS, upon review of the annual engineering report (AER) the Division recognized “mothballed” phases I and III of the landfill had a lateral overfill due to contours that exceeded the engineered permitted 3:1 slope specification; and

WHEREAS, at the request of the Division, the McMinn County Landfill conducted numerous surveys and tests that indicated no waste exceeded the landfill liner boundary; and

WHEREAS, due to the slope exceeding the 3:1 ratio a Notice of Violation was issued by the Division until such time an acceptable solution could be developed to bring the phases into compliance: and

WHEREAS, the Division recommended a Consent Order be drafted that would allow McMinn County to propose a solution to correct the slopes and begin the closure process for the affected cell.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20TH DAY OF OCTOBER, 2025, that this Commission agrees to enter into a Consent Order with the Division of Solid Waste Management to correct any permit errancies and to bring the affected cell phases into permit compliance with the intent to ultimately initiate cell closure; and FURTHERMORE, grants authority to the County Mayor, County Attorney and the Landfill Director to execute the requirements of the Consent Order 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 McPhail, and seconded by Commissioner Simpson to approve this resolution.

Motion carried by voice vote.

C. An Agreement Between McMinn County, Monroe County, City of Sweetwater, and Watts Bar Utility District for Participating in Development of I-75 Exit 60 for Industrial Development

(Res # 25-083 con't)

Mr. Gentry presented resolution # 25-083. This did have Budget Committee approval.

Joint Resolution No.25-083

AN AGREEMENT BETWEEN MCMINN COUNTY, MONROE COUNTY, CITY OF SWEETWATER, AND WATTS BAR UTILITY DISTRICT FOR PARTICIPATING IN DEVELOPMENT OF I-75 EXIT 60 FOR INDUSTRIAL DEVELOPMENT

WHEREAS, local economic development is of great importance to the well being of all the citizens of the City of Sweetwater, Monroe County, and McMinn County; and

WHEREAS, Watts Bar Utility District would like to participate in helping the local economic development of the City of Sweetwater, Monroe County, and McMinn County; and

WHEREAS, our local economy is in need of new industries and commercial ventures that support jobs for our citizens; and

WHEREAS, Monroe County, McMinn County, and the City of Sweetwater would jointly benefit from the development proposed at Interstate 75, Exit 60, known as the Pleasant Grove Project, which is located on land that will benefit each of said governments; and

WHEREAS, these governments resolved in May 2016, to fully support construction of infrastructure for the Pleasant Grove Project to enhance the economies of each of these rural jurisdictions; and

WHEREAS, these governments entered into a Memorandum of Understanding on May 14, 2017, in which each government committed to provide funds to the Developer for the construction of infrastructure described in or required by plans dated January 19, 2017 by Cannon & Cannon Inc.; and

WHEREAS, the cost of the infrastructure contributions proposed by this Resolution is far less than the cost of a Tax Increment Financing for the same project, which might take as long as 20 years to recover without interest, the Developer is funding \$145 million of planned real estate improvements including \$2,670,000 of the \$4,826,000 total infrastructure cost, and an independent evaluation showed a ten-year economic impact of the development to be 1,400 jobs and \$4.4 billion dollars; and

WHEREAS, said funding is authorized by state law and the Charter of the City of Sweetwater, now

THEREFORE, be it resolved by each of said entities, as follows:

Section 1: The Watts Bar Utility District will pay \$300,000.00 for its part and McMinn County's part of the cost, and McMinn County will reimburse the sum of \$750,000 to Watts Bar Utility District, for its part of the cost, for the extension of a 12-inch water main along McMinn County Rd 316 by Watts Bar Utility District from its existing water main to the Pleasant Grove Project site.

Section 2. Monroe County will reimburse the sum of \$250,000.00 to the Developer, for its part of the cost of the improvement of the existing road from TN Hwy 68 to the entrance of the Pleasant Grove Project site. Additionally, the Monroe County IDB authorizes payment of their \$75,000.00 remaining in the Sweetwater trust account toward the costs of the Pleasant Grove Road Improvements.

Section 3. The City of Sweetwater will reimburse the sum of \$696,000 to the Developer, for its part of the cost of the construction of roads inside the Pleasant Grove Project site. Additionally, the City of Sweetwater authorizes the payment of their \$75,000.00 remaining in the Sweetwater trust account toward the costs of the Pleasant Grove Road Improvements.

Section 4. The City of Sweetwater and/or the Sweetwater Industrial Development Board will act as the agent for the administration of this project. All annexation, zoning, building applications and issuance of permits, and codes

(Res # 25-083 con't)

compliance and enforcement shall be administered exclusively by the Sweetwater City Planner or the appropriate utility.

Section 5. The infrastructure of the Pleasant Grove Project funded, in part, pursuant to this resolution shall be completed and certificates of completion shall have been issued by the City of Sweetwater for two (2) or more buildings within two (2) years from the date a land purchase contract is closed by the Developer.

Section 6. Said funds shall be paid to the Developer, upon completion of the infrastructure of the Pleasant Grove Project and certificates of completion for the first two (2) buildings in said Project have been issued by the City of Sweetwater and the completed installation of all water infrastructure has been approved by the appropriate utility.

Section 7. If certificates of completion for two (2) or more buildings are not issued within two (2) years from the date a land purchase contract is closed by the Developer, then the parties to this Resolution shall be relieved of all obligations hereunder.

Section 8: The Developer's private infrastructure and road investment shall be secured by a commercial performance bond by the Developer or its general contractor.

Section 9: Utility assets developed in this project shall be dedicated to the appropriate utility upon completion of the project. Remaining infrastructure assets shall be dedicated to the applicable governmental entity.

Section 10: These entities acknowledge that for certain parcels in McMinn and Monroe Counties, certain services, such as sanitary sewer, will only be provided upon annexation into the City of Sweetwater. Further, existing and/or future development may require public services that necessitate annexation into the City of Sweetwater.

Section 11: This Resolution is authorized by the following state law: Tenn. Code Ann. §5-1-113, authorizing cooperative agreements between counties and municipalities; Tenn. Code Ann. §5-1-114, authorizing cooperative agreements between contiguous counties; and Tenn. Code Ann. §29-101 et. seq. authorizing interlocal agency agreements.

