

The McMinn County Board of Commissioners met in Regular Session on April 17, 2017, at 7:30 pm, in the Blue Room of the McMinn County Courthouse.

1. CALL TO ORDER

The meeting was called to order by Chairman David Crews.

2. ROLL CALL

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

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

3. INVOCATION

The Invocation was given by Commissioner Slack.

4. PLEDGE TO THE FLAG

The Pledge to the Flag was led by Commissioner Masingale.

5. APPROVAL OF MINUTES

Copies of the Minutes of the Regular Session on February 27, 2017 were provided to the McMinn County Commissioners.

MOTION made by Commissioner King, and seconded by Commissioner Millsaps, to approve the minutes of February 27, 2017.

Motion carried by voice vote.

6. APPROVAL OF BIDS AND PURCHASES

A. A Resolution to Approve and Award the County Road 260 Bridge Project Bid.

Mr. Luallen presented resolution #17-024 along with a copy of letter of recommendation and bid summary sheet from Dan P. Evans, Chief Administrative Officer.

Resolution No. 17-024 (con't)

RESOLUTION NO. 17-024

A RESOLUTION TO APPROVE AND AWARD THE
COUNTY ROAD 260 BRIDGE PROJECT BID

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

WHEREAS, Dan Evans, the McMinn County Highway Commissioner, requests to bid bridge replacement for County Road 260 bridge; and

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

WHEREAS, Dan Evans, Commissioner of Highways, and Jason Carder, Mattern & Craig Engineers, both recommends the bid be awarded to the low bidder, Adams Contracting, LLC of Lexington, KY in the amount of \$61,975.50.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF APRIL 2017, that this Commission does hereby approve the recommendation of the McMinn County Highway Commissioner.

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

Attest:

(Orig signed by Evonne Hayes)
County Clerk

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

Motion carried by voice vote.

B. A Resolution to Approve and Award Purchase of Police Vehicle from State Contract for McMinn County Sheriffs Department.

Mr. Luallen presented resolution #17-025 along with a copy of the state contract.

RESOLUTION NO. 17-025

A RESOLUTION TO APPROVE PURCHASE OF
POLICE VEHICLE FROM STATE CONTRACT
FOR MCMINN COUNTY SHERIFF'S DEPARTMENT

WHEREAS, McMinn County Sheriff Joe Guy requests approval of the purchase of one police vehicle from Chrysler Dodge Jeep RAM of Columbia at state contract price not to exceed \$36,388.96 for 2017 Dodge Charger requested; and

WHEREAS, insurance funds received in the amount of \$18,983.50 will be used to assist in purchasing the 2017 Dodge Charger; and

Resolution No. 17-025 (con't)

WHEREAS, capital outlay money will be used to cover the remaining cost of this purchase; and

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

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 17th DAY OF APRIL 2017 that this request be hereby approved.

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

Attest:

(Orig signed by Evonne Hayes)
County Clerk

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

Motion carried by voice vote.

C. A Resolution to Approve a Bid Contract Extension with Bluegrass Materials for Crushed Stone at the McMinn County Landfill.

Mr. Luallen presented resolution #17-026 along with letters from Charlie Donaldson McMinn County Landfill Director and Glen Wear Sales Rep. agreeing to extend the contract.

RESOLUTION NO. 17-026

A RESOLUTION TO APPROVE A BID CONTRACT EXTENSION WITH BLUEGRASS MATERIALS FOR CRUSHED STONE AT THE MCMINN COUNTY LANDFILL

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

WHEREAS, the crushed stone bid provides an option to be extended for an additional year; and

WHEREAS, the McMinn County Landfill Supervisor has requested to extend the contract for crushed stone to the current vendor, Bluegrass Materials, for the period of May 1, 2017 through April 30, 2018; and

WHEREAS, Bluegrass Materials has agreed to extend the current bid for the additional period with no increase in price; and

WHEREAS, Charlie Donaldson, McMinn County Landfill Supervisor, has recommended the bid be extended twelve (12) months at the current price to Bluegrass Materials.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 17th DAY OF APRIL, 2017 THAT THE COMMISSION DOES HEREBY APPROVE THE BID CONTRACT EXTENSION WITH BLUEGRASS MATERIALS, based upon the recommendation of the Landfill Supervisor.

AND FURTHERMORE RESOLVES to grant, authority to the County Mayor or his designee to carry out the duties of said contract.

