

The McMinn County Board of Commissioners met in Regular Session on May 17, 2010, 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 Crews.

2. INVOCATION

The Invocation was given by Commissioners Jerry Millsaps.

3. PLEDGE TO THE FLAG

The Pledge to the Flag was led by Commissioner Holbrook.

4. ROLL CALL

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

Scott Curtis – Present
Dale Holbrook – Present
Jeannie King – Present
Roger Masingale – present
Gary Mason – Present
Jerry Millsaps – Present
Bob Powers – Present
Jack Powers – Present
Tad Simpson – Present
Chairman David Crews – Present

5. APPROVAL OF MINUTES

Copies of the Minutes of the Regular Session on April 19, 2010 were provided to the McMinn County Commissioners.

MOTION made by Commissioner Holbrook, and seconded by Commissioner Millsaps, to approve the Minutes of April 19, 2010.

Motion carried by voice vote.

6. APPROVAL OF BIDS AND PURCHASES

A. A Resolution to Approve and Award the Annual Micro-Paving Bid.

Mr. Luallen presented the following resolution to approve and award the annual micro-paving bid, along with the bid summary sheet and a letter of recommendation from the Highway Commissioner.

RESOLUTION NO. 10-049

A RESOLUTION TO APPROVE AND AWARD THE
ANNUAL MICRO-PAVING BID

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

(Cont'd)

Resolution No. 10-049 (Cont'd)

WHEREAS, the Highway Department has requested the purchase of Micro-Paving for County Roads 48, 327, 351, 461, 516, 607, 655, 675, 725 for a total not to exceed \$917,786.79 pending approval of available funds in the 2010 – 2011 budget; and

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

WHEREAS, Randall Moss, McMinn County Highway Commissioner has recommended the bid be awarded to the low bidder, Strawser Construction, for the bid period of July 1, 2010 through September 30, 2010.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17TH DAY OF MAY 2010, 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 Hoback)
County Clerk

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

In response to a question from Commissioner Mason concerning only one bidder, the Highway Commissioner said that this bidder was the only one with a Tennessee license.

Motion carried by voice vote.

B. A Resolution to Approve and Award Annual Pipe Bid.

Mr. Luallen presented the following resolution to approve and award annual pipe bid, along with the letter of recommendation and the bid summary sheet.

RESOLUTION NO. 10-050

A RESOLUTION TO APPROVE AND AWARD ANNUAL PIPE BID

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

WHEREAS, Randall Moss, McMinn County Highway Commissioner, requests to bid the annual pipe purchase for the period of July 1, 2010 through June 30, 2011; and

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

(Cont'd)

Resolution No. 10-050 (Cont'd)

WHEREAS, Randall Moss the McMinn County Highway Commissioner recommends awarding the bid of reinforced concrete pipe to Sherman Dixie of Nashville, TN; steel pipe to Contech of Englewood, TN; and corrugated poly pipe to Southern Pipe & Supply Co. Inc. of Knoxville, TN. Each recommendation is for the lowest or best bid, see attached recommendation letter.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF MAY, 2010, that this Commission does hereby approve the recommendation of the Highway Commissioner.

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

Attest:

McMinn County Mayor

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

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

Mr. Luallen presented a resolution to approve and award semi-annual requirements bid for paper-plastics products, along with letters of recommendation and the bid summary sheet.

RESOLUTION NO. 10-051

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

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

WHEREAS, the Courthouse Maintenance Department and Sheriff's Department requests the purchase of Paper and Plastic Products from July 1, 2010, to December 31, 2010, to properly carry out the functions of the department; and

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

WHEREAS, Benny Bivens, Courthouse Maintenance Supervisor, and Sheriff Steve Frisbie, both recommend the bid be awarded to the vendors with the lowest bid price per item meeting specifications.

(Cont'd)

Resolution No. 10-051 (Cont'd)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF MAY, 2010, that this Commission does hereby approve the recommendation of the Maintenance Supervisor and the Sheriff.

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

Attest:

(Orig signed by Evonne Hoback)
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 and Award Annual Janitorial Products Bid.

Mr. Luallen presented the following resolution to approve and award the annual janitorial products bid, along with letters of recommendation and the bid summary sheet.