Section 12: Counterparts of the signature pages of this document may be executed separately and, when combined, be treated together as part of this resolution.

John M. Gentry
McMinn County Mayor

Mitch Ingram
Monroe County Mayor

Angie Arp Kyle
Mayor, City of Sweetwater

Mickey Barger
General Manager, Watts Bar Utility District

(Res # 25-083 con't)

(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 King to approve this resolution.

Motion carried by voice vote

- D. A Resolution Adopted for the Purpose of Amending the McMinn County, Tennessee Regional Zoning Resolution Regulating Development within the Jurisdiction of McMinn County, Tennessee, to Minimize Danger to Life and Property Due to Flooding, and to Maintain Eligibility for Participation in the National Flood Insurance Program

Mr. Gentry presented resolution # 25-084. This did have Flood Insurance Committee approval.

RESOLUTION NO. 25-084

COUNTY FLOOD DAMAGE PREVENTION RESOLUTION

A RESOLUTION ADOPTED FOR THE PURPOSE OF AMENDING THE MCMINN COUNTY, TENNESSEE REGIONAL ZONING RESOLUTION REGULATING DEVELOPMENT WITHIN THE JURISDICTION OF MCMINN COUNTY, TENNESSEE, TO MINIMIZE DANGER TO LIFE AND PROPERTY DUE TO FLOODING, AND TO MAINTAIN ELIGIBILITY FOR PARTICIPATION IN THE NATIONAL FLOOD INSURANCE PROGRAM.

ARTICLE I. STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE, AND OBJECTIVES

Section A. Statutory Authorization

The Legislature of the State of Tennessee has in Sections 13-7-101 through 13-7-115, Tennessee Code Annotated delegated the responsibility to the county legislative body to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the McMinn County, Tennessee, Mayor and Board of Commissioners, do resolve as follows:

Section B. Findings of Fact

1. The McMinn County, Tennessee, Mayor and its Legislative Body wish to maintain eligibility in the National Flood Insurance Program (NFIP) and in order to do so must meet the NFIP regulations found in Title 44 of the Code of Federal Regulations (CFR), Ch. 1, Section 60.3.
2. Areas of McMinn County, Tennessee are subject to periodic inundation which could result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

(Res # 25-084 con't)

3. Flood losses are caused by the cumulative effect of obstructions in floodplains, causing increases in flood heights and velocities; by uses in flood hazard areas which are vulnerable to floods; or construction which is inadequately elevated, floodproofed, or otherwise unprotected from flood damages.

Section C. Statement of Purpose

It is the purpose of this Resolution to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas. This Resolution is designed to:

1. Restrict or prohibit uses which are vulnerable to flooding or erosion hazards, or which result in damaging increases in erosion, flood heights, or velocities;
2. Require that uses vulnerable to floods, including community facilities, be protected against flood damage at the time of initial construction;
3. Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of floodwaters;
4. Control filling, grading, dredging and other development which may increase flood damage or erosion;
5. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

Section D. Objectives

The objectives of this Resolution are:

1. To protect human life, health, safety, and property;
2. To minimize expenditure of public funds for costly flood control projects;
3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. To minimize prolonged business interruptions;
5. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in flood prone areas;
6. To help maintain a stable tax base by providing for the sound use and development of floodprone areas to minimize blight in flood areas;
7. To ensure that potential homebuyers are notified that property is in a floodprone area;
8. To maintain eligibility for participation in the NFIP.

ARTICLE II. DEFINITIONS

Unless specifically defined below, words or phrases used in this Resolution shall be interpreted as to give them the meaning they have in common usage and to give this Resolution its most reasonable application given its stated purpose and objectives.

"Accessory Structure" means a subordinate structure to the principal structure on the same lot and, for the purpose of this Resolution, shall conform to the following:

1. Accessory structures shall only be used for parking of vehicles and storage.
2. Accessory structures shall be designed to have low flood damage potential.

(Res # 25-084 con't)

3. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters.
4. Accessory structures shall be firmly anchored to prevent flotation, collapse, and lateral movement, which otherwise may result in damage to other structures.
5. Utilities and service facilities such as electrical and heating equipment shall be elevated or otherwise protected from intrusion of floodwaters.

"Addition (to an existing building)" means any walled and roofed expansion to the perimeter or height of a building.

"Appeal" means a request for a review of the local enforcement officer's interpretation of any provision of this Resolution or a request for a variance.

"Area of Shallow Flooding" means a designated AO or AH Zone on a community's Flood Insurance Rate Map (FIRM) with one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate; and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

"Area of Special Flood-related Erosion Hazard" is the land within a community which is most likely to be subject to severe flood-related erosion losses. The area may be designated as Zone E on the Flood Hazard Boundary Map (FHBM). After the detailed evaluation of the special flood-related erosion hazard area in preparation for publication of the FIRM, Zone E may be further refined.

"Area of Special Flood Hazard" see "Special Flood Hazard Area".

"Base Flood" means the flood having a one percent chance of being equaled or exceeded in any given year. This term is also referred to as the 100-year flood or the one (1)-percent annual chance flood.

"Basement" means any portion of a building having its floor subgrade (below ground level) on all sides.

"Building" see "Structure".

"Development" means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or storage of equipment or materials.

"Elevated Building" means a non-basement building built to have the lowest floor of the lowest enclosed area elevated above the ground level by means of solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwater, pilings, columns, piers, or shear walls adequately anchored so as not to impair the structural integrity of the building during a base flood event.

"Emergency Flood Insurance Program" or "Emergency Program" means the program as implemented on an emergency basis in accordance with Section 1336 of the Act. It is intended as a program to provide a first layer amount of insurance on all insurable structures before the effective date of the initial FIRM.

"Erosion" means the process of the gradual wearing away of land masses. This peril is not "per se" covered under the Program.

"Exception" means a waiver from the provisions of this Resolution which relieves the applicant from the requirements of a rule, regulation, order or other determination made or issued pursuant to this Resolution.

"Existing Construction" means any structure for which the "start of construction" commenced before the effective date of the initial floodplain management code or resolution adopted by the community as a basis for that community's participation in the NFIP.