Resolution No. 17-026 (con't)

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

Attest:

(Orig signed by Evonne Hayes)
County Clerk

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

Motion carried by voice vote.

D. A Resolution to Approve the Extension of the Annual Road Striping Bid.

Mr. Luallen presented resolution #17-027 along with letters from Dan P. Evans, Chief Administrative Officer and Sherlene Bowling, President of Volunteer Hwy Supply Company agreeing on the extension.

RESOLUTION NO. 17-027

A RESOLUTION TO APPROVE THE EXTENSION OF THE
ANNUAL ROAD STRIPING BID

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

WHEREAS, the McMinn County Highway Department desires to extend the current bid with Volunteer Highway Supply of Knoxville, TN, for the purchase of road striping for the period of May 1, 2017 through April 30, 2018; and

WHEREAS, Volunteer Highway Supply has agreed to a one-year extension of the bid at the current bid prices; and

WHEREAS, Dan Evans, McMinn County Highway Commissioner has recommended the one-year extension for road striping with Volunteer Highway Supply of Knoxville, TN due to their excellent work and their agreement to extend the bid for one-year at the current bid prices.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF APRIL 2017, that this Commission does hereby approve the recommendation of the McMinn County Highway Commissioner.

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

Attest:

(Orig signed by Evonne Hayes)
County Clerk

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

Motion carried by voice vote.

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

Mr. Luallen presented resolution #17-028 along with letters from Dan P. Evans, Chief Administrative Officer and Sherlene Bowling, President of Volunteer Hwy Supply Company agreeing on the extension.

RESOLUTION NO. 17-028

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

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

WHEREAS, the McMinn County Highway Department requested to purchase hot mix for the period of May 1, 2017 through April 30, 2018, in order to properly carry out the functions of the department; and

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

WHEREAS, Dan Evans, McMinn County Highway Commissioner has recommended the bid be awarded to the low bidders, Roger Group, Inc. of Oak Ridge, TN and Hiwassee Paving, LLC of Charleston, TN, who will be determined by availability at the plant and haul bill of McMinn County trucks at time of purchase.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF APRIL 2017, that this Commission does hereby approve the recommendation of the Highway Commissioner.

2017, that this Commission does hereby approve the recommendation of the Highway Commissioner.

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

Attest:

(Orig signed by Evonne Hayes)
County Clerk

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

Motion carried by voice vote.

E. A Resolution to Declare Items as Surplus Property.

Mr. Luallen presented resolution #17-029 along with a list from Dan P. Evans, Chief Administrative Officer. (Massey Ferguson Tractor S/NH26259

RESOLUTION NO. 17-029

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, the McMinn County Highway Department requests approval to have the equipment listed on the attached letter declared as surplus property and sell it; and

Resolution No. 17-029 (con't)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF APRIL 2017, that this Commission does hereby declare these items as surplus property.

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

Attest:

(Orig signed by Evonne Hayes)
County Clerk

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

Motion carried by voice vote.

7. REVIEW AND APPROVAL OF CONTRACTS

A. A Resolution to Approve the PREA Auditor Contract with Brian D. Bivens and Associates for Services at the McMinn County Justice Center.

Mr. Luallen presented resolution #17-030 and a copy of the contract.

RESOLUTION NO. 17-030

A RESOLUTION TO APPROVE THE PREA AUDITOR CONTRACT WITH BRIAN D. BIVENS AND ASSOCIATES FOR SERVICES AT THE MCMINN COUNTY JUSTICE CENTER

WHEREAS, U.S. Department of Justice has required PREA auditing standards for jails through 28-C.F.R. 115.401-05; and

WHEREAS, Sheriff Joe Guy desires to enter into contract with certified PREA auditor Brian D. Bivens and Associates; and

WHEREAS, this contract meets compliance with said PREA auditing standards; and

WHEREAS, the cost of services set forth in this contract is \$2,000.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 17th DAY OF APRIL 2017 THAT THIS commission does hereby agree to enter into contract with Brian D. Bivens and Associates for PREA auditing at the McMinn County Justice Center.

AND FURTHERMORE RESOLVES to grant authority to the County Mayor or his designee to carry out the duties of said contract.

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

Attest:

Resolution No. 17-030 (con't)

(Orig signed by Evonne Hayes)
County Clerk

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

Note: Sheriff Joe Guy explained that this was a state required for any jail in the county that houses state inmates.