RESOLUTION NO. 10-052

A RESOLUTION TO APPROVE AND AWARD ANNUAL JANITORIAL PRODUCTS BID

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

WHEREAS, McMinn County has requested the purchase of Janitorial Products from July 1, 2010 through June 30, 2011, to properly carry out the functions of the department; and

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

WHEREAS, Benny Bivens, Courthouse Maintenance Supervisor, recommends the bid be awarded to the vendor with the lowest price per item meeting specifications; and

WHEREAS, Sheriff Steve Frisbie, recommends the bid be awarded to the vendor with the lowest price per item meeting specifications.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF MAY, 2010, that this Commission does hereby approve the recommendation of the Maintenance Supervisor and the Sheriff concerning the janitorial bid.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

E. A Resolution to Approve Purchase of Software, Installation and Support Fee.

Mr. Luallen presented the following resolution to approve purchase of software, installation and support fees for the patrol cars to equip them with intel mobile. Mr. Luallen added that he forgot to mention in the resolution that there is a grant that is covering \$13,000.00 and the remainder of \$26,650.00 will come from drug funds.

RESOLUTION NO. 10-053

A RESOLUTION TO APPROVE PURCHASE OF SOFTWARE, INSTALLATION, AND SUPPORT FEES

WHEREAS, McMinn County Sheriff's Department requests purchase of software for completion of Intellimobile program as well as installation and support fees, for \$39,650.00; and

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

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 17th DAY OF MAY, 2010, that the purchase for software including installation and support fees to GeoConex Corp. in the amount of \$39,650.00 be hereby approved.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

F. A Resolution to Approve Payment for Hardware/Software Transition Costs for Trustee's Office.

Mr. Luallen presented the following resolution to approve payment for hardware/software transition costs for Trustee's Office. Mr. Luallen explained that in January 2010, the Commission approved an additional \$10,000 to do on-line inquiry as well as upgrades by transitioning from the existing software company of Bridge to Local Government Data Processing to save operational expenses. Mr. Luallen said the total proposal cost is \$13,178.00.

RESOLUTION NO. 10-054

A RESOLUTION TO APPROVE PAYMENT
FOR HARDWARE/SOFTWARE TRANSITION COSTS
FOR TRUSTEE'S OFFICE

WHEREAS, the McMinn County Commission approved additional \$10,000 to transition to LGDP on January 18, 2010 in order to add online inquiry and improvements as well as to save annual hardware/software support costs; and

(Cont'd)

Resolution No. 10-054 (Cont'd)

WHEREAS, McMinn County Trustee, Phillip Tuggle requests approval for payment of hardware/software transition costs from Bridge to Local Government Data Processing in the amount of \$13,178.00; and

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

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 17th DAY OF MAY, 2010, that the payment for hardware/software transition costs for Trustee's office be hereby approved.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried voice vote.

7. REVIEW AND APPROVAL OF CONTRACTS

A. A Resolution to Approve the Extension of the Contract Between McMinn County and Thompson Environmental Services for Transport and Treatment of Landfill Leachate.

Mr. Luallen presented the following resolution to approve the extension of the contract between McMinn County and Thompson Environmental Services for transport and treatment of Landfill leachate. Mr. Luallen said that this had Landfill Committee approval earlier this evening and he also provided copies of the recommendation from the Solid Waste Manager as well as Thompson Environmental Service, Inc.

RESOLUTION NO. 10-055

A RESOLUTION TO APPROVE THE EXTENSION OF THE CONTRACT BETWEEN MCMINN COUNTY AND THOMPSON ENVIRONMENTAL SERVICES FOR TRANSPORT AND TREATMENT OF LANDFILL LEACHATE

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

WHEREAS, McMinn County desires to extend its current agreement with Thompson Environmental Services to perform transportation and treatment of landfill leachate for an additional twelve months; and

WHEREAS, McMinn County's obligation under such agreement is in the amount of \$4,500.00 per month up to 1,200,000 gallons per year, where an excess of that amount will be charged at an additional 2 cents per gallon; and

(Cont'd)

Resolution No. 10-055 (Cont'd)

WHEREAS, Thompson Environmental Services reserves the right to implement a fuel charge of \$4.00 per load; and

WHEREAS, the landfill supervisor and Thompson Environmental has recommended that the current agreement be extended for a twelve month period under the terms of the present agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 17th DAY OF MAY, 2010 THAT THE COMMISSION DOES HEREBY AGREE TO EXTEND ITS CONTRACT WITH THOMPSON ENVIRONMENTAL SERVICES FOR A TWELVE MONTH PERIOD, based upon the recommendation of the solid waste director.