(Res # 25-084 con't)

"Existing Manufactured Home Park or Subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, final site grading or the pouring of concrete pads) is completed before the effective date of the first floodplain management code or resolution adopted by the community as a basis for that community's participation in the NFIP.

"Existing Structures" see "Existing Construction".

"Expansion to an Existing Manufactured Home Park or Subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

"Flood" or "Flooding"

(a) A general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters.
2. The unusual and rapid accumulation or runoff of surface waters from any source.
3. Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph (a)(2) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.

(b) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (a)(1) of this definition.

"Flood Elevation Determination" means a determination by the Federal Emergency Management Agency (FEMA) of the water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year.

"Flood Elevation Study" means an examination, evaluation, and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) or flood-related erosion hazards.

"Flood Hazard Boundary Map (FHBM)" means an official map of a community, issued by FEMA, where the boundaries of areas of special flood hazard have been designated as Zone A.

"Flood Insurance Rate Map (FIRM)" means an official map of a community, issued by FEMA, delineating the areas of special flood hazard or the risk premium zones applicable to the community.

"Flood Insurance Study" is the official report provided by FEMA, evaluating flood hazards and containing flood profiles and water surface elevation of the base flood.

"Floodplain" or "Floodprone Area" means any land area susceptible to being inundated by water from any source (see definition of "flooding").

"Floodplain Management" means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

(Res # 25-084 con't)

"Flood Protection System" means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

"Floodproofing" means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities and structures and their contents.

"Flood-related Erosion" means the collapse or subsidence of land along the shore of a lake or other body of water as a result of undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a flash flood, or by some similarly unusual and unforeseeable event which results in flooding.

"Flood-related Erosion Area" or **"Flood-related Erosion Prone Area"** means a land area adjoining the shore of a lake or other body of water, which due to the composition of the shoreline or bank and high-water levels or wind-driven currents, is likely to suffer flood-related erosion damage.

"Flood-related Erosion Area Management" means the operation of an overall program of corrective and preventive measures for reducing flood-related erosion damage, including but not limited to emergency preparedness plans, flood-related erosion control works and floodplain management regulations.

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

"Freeboard" means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, blockage of bridge or culvert openings, and the hydrological effect of urbanization of the watershed.

"Functionally Dependent Use" means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

"Highest Adjacent Grade" means the highest natural elevation of the ground surface, prior to construction, adjacent to the proposed walls of a structure.

"Historic Structure" means any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on the Tennessee inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the Secretary of the Interior; or

(Res # 25-084 con't)

4. Individually listed on the McMinn County, Tennessee inventory of historic places and determined as eligible by communities with historic preservation programs that have been certified either:
 - a. By the approved Tennessee program as determined by the Secretary of the Interior or
 - b. Directly by the Secretary of the Interior.

"Letter of Map Change (LOMC)" means an official FEMA determination, by letter, that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:

"Letter of Map Amendment (LOMA)" An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property or structure is not located in a special flood hazard area.

"Conditional Letter of Map Revision Based on Fill (CLOMR-F)" A determination that a parcel of land or proposed structure that will be elevated by fill would not be inundated by the base flood if fill is placed on the parcel as proposed or the structure is built as proposed.

"Letter of Map Revision Based on Fill (LOMR-F)" A determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer exposed to flooding associated with the base flood. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.

"Conditional Letter of Map Revision (CLOMR)" A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA, to revise the effective FIRM.

"Letter of Map Revision (LOMR)" Letter of Map Revisions are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The LOMR officially revises the Flood Insurance Rate Map (FIRM) or Flood Boundary and Floodway Map (FBFM), and sometimes the Flood Insurance Study (FIS) report, and when appropriate, includes a description of the modifications. The LOMR is generally accompanied by an annotated copy of the affected portions of the FIRM, FBFM, or FIS report.

"Levee" means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

"Levee System" means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices. **"Lowest Floor"** means the lowest floor of the lowest enclosed area, including a basement. An unfinished or flood resistant enclosure used solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Resolution.

(Res # 25-084 con't)

"Manufactured Home" means a structure, transportable in one or more sections, which is built on a permanent chassis and designed for use with or without a permanent foundation when attached to the required utilities. The term "Manufactured Home" does not include a "Recreational Vehicle".

"Manufactured Home Park or Subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

"Map" means the Flood Hazard Boundary Map (FHBM) or the Flood Insurance Rate Map (FIRM) for a community issued by FEMA.

"Mean Sea Level" means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For the purposes of this Resolution, the term is synonymous with the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum (NAVD) of 1988, or other datum, to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.

"National Geodetic Vertical Datum (NGVD)" means, as corrected in 1929, a vertical control used as a reference for establishing varying elevations within the floodplain.

"New Construction" means any structure for which the "start of construction" commenced on or after the effective date of the initial floodplain management Resolution and includes any subsequent improvements to such structure.

"New Manufactured Home Park or Subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of this resolution or the effective date of the initial floodplain management resolution and includes any subsequent improvements to such structure.

"North American Vertical Datum (NAVD)" means, as corrected in 1988, a vertical control used as a reference for establishing varying elevations within the floodplain.

"100-year Flood" see **"Base Flood"**.

"Person" includes any individual or group of individuals, corporation, partnership, association, or any other entity, including State and local governments and agencies.

"Reasonably Safe from Flooding" means base flood waters will not inundate the land or damage structures to be removed from the Special Flood Hazard Area and that any subsurface waters related to the base flood will not damage existing or proposed structures.

"Recreational Vehicle" means a vehicle which is:

1. Built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light duty truck;
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

"Regulatory Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

(Res # 25-084 con't)

“Regulatory Flood Protection Elevation” means the “Base Flood Elevation” plus the “Freeboard”. In “Special Flood Hazard Areas” where Base Flood Elevations (BFEs) have been determined, this elevation shall be the BFE plus 1 foot. In “Special Flood Hazard Areas” where no BFE has been established, this elevation shall be at least three (3) feet above the highest adjacent grade.

“Riverine” means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

“Special Flood Hazard Area” is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A 9 on the FHBM. After detailed ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE or A99.

“Special Hazard Area” means an area having special flood, mudslide (i.e., mudflow) and/or flood-related erosion hazards, and shown on an FHBM or FIRM as Zone A, AO, A1-30, AE, A99, or AH.