Motion carried by voice vote.

B. A Resolution to Approve a Contract Between McMinn County and Simmons Bank for Cash Management Master Agreement and ACH Agreement.

Mr. Luallen presented resolution #17-031 with a copy of the agreement.

RESOLUTION NO. 17-031

A RESOLUTION TO APPROVE THE CONTRACT BETWEEN
MCMINN COUNTY AND SIMMONS BANK FOR
CASH MANAGEMENT MASTER AGREEMENT AND
ACH AGREEMENT

WHEREAS, McMinn County banks with Simmons Bank; and

WHEREAS, since Simmons Bank has acquired Citizens National Bank it desires to set forth services provided in print; and

WHEREAS, the Cash Management Master Agreement and ACH Agreement outlines those services provided.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEEE, MEETING IN REGULAR SESSION ON THIS THE 17th DAY OF APRIL 2017 THAT THIS commission does hereby agree to enter into contract with Simmons Bank for cash management master agreement and ACH agreement.

AND FURTHERMORE RESOLVES to grant

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

Attest:

(Orig signed by Evonne Hayes)
County Clerk

MOTION made by Commissioner King, and seconded by Commissioner McPhail, to approve this resolution. Commissioner Holbrook Abstained from this vote.

Motion carried by voice vote.

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

Mr. Luallen presented resolution #17-032 along with a copy of the grant.

Resolution No. 17-032 (con't)

RESOLUTION NO. 17-032

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

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

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

WHEREAS, McMinn County has entered into a contract with the State of Tennessee Department of Health to protect and improve the physical health of the county citizens through the prevention of conditions that may threaten good health; and

WHEREAS, the total amended appropriation for which the County shall receive is \$485,400; and

WHEREAS, McMinn County Health Department does provide these services and both parties do hereby agree to these provisions in the contract for FY 2016-17.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF APRIL 2017, that this Commission does hereby approve this amended contract.

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

Attest:

(Orig signed by Evonne Hayes)
County Clerk

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

Motion carried by voice vote.

C. A Resolution Authorizing McMinn County's Participation in a Litter Control Grant for Fiscal Year 2017-18 From the Tennessee Department of Transportation, Highway Maintenance Division; and Authorizing the County Mayor to Administer Activities Associate with this Grant.

Mr. Luallen presented resolution #17-033 along with a copy of the contract from the State of Tennessee.

RESOLUTION NO. 17-033

A RESOLUTION AUTHORIZING MCMINN COUNTY'S PARTICIPATION IN A LITTER CONTROL GRANT FOR FISCAL YEAR 2017-18 FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION, HIGHWAY MAINTENANCE DIVISION; AND AUTHORIZING THE COUNTY MAYOR TO ADMINISTER ACTIVITIES ASSOCIATED WITH THIS GRANT

WHEREAS, McMinn County has received grant assistance from the Tennessee Department of Transportation for litter control activities in McMinn County, known as the "Litter Grant" since 1986; and

Resolution No. 17-033 (con't)

WHEREAS, the award of such a grant requires the authorization and consent of the McMinn County Commission for grant application and contract execution, subject to award by the Tennessee Department of Transportation; and

WHEREAS, the allocation for FY 2017-18 is a minimum of \$46,900; and

WHEREAS, this body deems the continued administration of litter grant activities as in the best interest of the citizens of McMinn County.

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF APRIL 2017, that this Commission authorizes McMinn County's participation in a litter grant in FY 2017-18 with the Tennessee Department of Transportation, the public welfare requiring it, and FURTHER RESOLVES to authorize the County Mayor to execute all necessary documents regarding this grant application.

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

Attest:

(Orig signed by Evonne Hayes)
County Clerk

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

Motion carried by voice vote.

D. A Resolution to Approve a Contract Agreement Between McMinn County Schools and McMinn County Juvenile Services.

Mr. Luallen presented resolution #17-034 along with a copy of the contract from the State of Tennessee.

RESOLUTION NO. 17-034

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

WHEREAS, McMinn County Schools wishes to contract with the McMinn County Department of Juvenile Services to provide the services listed on the attached documentation; and

WHEREAS, these services include providing special classes, specific programs for troubled youth, a youth services officer as well individual and group counseling; and

WHEREAS, McMinn County Schools has agreed to pay McMinn County \$15,000 a year for the services provided; and

WHEREAS, this contract is for a period of one year; and

Resolution No. 17-034 (con't)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF APRIL 2017, does approve entering this contract with McMinn County Schools, AND FURTHERMORE, authorizes the County Mayor to execute all necessary documents to fulfill the intentions of this resolution.