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

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

B. A Resolution to Approve the Renewal of the Contract with Mac's Tire Recyclers Regarding Disposal of Recycled Tires.

Mr. Luallen presented the following resolution to approve the renewal of the contract with Mac's Tire Recyclers regarding disposal of recycled tires, along with a letters of recommendation from the Solid Waste Manager and Mac's Tire Recyclers. Mr. Luallen added that this was approved by the Landfill/Solid Waste Committee earlier this evening.

Resolution No. 10-056

A RESOLUTION TO APPROVE THE RENEWAL OF THE CONTRACT WITH MAC'S TIRE RECYCLERS REGARDING DISPOSAL OF RECYCLED TIRES

WHEREAS, the Tennessee Department of Conservation provides a waste tire grant to encourage the recycling and proper disposal of waste tires; and

WHEREAS, Mac's Tire Recycling is currently the contracted vendor for pickup, transportation and disposal of recycled tires; and

WHEREAS, it is the recommendation of the Solid Waste Director that the contract with Mac's Tire Recycling be renewed at the current rates; and

WHEREAS, this contract shall be renewed for 1 year, terminating on July 1, 2011.

(Cont'd)

Resolution No. 10-056 (Cont'd)

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF MAY 2010, that this Commission does approve the contract renewal with Mac's Tire Recycling at the current rates and FURTHER, resolves to authorize the County Mayor to execute the necessary documents to fulfill the intent of this resolution, the public welfare demanding it.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

MOTION made by Commissioner Mason, and seconded by Commissioner Millsaps, 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 2010-11 from the Tennessee Department of Transportation, Highway Maintenance Division; and Authorizing the County Mayor to Administer Activities Associated with this Grant.

Mr. Luallen presented the following resolution authorizing McMinn County's participation in the Litter Control Grant for FY 2010-11.

RESOLUTION NO. 10-057

A RESOLUTION AUTHORIZING MCMINN COUNTY'S PARTICIPATION IN A
LITTER CONTROL GRANT FOR FISCAL YEAR 2010-11
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

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, 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 MAY 2010, that this Commission authorizes McMinn County's participation in a litter grant in FY 2010-11 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)
County Mayor

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

In response to a question from Commissioner Holbrook, Mr. Gentry said they are allowed to pick up litter on State roads, but he said they pretty much limit it to County roads. Commissioner Holbrook said he wondered if the county could get a contract in the future with the State to pick up litter on state roads, but Mr. Gentry said that he believes the State has contracts for this with other entities.

Motion carried by voice vote.

D. A Resolution to Close Certain Governmental Funds in Compliance with GASB Statement 54.

Mr. Luallen presented the following resolution to close certain governmental funds in compliance with the Governmental Accounting Standards Board (GASB) Statement 54. Mr. Luallen said that this had Budget Committee approval prior to this meeting and explained that the new way of accounting is similar to private accounting.

RESOLUTION NO. 10-058

A RESOLUTION TO CLOSE CERTAIN GOVERNMENTAL FUNDS
IN COMPLIANCE WITH GASB STATEMENT 54

WHEREAS, the Governmental Accounting Standards Board (GASB) has issued GASB Statement 54, and the State of Tennessee Comptroller's Office has determined that this new accounting statement is considered Generally Accepted Accounting Principles (GAAP) applicable to county governments; and

WHEREAS, McMinn County has analyzed the governmental special revenue funds of McMinn County, and has determined that certain funds will no longer meet the definition of a special revenue fund under GASB Statement 54 and need to be closed by the end of the current fiscal year; and

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE MEETING IN REGULAR SESSION ON THIS THE 17TH DAY OF MAY 2010, that:

Section 1. At the end of the current fiscal year, the County Mayor is authorized to transfer the remaining fund balances of the following funds to the county general fund:

These fund balances shall be budgeted and designated by the county legislative body in the general fund as deemed appropriate by the county legislative body and in accordance with applicable law.

Section 2. This resolution shall be effective upon its passage and approval, the public welfare requiring it.

Adopted this 17th day of May, 2010.

(Orig signed by John M. Gentry)
McMinn County

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

8, APPROVAL OF BUDGET AMENDMENTS

Mr. Luallen presented six budget amendments in six different funds, a copy of which was provided to each Commissioner. However, Mr. Luallen explained that the budget amendment to close out Woods Special Purpose Fund # 121 and place funds in a Restricted Reserve within the General Fund # 101 to be compliant with GASB Statement # 54 is being pulled until further information is received on how to handle it.