“Start of Construction” includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; and includes the placement of a manufactured home on a foundation. Permanent construction does not include initial land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds, not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

“State Coordinating Agency” the Tennessee Emergency Management Agency, State NFIP Office, as designated by the Governor of the State of Tennessee at the request of FEMA to assist in the implementation of the NFIP for the State.

“Structure” for purposes of this Resolution, means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

“Substantial Damage” means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.

“Substantial Improvement” means any reconstruction, rehabilitation, addition, alteration, or other improvement of a structure in which the cost equals or exceeds fifty percent (50%) of the market value of the structure before the "start of construction" of the initial improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The market value of the structure should be (1) the appraised value of the structure prior to the start of the initial improvement, or (2) in the case of substantial damage, the value of the structure prior to the damage occurring.

The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of State or local health, sanitary, or safety code specifications which have been pre-identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions and not solely triggered by an improvement or repair project or; (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

“Substantially Improved Existing Manufactured Home Parks or Subdivisions” is where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds fifty percent

(Res # 25-084 con't)

(50%) of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

"Variance" is a grant of relief from the requirements of this Resolution.

"Violation" means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certification, or other evidence of compliance required in this Resolution is presumed to be in violation until such time as that documentation is provided.

"Water Surface Elevation" means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum (NAVD) of 1988, or other datum, where specified, of floods of various magnitudes and frequencies in the floodplains of riverine areas.

ARTICLE III. GENERAL PROVISIONS

Section A. Application

This Resolution shall apply to all areas within the unincorporated area of McMinn County, Tennessee.

Section B. Basis for Establishing the Areas of Special Flood Hazard

The Areas of Special Flood Hazard identified on the McMinn County, Tennessee, as identified by FEMA, and in its Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM), Community Panel Numbers 47107C0114D, 47107C0118D, 47107C0119D, 47107C0150D, 47107C0175D, 47107C0182D, 47107C0184D, 47107C0192D, 47107C0200D, 47107C0201D, 47107C0202D, 47107C0203D, 47107C0204D, 47107C0211D, 47107C0212D, 47107C0225D, 47107C0236D, 47107C0250D, 47107C0286D, 47107C0300D, 47107C0306D, 47107C0307D, 47107C0308D, 47107C0309D, 47107C0325D, 47107C0350D, 47107C0375D dated September 28, 2007 and 47107C0267E, 47107C0275E, dated May 4, 2009 and 47107C0025E, 47107C0050E, 47107C0085E, 47107C0100E, 47107C0125E, 47107CIND0C dated November 28, 2025 along with all supporting technical data, are adopted by reference and declared to be a part of this Resolution.

Section C. Requirement for Development Permit

A development permit shall be required in conformity with this Resolution prior to the commencement of any development activities.

Section D. Compliance

No land, structure or use shall hereafter be located, extended, converted, or structurally altered without full compliance with the terms of this Resolution and other applicable regulations.

Section E. Abrogation and Greater Restrictions

This Resolution is not intended to repeal, abrogate, or impair any existing easements, covenants or deed restrictions. However, where this Resolution conflicts or overlaps with another regulatory instrument, whichever imposes the more stringent restrictions shall prevail.

Section F. Interpretation

In the interpretation and application of this Resolution, all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the governing body and; (3) deemed neither to limit nor repeal any other powers granted under Tennessee statutes.

Section G. Warning and Disclaimer of Liability The degree of flood protection required by this Resolution is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-

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made or natural causes. This Resolution does not imply that land outside the Areas of Special Flood Hazard or uses permitted within such areas will be free from flooding or flood damages. This Resolution shall not create liability on the part of McMinn County, Tennessee or by any officer or employee thereof for any flood damages that result from reliance on this Resolution or any administrative decision lawfully made hereunder.

Section H. Penalties for Violation

Violation of the provisions of this Resolution or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance shall constitute a misdemeanor punishable as other misdemeanors as provided by law. Any person who violates this resolution or fails to comply with any of its requirements shall, upon adjudication therefore, be fined as prescribed by Tennessee statutes, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent McMinn County, Tennessee from taking such other lawful actions to prevent or remedy any violation.

ARTICLE IV. ADMINISTRATION

Section A. Designation of Resolution Administrator

The McMinn County Planner is hereby appointed as the Administrator to implement the provisions of this Resolution.

Section B. Permit Procedures

Application for a development permit shall be made to the Administrator on forms furnished by the community prior to any development activities. The development permit may include, but is not limited to the following: plans in duplicate drawn to scale and showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, earthen fill placement, storage of materials or equipment, and drainage facilities. Specifically, the following information is required:

1. Application stage
 - A . Elevation in relation to mean sea level of the proposed lowest floor, including basement, of all buildings where Base Flood Elevations are available, or to certain height above the highest adjacent grade when applicable under this Resolution.
 - b. Elevation in relation to mean sea level to which any non-residential building will be floodproofed where Base Flood Elevations are available, or to certain height above the highest adjacent grade when applicable under this Resolution.
 - c. A FEMA Floodproofing Certificate from a Tennessee registered professional engineer or architect that the proposed non-residential floodproofed building will meet the floodproofing criteria in Article V, Sections A and B.
 - d. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
 - e. In order to determine if improvements or damage meet the Substantial Improvement or Substantial Damage criteria, the applicant shall provide to the Floodplain Administrator a detailed cost to repair all damages and/or cost of improvements which includes the complete costs associated with all types of work necessary to completely repair or improve a building. These include the costs of all materials, labor, and other items necessary to perform the proposed work. These must be in the form of:
 - An itemized costs of materials, and labor, or estimates of materials and labor that are prepared by licensed contractors or professional construction cost estimators

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- Building valuation tables published by building code organizations and cost-estimating manuals and tools available from professional building cost-estimating services.
- A qualified estimate of costs that is prepared by the local official using professional judgement and knowledge of local and regional construction costs.
- A detailed cost estimate provided and prepared by the building owner. This must include as much supporting documentation as possible (such as pricing information from lumber companies, plumbing and electrical suppliers, etc.). In addition, the estimate must include the value of labor, including the value of the owner's labor.