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

Attest:

(Orig signed by Evonne Hayes)
County Clerk

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

Motion carried by voice vote.

E. A Resolution to Approve a Contract Agreement Between Athens City Schools and McMinn County Department of Juvenile Services.

Mr. Luallen presented resolution #17-035 along with a copy of the agreement.

RESOLUTION NO. 17-035

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

WHEREAS, Athens City wishes to contract with the McMinn County Department of Juvenile Services to provide the services listed on the attached documentation; and

WHEREAS, these services include providing special classes, specific programs for troubled youth, a youth services officer as well individual and group counseling; and

WHEREAS, Athens City Schools has agreed to pay McMinn County \$5,000 a year for the services provided; and

WHEREAS, this contract is for a period of one year; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF APRIL, 2017, does approve entering this contract with Athens City Schools, AND FURTHERMORE, authorizes the County Mayor to execute all necessary documents to fulfill the intentions of this resolution.

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

Attest:

Resolution No. 17-035 (con't)

(Orig signed by Evonne Hayes)
County Clerk

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

Motion carried by voice vote.

F. A Resolution to Enter an Agreement with the Southeast Tennessee Development District to Provide Planning Services.

Mr. Luallen presented resolution #17-036 along with a copy of the agreement.

RESOLUTION NO. 17-036

A RESOLUTION TO ENTER AN AGREEMENT WITH THE SOUTHEAST TENNESSEE DEVELOPMENT DISTRICT TO PROVIDE PLANNING SERVICES

WHEREAS, McMinn County previously contracted with the Tennessee Local Planning Office to provide technical expertise in issues of planning prior to the state dissolving the local planning office; and

WHEREAS, the SETDD has agreed to provide local planning services to McMinn County for \$12,500 a year, the same rate as the previous contract; and

WHEREAS, the McMinn County Regional Planning Commission has recommended McMinn County enter into a contract with SETDD for a 24 month period for a total cost of \$25,000; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF APRIL, 2017, does approve entering into a contract with Southeast Tennessee Development District to provide planning services, AND FURTHERMORE, authorizes the County Mayor to execute all necessary documents to fulfill the intentions of this resolution.

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

Attest:

(Orig signed by Evonne Hayes)
County Clerk

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

Motion carried by voice vote.

8. APPROVAL OF BUDGET AMENDMENTS

None.

9. COMMENTS FROM THE AUDIENCE

- None.

10. RESOLUTIONS

- A. A Resolution to Approve Memorandum of Understanding Between McMinn County, Monroe County, City of Sweetwater and Sweetwater Utilities Board for I-75 Commerce Park.

Mr. Gentry presented Resolution #17-037.

RESOLUTION NO. 17-037

A RESOLUTION TO APPROVE MEMORANDUM OF UNDERSTANDING BETWEEN
McMINN COUNTY, MONROE COUNTY, CITY OF SWEETWATER AND
SWEETWATER UTILITIES BOARD FOR I-75 COMMERCE PARK

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

WHEREAS, our low tax rates depend upon on a diverse and vibrant local economy comprised of both manufacturing, distribution and commercial ventures that support jobs for our citizens; and

WHEREAS, McMinn County, Monroe County, Sweetwater Utilities Board, and the City of Sweetwater could jointly benefit from the development proposed at Interstate 75, Exit 60 known as the Pleasant Grove Infrastructure Project; and

WHEREAS, these entities have agreed to participate with Exit 60, LLC to support and execute the proposed development; and

WHEREAS, these entities wish to request the involvement of the State of Tennessee and its agencies and the federal government in the procurement of funds and execution of this development; and

WHEREAS, these entities have passed a Resolution of support of this project; and

WHEREAS, each entity commits funding as follows:
McMinn County -\$150,000
City of Sweetwater - \$150,000
Monroe County- \$150,000
Sweetwater Utilities Board- \$115,000 in construction administration

WHEREAS, McMinn County's commitment will be funded from portion of Hotel/Motel revenue dedicated to industrial development.