2. Construction Stage

Within AE Zones, where Base Flood Elevation data is available, any lowest floor certification made relative to mean sea level shall be prepared by or under the direct supervision of, a Tennessee registered land surveyor and certified by same. The Administrator shall record the elevation of the lowest floor on the development permit. When floodproofing is utilized for a non-residential building, said certification shall be prepared by, or under the direct supervision of, a Tennessee registered professional engineer or architect and certified by same.

Within approximate A Zones, where Base Flood Elevation data is not available, the elevation of the lowest floor shall be determined as the measurement of the lowest floor of the building relative to the highest adjacent grade. The Administrator shall record the elevation of the lowest floor on the development 13 permit. When floodproofing is utilized for a non-residential building, said certification shall be prepared by, or under the direct supervision of, a Tennessee registered professional engineer or architect and certified by same.

For all new construction and substantial improvements, the permit holder shall provide to the Administrator an as-built certification of the lowest floor elevation or floodproofing level upon the completion of the lowest floor or floodproofing.

Any work undertaken prior to submission of the certification shall be at the permit holder's risk. The Administrator shall review the above-referenced certification data. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further work being allowed to proceed. Failure to submit the certification or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.

3. Finished Construction Stage

A final Finished Construction Elevation Certificate is required after construction is completed and prior to Certificate of Compliance/Occupancy issuance. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of final as-built construction of the elevation of the reference level and all attendant utilities. The Administrator will keep the certificate on file in perpetuity.

Section C. Duties and Responsibilities of the Administrator

Duties of the Administrator shall include, but not be limited to, the following:

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1. Review all development permits to assure that the permit requirements of this Resolution have been satisfied, and that proposed building sites will be reasonably safe from flooding.
2. Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.
3. Notify adjacent communities and the Tennessee Emergency Management Agency, State NFIP Office, prior to any alteration or relocation of a watercourse and submit evidence of such notification to FEMA.
4. For any altered or relocated watercourse, submit engineering data/analysis within six (6) months to FEMA to ensure accuracy of community FIRM's through the Letter of Map Revision process.
5. Assure that the flood carrying capacity within an altered or relocated portion of any watercourse is maintained.
6. Record the elevation, in relation to mean sea level or the highest adjacent grade, where applicable, of the lowest floor (including basement) of all new and substantially improved buildings, in accordance with Article IV, Section B. 14
7. Record the actual elevation, in relation to mean sea level or the highest adjacent grade, where applicable to which the new and substantially improved buildings have been floodproofed, in accordance with Article IV, Section B.
8. When floodproofing is utilized for a nonresidential structure, obtain certification of design criteria from a Tennessee registered professional engineer or architect, in accordance with Article IV, Section B.
9. Where interpretation is needed as to the exact location of boundaries of the Areas of Special Flood Hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this Resolution.
10. When Base Flood Elevation data and floodway data have not been provided by FEMA, obtain, review, and reasonably utilize any Base Flood Elevation and floodway data available from a Federal, State, or other sources, including data developed as a result of these regulations, as criteria for requiring that new construction, substantial improvements, or other development in Zone A on the McMinn County, Tennessee FIRM meet the requirements of this Resolution.
11. Maintain all records pertaining to the provisions of this Resolution in the office of the Administrator and shall be open for public inspection. Permits issued under the provisions of this Resolution shall be maintained in a separate file or marked for expedited retrieval within combined files.
12. A final Finished Construction Elevation Certificate (the latest edition of FEMA Elevation Certificate Form) is required after construction is completed and prior to Certificate of Compliance/Occupancy issuance. It shall be the duty of the permit holder to submit to the

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Floodplain Administrator a certification of final asbuilt construction of the elevation of the reference level and all attendant utilities. The Floodplain Administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to Certificate of Compliance/Occupancy issuance. In some instances, another certification may be required to certify corrected as-built construction. Failure to submit the certification or failure to make required corrections shall be cause to withhold the issuance of a Certificate of Compliance/Occupancy. The Finished Construction Elevation Certificate certifier shall provide at least 2 photographs showing the front and rear of the building taken within 90 days from the date of certification. The photographs must be taken with views confirming the building description and diagram number provided in Section A. To the extent possible, these photographs should show the entire building including foundation. If the building has split-level or multi-level areas, provide at least 2 additional photographs showing side views of the building. In addition, when applicable, provide a photograph of the foundation showing a representative example of the flood openings or vents. All photographs must be in color and measure at least 3" × 3". Digital photographs are acceptable.

ARTICLE V. PROVISIONS FOR FLOOD HAZARD REDUCTION

Section A. General Standards

In all areas of special flood hazard, the following provisions are required:

1. New construction and substantial improvements shall be anchored to prevent flotation, collapse and lateral movement of the structure;
2. Manufactured homes shall be installed using methods and practices that minimize flood damage. They must be elevated and anchored to prevent flotation, collapse and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State of Tennessee and local anchoring requirements for resisting wind forces.
3. New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;
4. New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage;
5. All electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
6. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
7. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
8. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;
9. Any alteration, repair, reconstruction or improvements to a building that is in compliance with the provisions of this Resolution, shall meet the requirements of "new construction" as contained in this Resolution;
10. Any alteration, repair, reconstruction or improvements to a building that is not in compliance with the provision of this Resolution, shall be undertaken only if said non-conformity is not further extended or replaced;

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11. All new construction and substantial improvement proposals shall provide copies of all necessary Federal and State permits, including Section 404 of the Federal Water Pollution Control Act amendments of 1972, 33 U.S.C. 1334;
12. All subdivision proposals and other proposed new development proposals shall meet the standards of Article V, Section B; 16
13. When proposed new construction and substantial improvements are partially located in an area of special flood hazard, the entire structure shall meet the standards for new construction;
14. When proposed new construction and substantial improvements are located in multiple flood hazard risk zones or in a flood hazard risk zone with multiple Base Flood Elevations, the entire structure shall meet the standards for the most hazardous flood hazard risk zone and the highest Base Flood Elevation.

Section B. Specific Standards

In all Areas of Special Flood Hazard, the following provisions, in addition to those set forth in Article V, Section A, are required:

1. Residential Structures

In AE Zones where Base Flood Elevation data is available, new construction and substantial improvement of any residential building (or manufactured home) shall have the lowest floor, including basement, elevated to no lower than one (1) foot above the Base Flood Elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures".

Within approximate A Zones where Base Flood Elevations have not been established and where alternative data is not available, the administrator shall require the lowest floor of a building to be elevated to a level of at least three (3) feet above the highest adjacent grade (as defined in Article II). Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures"

2. Non-Residential Structures

In AE Zones, where Base Flood Elevation data is available, new construction and substantial improvement of any commercial, industrial, or non-residential building, shall have the lowest floor, including basement, elevated or floodproofed to no lower than one (1) foot above the level of the Base Flood Elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures"

In approximate A Zones, where Base Flood Elevations have not been established and where alternative data is not available, new construction and substantial improvement of any commercial, industrial, or non-residential building, shall have the lowest floor, including basement, elevated or floodproofed to no lower than three (3) feet above the highest adjacent grade (as defined in Article II). Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to

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facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures"

Non-Residential buildings located in all A Zones may be floodproofed, in lieu of being elevated, provided that all areas of the building below the required elevation are watertight, with walls substantially impermeable to the passage of water, and are built with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A Tennessee registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the Administrator as set forth in Article IV, Section B.

3. Enclosures

All new construction and substantial improvements that include fully enclosed areas formed by foundation and other exterior walls below the lowest floor that are subject to flooding, shall be designed to preclude finished living space and designed to allow for the entry and exit of flood waters to automatically equalize hydrostatic flood forces on exterior walls.

- a. Designs for complying with this requirement must either be certified by a Tennessee professional engineer or architect or meet or exceed the following minimum criteria.
 - 1) Provide a minimum of two openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding;
 - 2) The bottom of all openings shall be no higher than one (1) foot above the finished grade;
 - 3) Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.
- b. The enclosed area shall be the minimum necessary to allow for parking of vehicles, storage or building access.
- c. The interior portion of such enclosed area shall not be finished or partitioned into separate rooms in such a way as to impede the movement of floodwaters and all such partitions shall comply with the provisions of Article V, Section B.

4. Standards for Manufactured Homes and Recreational Vehicles

- a. All manufactured homes placed, or substantially improved, on: (1) individual lots or parcels, (2) in expansions to existing manufactured home parks or subdivisions, or (3) in new or substantially improved manufactured home parks or subdivisions, must meet all the requirements of new construction.
- b. All manufactured homes placed or substantially improved in an existing manufactured home park or subdivision must be elevated so that either:

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- 1) In AE Zones, with Base Flood Elevations, the lowest floor of the manufactured home is elevated on a permanent foundation to no less than one (1) foot above the level of the Base Flood Elevation or
 - 2) In approximate A Zones, without Base Flood Elevations, the manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements of at least equivalent strength) that are at least three (3) feet in height above the highest adjacent grade (as defined in Article II).
- c. Any manufactured home, which has incurred “substantial damage” as the result of a flood, must meet the standards of Article V, Sections A and B.
- d. All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.
- e. All recreational vehicles placed in an identified Special Flood Hazard Area must either:
- 1) Be on the site for fewer than 180 consecutive days;
 - 2) Be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions), or;
 - 3) The recreational vehicle must meet all the requirements for new construction.

5. Standards for Subdivisions and Other Proposed New Development Proposals

Subdivisions and other proposed new developments, including manufactured home parks, shall be reviewed to determine whether such proposals will be reasonably safe from flooding.

- a. All subdivision and other proposed new development proposals shall be consistent with the need to minimize flood damage.
- b. All subdivision and other proposed new development proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.
- c. All subdivision and other proposed new development proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- d. In all approximate A Zones require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals Base Flood Elevation data (See Article V, Section E).

Section C. Standards for Special Flood Hazard Areas with Established Base Flood Elevations and With Floodways Designated

Located within the Special Flood Hazard Areas established in Article III, Section B, are areas designated as floodways. A floodway may be an extremely hazardous area due to the velocity of floodwaters, debris or erosion potential. In addition, the area must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights and velocities. Therefore, the following provisions shall apply:

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1. Encroachments are prohibited, including fill, new construction, substantial improvements or other development within the adopted regulatory floodway. Development may be permitted however, provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the encroachment shall not result in any increase in flood levels or floodway widths during a base flood discharge. A registered professional engineer must provide supporting technical data and certification thereof;
2. A community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, floodway width or base flood discharge provided that the applicant first applies for a Conditional Letter of Map Revision (CLOMR) from FEMA prior to the start of construction. Upon completion of the project, the applicant shall apply for a Letter of Map Revision (LOMR) from FEMA. Submittal requirements and fees shall be the responsibility of the applicant as established under the provisions of § 65.12.
3. ONLY if Article V, Section C, provisions (1) through (2) are satisfied, then any new construction or substantial improvement shall comply with all other applicable flood hazard reduction provisions of Article V, Sections A and B.

Section D. **Standards for Areas of Special Flood Hazard Zones AE with Established Base Flood Elevations but Without Floodways Designated**

Located within the Special Flood Hazard Areas established in Article III, Section B, where streams exist with base flood data provided but where no floodways have been designated (Zones AE), the following provisions apply:

1. Require until a regulatory floodway is designated, that no new construction, substantial improvements, or other development, including fill shall be permitted within Zone AE on the community's FIRM, unless it is demonstrated through hydrologic and hydraulic analyses performed that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community.
2. A community may permit encroachments within Zones AE on the community's FIRM, that would result in an increase in the water surface elevation of the base flood, provided that the applicant first applies for a Conditional Letter of Map Revision (CLOMR) from FEMA prior to the start of construction. Upon completion of the project, the applicant shall apply for a Letter of Map Revision (LOMR) from FEMA. Submittal requirements and fees shall be the responsibility of the applicant as established under the provisions of § 65.12.
3. ONLY if Article V, Section D, provisions (1) through (2) are satisfied, then any new construction or substantial improvement shall comply with all other applicable flood hazard reduction provisions of Article V, Sections A and B.