NOW THEREFORE BE IT AGREED THE FOLLOWING:

SECTION 1: The City of Sweetwater and/or the Sweetwater Industrial Development Board will act as the fiscal agent for the administration of this project. An escrow account shall be established to receive funding provided by McMinn County on a reimbursement basis, Monroe County, the City of Sweetwater, and Exit 60, LLC. Pay applications will be reviewed and authorized by a Sweetwater Utilities Board designee and the City of Sweetwater City Planner prior to issuance of payments.

SECTION 2: Sweetwater Utilities Board will provide in-kind services via construction management.

SECTION 3: The private investment shall be secured by a letter of credit.

Resolution No. 17-037 (con't)

SECTION 4: Utility assets developed in this project shall be dedicated to Sweetwater Utilities Board upon completion of the project. Remaining infrastructure assets shall be dedicated to the applicable governmental entity.

SECTION 5: 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 6: Authority: TCA§ 5-1-113, authorizing cooperative agreements between counties and municipalities; TCA§ 5-1-114, authorizing cooperative agreements between contiguous counties; and TCA §12-9-101 et. seq. authorizing interlocal agency agreements.

SECTION 7: This Memorandum of Understanding shall remain in effect until the completion of Pleasant Grove Road Infrastructure improvements as reflected on plans dated April 3, 2017 by Cannon & Cannon Inc.

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17TH DAY OF APRIL, 2017, that this Commission does hereby approve the Memorandum of Understanding between McMinn County, Monroe County, City of Sweetwater and Sweetwater Utilities for the purpose of better preparing North McMinn County for industrial and commercial economic growth; AND FURTHERMORE, authorizes the County Mayor to execute the documents necessary to fulfill the intent of this resolution.

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

Attest:

(Orig signed by Evonne Hayes)
County Clerk

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

Motion carried by voice vote.

B. A Resolution to Request Approval to Apply for Tennessee Aeronautics Grant for Pavement Improvement McMinn County Airport.

Mr. Gentry presented Resolution #17-038 along with a copy of letter from PDC Consultants. This did have Airport Committee approval.

RESOLUTION NO. 17-038

A RESOLUTION TO REQUEST APPROVAL TO APPLY FOR TENNESSEE AERONAUTICS GRANT FOR
PAVEMENT IMPROVEMENT
McMINN COUNTY AIRPORT

WHEREAS, paved areas of the McMinn County Airport range in age from new to 30 years and while the vast majority is structurally adequate, many of the older areas need immediate rack repair and seal coating; and
WHEREAS, the markings have exceeded their typical life expectancy of seven (7) years and needs fresh paint; and

Resolution No. 17-038 (con't)

WHEREAS, McMinn County's engineers, PDC, in consultation with Tennessee Aeronautics Department (TAD) staff have recommended application be made for a TAD grant with a five percent (5%) local match to repair cracks, seal coat and remark all the paved areas of the McMinn County Airport; and

WHEREAS, the McMinn County Mayor requests approval to submit a grant application to TAD for the pavement and marking repairs and obligate matching funds for said grant from available Airport Capital Fund reserves, not to exceed \$50,000.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF APRIL 2017, that this Commission does hereby grant approval to the County Mayor to apply for a TAD grant to perform pavement crack repairs, seal coat and repaint all markings at the McMinn County Airport, and FURTHERMORE, grants authority to the County Mayor and County Attorney to execute any and all documents necessary to repair the taxiway and sinkholes.

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

Attest:

(Orig signed by Evonne Hayes)
County Clerk

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

Motion carried by voice vote.

C. A Resolution to Approve McMinn County Water Project Matching Funds for Athens Utility District's Water Line Extension.

Mr. Gentry presented Resolution #17-039 along with a copy of the request from AUB.

RESOLUTION NO. 17-039

TO APPROVE MCMINN COUNTY WATER PROJECT MATCHING FUNDS FOR ATHENS UTILITY DISTRICT'S WATER LINE EXTENSION

WHEREAS, there are residents of McMinn County living along County Road 210 and 212 who have requested assistance with public water service; and

WHEREAS, Athens Utilities Board has extended 6" water lines to these residents as well as provided two fire hydrants due to muddy well water and collapses; and

WHEREAS, the final construction cost of the lines and hydrants is \$33,320.71; and

WHEREAS, citizens in this area have complied with AUB's extension policy in conjunction with the county's 20% match; and

WHEREAS, McMinn County encourages these utility district partnerships that provide public water service to unserved homes; and

NOW, THEREFORE, BE IT RESOLVED that the McMinn County Commission agrees to provide the necessary 20 percent matching funds for construction expenses $\$33,320.71 \times 20\% = \$6,664.14$; and

Resolution No. 17-039 (con't)

BE IT FURTHER RESOLVED that the McMinn County Commission, meeting in regular session on the 17th day of April 2017, authorizes the County Mayor to enter into agreements and execute documents necessary to carry out the intent of this resolution.