Section E. **Standards for Streams without Established Base Flood Elevations and Floodways (A Zones)**

Located within the Special Flood Hazard Areas established in Article III, Section B, where streams exist, but no base flood data has been provided and where a Floodway has not been delineated, the following provisions shall apply:

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1. The Administrator shall obtain, review, and reasonably utilize any Base Flood Elevation and floodway data available from any Federal, State, or other sources, including data developed as a result of these regulations (see 2 below), as criteria for requiring that new construction, substantial improvements, or other development in approximate A Zones meet the requirements of Article V, Sections A and B.
2. Require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals Base Flood Elevation data.
3. Within approximate A Zones, where Base Flood Elevations have not been established and where such data is not available from other sources, require the lowest floor of a building to be elevated or floodproofed to a level of at least three (3) feet above the highest adjacent grade (as defined in Article II). All applicable data including elevations or floodproofing certifications shall be recorded as set forth in Article IV, Section B. Openings sufficient to facilitate automatic equalization of hydrostatic flood forces on exterior walls shall be provided in accordance with the standards of Article V, Section B.
4. Within approximate A Zones, where Base Flood Elevations have not been established and where such data is not available from other sources, no encroachments, including structures or fill material, shall be located within an area equal to the width of the stream or twenty feet (20), whichever is greater, measured from the top of the stream bank, unless certification by a Tennessee registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within McMinn County, Tennessee. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.
5. New construction and substantial improvements of buildings, where permitted, shall comply with all applicable flood hazard reduction provisions of Article V, Sections A and B. Within approximate A Zones, require that those subsections of Article V Section B dealing with the alteration or relocation of a watercourse, assuring watercourse carrying capacities are maintained and manufactured homes provisions are complied with as required.

Section F. Standards For Areas of Shallow Flooding (Zone AO)

Located within the Special Flood Hazard Areas established in Article III, Section B, are areas designated as shallow flooding areas. These areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate. In addition to Article V, Sections A and B, all new construction and substantial improvements shall meet the following requirements:

1. The lowest floor (including basement) shall be elevated at least as high as the depth number specified on the Flood Insurance Rate Map (FIRM), in feet, plus a freeboard of one (1) foot above the highest adjacent grade; or at least three (3) feet above the highest adjacent grade, if no depth number is specified.
2. Non-residential structures may, in lieu of elevation, be floodproofed to the same level as required in Article V, Section F(1) so that the structure, together with attendant utility and sanitary facilities, below that level shall be watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects

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of buoyancy. Certification is required in accordance with Article IV, Section B(1) (c) and Article V, Section B(2).

3. Adequate drainage paths shall be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

Section G. Standards For Areas of Shallow Flooding (Zone AH)

Located within the Special Flood Hazard Areas established in Article III, Section B, are areas designated as shallow flooding areas. These areas are subject to inundation by 1-percent-annualchance shallow flooding (usually areas of ponding) where average depths are one (1) to three (3) feet. Base Flood Elevations are derived from detailed hydraulic analyses are shown in this zone. In addition to meeting the requirements of Article V, Sections A and B, all new construction and substantial improvements shall meet the following requirements:

1. Adequate drainage paths shall be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

Section H. Standards For Areas Protected by Flood Protection System (A-99 Zones)

Located within the Areas of Special Flood Hazard established in Article III, Section B, are areas of the 100-year floodplain protected by a flood protection system but where Base Flood Elevations have not been determined. Within these areas (A-99 Zones) all provisions of Article IV and Article V shall apply.

Section I. Standards for Unmapped Streams

Located within the McMinn County, Tennessee, are unmapped streams where areas of special flood hazard are neither indicated nor identified. Adjacent to such streams, the following provisions shall apply:

1. No encroachments including fill material or other development including structures shall be located within an area of at least equal to twice the width of the stream, measured from the top of each stream bank, unless certification by a Tennessee registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the locality.
2. When a new flood hazard risk zone, and Base Flood Elevation and floodway data is available, new construction and substantial improvements shall meet the standards established in accordance with Articles IV and V.
3. ONLY if Article V Section I, provisions (1) through (2) are satisfied, then any new construction or substantial improvement shall comply with all other applicable flood hazard reduction provisions of Article V, Sections A and B.

ARTICLE VI. VARIANCE PROCEDURES

Section A. Regional Planning Commission Appeals

1. Authority

(Res # 25-084 con't)

The McMinn County, Tennessee Regional Planning Commission shall hear and decide appeals and requests for variances from the requirements of this Resolution.

2. Procedure

Meetings of the Regional Planning Commission shall be held at such times, as the Board shall determine. All meetings of the Regional Planning Commission shall be open to the public. The Regional Planning Commission shall adopt rules of procedure and shall keep records of applications and actions thereof, which shall be a public record. Compensation of the members of the Regional Planning Commission shall be set by the Legislative Body.

3. Appeals: How Taken

An appeal to the Regional Planning Commission may be taken by any person, firm or corporation aggrieved or by any governmental officer, department, or bureau affected by any decision of the Administrator based in whole or in part upon the provisions of this Resolution. Such appeal shall be taken by filing with the Regional Planning Commission a notice of appeal, specifying the grounds thereof. In all cases where an appeal is made by a property owner or other interested party, a fee of **\$200.00** dollars for the cost of publishing a notice of such hearings shall be paid by the appellant. The Administrator shall transmit to the Regional Planning Commission all papers constituting the record upon which the appeal action was taken. The Regional Planning Commission shall fix a 23 reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to parties in interest and decide the same within a reasonable time which shall not be more than 30 days from the date of the hearing. At the hearing, any person or party may appear and be heard in person or by agent or by attorney.

4. Powers

The Regional Planning Commission shall have the following powers:

a. Administrative Review

To hear and decide appeals where it is alleged by the applicant that there is error in any order, requirement, permit, decision, determination, or refusal made by the Administrator or other administrative official in carrying out or enforcement of any provisions of this Resolution.

b. Variance Procedures

In the case of a request for a variance the following shall apply:

- 1) The McMinn County, Tennessee Regional Planning Commission shall hear and decide appeals and requests for variances from the requirements of this Resolution.
- 2) Variances may be issued for the repair or rehabilitation of historic structures as defined, herein, upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary deviation from the requirements of this Resolution to preserve the historic character and design of the structure.

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- 3) In passing upon such applications, the Regional Planning Commission shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this Resolution, and:
 - a) The danger that materials may be swept onto other property to the injury of others;
 - b) The danger to life and property due to flooding or erosion;
 - c) The susceptibility of the proposed facility and its contents to flood damage;
 - d) The importance of the services provided by the proposed facility to the community;
 - e) The necessity of the facility to a waterfront location, in the case of a functionally dependent use;
 - f) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use; 24
 - g) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 - h) The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - i) The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;
 - j) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, water systems, and streets and bridges.
- 4) Upon consideration of the factors listed above, and the purposes of this Resolution, the Regional Planning Commission may attach such conditions to the granting of variances, as it deems necessary to effectuate the purposes of this Resolution.
- 5) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

Section B. Conditions for Variances

1. Variances shall be issued upon a determination that the variance is the minimum relief necessary, considering the flood hazard and the factors listed in Article VI, Section A.
2. Variances shall only be issued upon: a showing of good and sufficient cause, a determination that failure to grant the variance would result in exceptional hardship; or a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or Resolutions.

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3. Any applicant to whom a variance is granted shall be given written notice that the issuance of a variance to construct a structure below the Base Flood Elevation will result in increased premium rates for flood insurance (as high as \$25 for \$100) coverage, and that such construction below the Base Flood Elevation increases risks to life and property.
4. The Administrator shall maintain the records of all appeal actions and report any variances to FEMA upon request.

ARTICLE VII. LEGAL STATUS PROVISIONS

Section A. Conflict with Other Resolutions

In case of conflict between this Resolution or any part thereof, and the whole or part of any existing or future Resolution of McMinn County, Tennessee, the most restrictive shall in all cases apply.

Section B. Severability

If any section, clause, provision, or portion of this Resolution shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this Resolution which is not of itself invalid or unconstitutional.

Section C. Effective Date

This Resolution shall become effective on November 28, 2025, the public welfare demanding it.

Approved and adopted by the McMinn County, Tennessee, Mayor and Legislative Body.

Date

Mayor of McMinn County, Tennessee

Attest: _____
County Clerk

Date of Public Hearing

Date of Publication of
Caption and Summary

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

Attest:

(Res # 25-084 con't)

(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

E. A Resolution to Assist with Rural Fire Grant Matching Funds

Mr. Gentry presented resolution # 25-085. This did have Emergency Services Committee approval.

RESOLUTION NO. 25-085

A RESOLUTION TO ASSIST WITH RURAL FIRE GRANT MATCHING FUNDS

WHEREAS, McMinn County's eleven rural fire departments are critical to providing fire protection of our citizens; and

WHEREAS, these departments are encouraged to apply for both state and federal fire grants when they are available; and

WHEREAS, the matching funds required to receive these grants can be a barrier for application for smaller departments; and

WHEREAS, it is in McMinn County's best interest to assist these departments with grant matching funds to ensure they have the necessary equipment for emergency response; and

WHEREAS, the McMinn County Commission would like to establish a fund that provides up to \$5,000 per department each fiscal year to assist with grant-matching requirements; and

WHEREAS, these funds will be taken from the existing fire equipment line item in the Capital Budget; and

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 19th DAY OF OCTOBER 2020, that this Commission does approve the designation of funds for the purpose assisting rural fire departments with grant-matching funds.

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

Attest:

(Orig signed by Melinda King)
County Clerk

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

Motion carried by voice vote

11. ELECTIONS, APPOINTMENTS AND CONFIRMATIONS

None.

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

Commissioner King—Flood Insurance Committee met on Thursday and discussed the Resolution 25-084 that was voted on tonight.

Chairman Curtis—Budget Committee met prior to this meeting and recommended the 2 resolutions for approval.

Commissioner Simpson—Emergency Committee met last Thursday and looked at the extension of the Ambulance Contract and the Radio situation.

Commissioner McPhail—Airport Committee met and approved and award replacement of Hangar bid at the McMinn County Airport. Also, the Solid Waste Committee met and gave the County Mayor the authority to go into an agreement with the State Environmental on the McMinn County Landfill.

13. COMMENTS FROM THE COUNTY MAYOR

County Mayor—Thanked the commissioners for their time over the last couple of weeks of having extra meetings.

County Mayor—has a couple dates to remember:

Friday October 24, 2025, he said they will be going to Greenville Tennessee leaving here at 8:30 am for anyone who would like to go to tour their new Shooting Complex. Mr. Gentry said the engineers with the County Forrest Project will be going. Greene County Tennessee used the same TWRA Grant that we are trying to prepare for. So, their County Mayor and Director will meet us at 11:00 at the Greenville Shooting Complex. He said they would be leaving from the City Parking lot at 8:30 and if you want to go let him know by tomorrow.

Saturday November 8th 2025 there will be a Veteran's Day Parad in Etowah at 11:00 am.

October 31st, at 10:00 am will be ground breaking for the Health Department on-site.

14. APPROVAL OF NOTARY APPLICATIONS

Notaries to be elected October 20, 2025

MINDEE JO B. ALBRIGHT
ANGELA BENTON
DAVID N. BENTON
HADEN CHARLES BLAIR
EMILY BOHANNON
ANGELA MAE BROWN
MELISSA BRYSON
EDWARD A BURLINGAME
ANGELA S CROFT
ALYSSA ANN DINGESS
CORTNEY MADISON FRAZIER
CHARLES J HAMILTON
STEVEN BRENT HAYES
LINDA W JOHNSON
MARANDA NICHOLE KREWSON
MATTHEW RAY KREWSON

GEORGIANNA S LOWE
EVALYN MASSINGALE
MARILYN L. MILLER
ASHTON MAE MILLSAPS
CAROL CALHOUN MORENO
LOUIS M PASCARELLA
ELIJAH B PITTSER
STEPHANIE ANNE SCALESI
KENDRA N SLACK
WILLIAM HUNTER STARR
JACQUELINE HOPE THOMPSON
MANDI TROTTER
SHYANNE D VESTAL
BRANDI JOANNA WALKER
SHANE M WILLIAMS
LISA WORKMAN

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

Motion carried by voice vote.

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

None.

There being no other business, Chairman Curtis declared the Commission meeting adjourned at 6:34 pm.

MELINDA KING
McMinn County Clerk

Attest:

Deputy Clerk (date)