(Orig signed by John M. Gentry)
McMinn County

Attest:

(Orig signed by Evonne Hayes)
County Clerk

MOTION made by Commissioner Millsaps, and seconded by Commissioner McPhail, to approve this resolution. Commissioner Simpson Abstained from this vote.

Motion carried by voice vote.

D. A Resolution to Approve McMinn County Water Project Matching Funds for Athens Utility District's Water Line Extension.

Mr. Gentry presented Resolution #17-040 along with a copy of the request from AUB.

RESOLUTION NO. 17-040

RESOLUTION NO. 17-040

**TO APPROVE MCMINN COUNTY WATER PROJECT MATCHING FUNDS
FOR ATHENS UTILITY DISTRICT'S WATER LINE EXTENSION**

WHEREAS, there are residents of McMinn County living along State Highway 307 who have requested assistance with public water service; and

WHEREAS, Athens Utilities Board intends to extend 6" water lines to these residents; and

WHEREAS, project engineers have estimated the construction cost of lines in McMinn County to be \$7,875; and

WHEREAS, citizens in this area have complied with AUB's extension policy in conjunction with the county's 20% match; and

WHEREAS, McMinn County encourages these utility district partnerships that provide public water service to unserved homes; and

NOW, THEREFORE, BE IT RESOLVED that the McMinn County Commission agrees to provide the necessary 20 percent matching funds for construction expenses ($\$7,875 \times 20\% = \$1,575$) in the amount of **\$1,575**.

BE IT FURTHER RESOLVED that the McMinn County Commission, meeting in regular session on the 17th day of April 2017, authorizes the County Mayor to enter into agreements and execute documents necessary to carry out the intent of this resolution.

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

Attest:

(Orig signed by Evonne Hayes)
County Clerk

MOTION made by Commissioner King, and seconded by Commissioner Slack, to approve this resolution.
Commissioner Simpson Abstained from this vote.

E. A Resolution to Declare Fire Truck as Surplus Property.

Mr. Gentry presented Resolution #17-041.

RESOLUTION No. 17-041

A RESOLUTION TO DECLARE FIRE TRUCK AS SURPLUS PROPERTY

WHEREAS, McMinn County replaced the mini-pumpers of the eleven volunteer fire departments; and
WHEREAS, the fire departments were given the opportunity to purchase the older mini-pumpers as a
reserve unit; and

WHEREAS, District 9, previously recognized as Union Grove, experienced significant reorganization and
a new North McMinn Fire and Rescue Department was formed; and

WHEREAS, due to the significant change in District 9 and need to build a new station, North McMinn
County Fire and Rescue is unable to purchase the mini-pumper; and

WHEREAS, due to the North McMinn pumper being in better condition than the Etowah Rural Fire
Department truck, the Fire Coordinator recommends swapping trucks with Etowah Rural Fire and declaring the
former Etowah pumper as surplus.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN
COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17TH DAY OF APRIL, 2017, that
this Commission does agree to trade pumpers with Etowah Rural Fire Department and declare the former Etowah
truck as surplus.

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

Attest:

(Orig signed by Evonne Hayes)
County Clerk

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

Motion carried by voice vote.

F. A Resolution to Honor and Recognize the Lifetime Achievements of James B. "Joe" Gaston.

Mr. Gentry presented Resolution #17-042 along with a copy of the request from AUB.

Resolution No. 17-042 (con't)

RESOLUTION NO. 17-042

A RESOLUTION TO HONOR AND RECOGNIZE THE LIFETIME ACHIEVEMENTS OF
JAMES B. "JOE" GASTON

WHEREAS, Joe Gaston, a devoted public servant, passed away April 3, 2017; and

WHEREAS, Joe Gaston spent 44 years serving the people of McMinn County, beginning at the age of 16 as an intern for the McMinn County Highway Department; and

WHEREAS, Joe Gaston was elected to the McMinn County Commission from 1982 to 1986 and again from 1994 to 2002 and at one point was the youngest serving county commission chairman in the State of Tennessee; and

WHEREAS, while serving as commission chairman, Joe Gaston was instrumental in facilitating President Ronald Reagan's visit to the McMinn County Courthouse; and

WHEREAS, Joe Gaston continued his record of excellence with the McMinn County School Board serving as a classroom teacher, the principal of Central High School of McMinn County, federal projects coordinator, and assistant director of schools; and

WHEREAS, Joe Gaston was also a dedicated Christian who faithfully served Coghill Baptist Church as deacon; and

WHEREAS, Joe Gaston's service to the citizens of McMinn County was characterized by dedication, integrity, courtesy and professionalism; and

WHEREAS, McMinn County is an overall better place to live because of Joe Gaston's many career contributions; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF APRIL 2017, that this Commission does hereby honor Joe Gaston's devoted service and sends its deepest sympathies to his family.

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

Attest:

(Orig signed by Evonne Hayes)
County Clerk

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

Motion carried by voice vote.

13. ELECTIONS, APPOINTMENTS AND CONFIRMATIONS

- A. A Resolution to Confirm the Appointment of Kristen Hill as a Judicial Commissioner for McMinn County.

Mr. Gentry presented Resolution #17-043.

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Resolution No. 17-043 (con't)

RESOLUTION NO. 17-043

A RESOLUTION TO CONFIRM THE APPOINTMENT OF KRISTEN HILL AS A
JUDICIAL COMMISSIONERS FOR MCMINN COUNTY

WHEREAS, Tennessee Code Annotated 40-5-201 authorizes county legislative bodies to appoint judicial commissioners; and

WHEREAS, the duties of judicial commissioners are to issue arrest warrants upon a finding of probable cause, to set bonds and recognizances included in a "first appearance" before a magistrate, and to issue mittimus for persons to be held at the county jail; and

WHEREAS, the continued utilization of judicial commissioners is essential to provide due process to the citizens of McMinn County, as well as to strengthen criminal cases prepared by law enforcement of officers; and

WHEREAS, the McMinn County Board of Commissioners appointment of Kristen Hill to serve as judicial commissioners to four year terms, subject to proper training by the general sessions judge and circuit court clerk; and

WHEREAS, judicial commissioners shall only be compensated for such duties so long as they are duly employed as licensed dispatchers by the McMinn County Emergency Communications Board.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 17th DAY OF APRIL, 2017 that this commission does hereby confirm the appointment of Kristen Hill as judicial commissioners for four year terms.

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

Attest:

(Orig signed by Evonne Hayes)
County Clerk

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

Motion carried by voice vote.

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

- Commissioner Simpson—Emergency Services met tonight to look at some notification systems to help notify citizens during a disaster.

13. COMMENTS FROM THE COUNTY MAYOR

- Mayor Gentry reminded everyone that this is "Clean up Fix up" week.
- Mayor Gentry said that the County is working on a new Website that should be ready in a few months.

14. RECESS FOR ATTORNEY—CLIENT MEETING

The County Commission convened to private chambers to discuss Case docket 115CV0038.

Chairman Crews called the meeting back to session. Commissioner McPhail made a motion to make settlement in case docket 115CV00338, second by Commissioner Holbrook.

Motion carried by voice vote

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15. APPROVAL OF NOTARY APPLICATIONS

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

Notaries to be elected April 17, 2017

REGINA BROWN	DIANE FISHER- KEATON
PAM G. CATHEY	SARAH E. KELLY
W. JEAN CHURCHILL	VICTORIA MCCONKEY
DEBRA G. DALTON	STEVEN R. MCDERMOTT
SABRINA R DERRICK	TEANNA B. MCKINNEY
STEVIE LEE FISHER	LISA C. MOATES
DONNA B. GILLIAM	BARBARA C. MOSES
JERRI D. HILL	E. L. PARKER III
MISTY HYDE	KATHY LYNN PRICE
SANDRA N. KEATON	PATRICIA J. SIMMONS

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

Motion carried by voice vote.

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

None.

There being no other business, Chairman Crews declared the Commission meeting adjourned at 8:09 pm.

EVONNE HAYES
McMinn County Clerk

Attest:

Deputy (date)