Fund: Debt Service Fund # 151

Date: May 13, 2010

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Reserve	Undesignated Fund Balance	39000	2,872,539.50	
General Govt Other Debt Service	Trustee’s Commission	82310-510		353.93
Transfers Out	Transfers to Other Funds	99100-590		2,872.185.57

EXPLANATION: To close out Fund # 151 and place funds in an Assigned or Committed Reserve within the General Fund # 101.

MOTION made by Commissioner Mason, and seconded by Commissioner Curtis, to approve this budget amendment.

Motion carried by roll call vote, as recorded:

- Scott Curtis – Aye
- Dale Holbrook – Aye
- Jeannie King – Aye
- Roger Masingale – Aye
- Gary Mason – Aye
- Jerry Millsaps – Aye
- Bob Powers – Aye
- Jack Powers – Aye
- Tad Simpson – Aye
- Chairman David Crews – Aye

Fund: Correctional Capital Projects Fund # 174

Date: May 13, 2010

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Reserve	Undesignated Fund Balance	39000	110,815.34	
Transfers Out	Transfers to Other Funds	99100-590		110,432.18
Public Safety Projects	Building Construction	91130-706		383.16

Fund: Correction Capital Projects Fund # 174 (Cont'd)

EXPLANATION: To close out Fund # 174 and place funds in an Assigned or Committed Reserve with General Fund # 101 in order to be compliant with GASB Statement # 54.

MOTION made by Commissioner Mason, and seconded by Commissioner Bob Powers, to approve this budget amendment.

Motion carried by roll call vote, as recorded:

- Scott Curtis – Aye
- Dale Holbrook – Aye
- Jeannie King – Aye
- Roger Masingale – Aye
- Gary Mason – Aye
- Jerry Millsaps – Aye
- Bob Powers – Aye
- Jack Powers – Aye
- Tad Simpson – Aye
- Chairman David Crews – Aye

Fund: Self Insurance Fund # 263

Date: May 13, 2010

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Reserve	Undesignated Fund Balance	39000	7,157.94	
Transfers Out	Transfers to Other Funds	99100-500		7,157.94

EXPLANATION: To close out Fund # 263 and place funds in an Assigned or Committed Reserve within the General Fund # 101 to be compliant with GASB State # 54.

MOTION made by Commissioner Simpson, and seconded by Commissioner Mason, to approve this budget amendment.

Motion carried by roll call vote, as recorded:

- Scott Curtis – Aye
- Dale Holbrook – Aye
- Jeannie King – Aye
- Roger Masingale – Aye
- Gary Mason – Aye
- Jerry Millsaps – Aye
- Bob Powers – Aye
- Jack Powers – Aye
- Tad Simpson – Aye
- Chairman David Crews – Aye

Fund: Federal Projects # 142 – Carl Perkins, 09.21, #80C

Date: April 29, 2010

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Revenue	Vocational Ed. – Basic Grants to States	47131	3,516.00	
Vocational Ed. Program	Vocational Equipment	71300-730		3,516.00

EXPLANATION: To budget reappropriated funds for fiscal year 2009 redistributed to McMinn County.
 School Board approval: 5/13/10

MOTION made by Commissioner Millsaps, and seconded by Commissioner Mason, to approve this budget amendment.

Motion carried by roll call vote, as recorded:

- Scott Curtis – Aye
- Dale Holbrook – Aye
- Jeannie King – Aye
- Roger Masingale – Aye
- Gary Mason – Aye
- Jerry Millsaps – Aye
- Bob Powers – Aye
- Jack Powers – Aye
- Tad Simpson – Aye
- Chairman David Crews – Aye

Fund: Education Capital Project Fund # 177

Date: April 28, 2010

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Other Services (Non Revenue)	Transfers In	49800		201,760.74
Education Capital Projects	Building Purchases (Central)	91300-732	18,709.42	
“	Other Construction (MCVS)	91300-791	55,769.00	
Reserve	Undesignated Fund	39000	127,282.32	

EXPLANATION: To close out Fund # 177 to be compliant with GASB 54 requirements. School Board approval 5/13/10.

MOTION made by Commissioner Bob Powers, and seconded by Commissioner Simpson, to approve this budget amendment.

Motion carried by roll call vote, as recorded:

Scott Curtis – Aye
Dale Holbrook – Aye
Jeannie King – Aye
Roger Masingale – Aye
Gary Mason – Aye
Jerry Millsaps – Aye
Bob Powers – Aye
Jack Powers – Aye
Tad Simpson – Aye
Chairman David Crews – Aye

9. COMMENTS FROM THE AUDIENCE

A. Comments by Mr. Claude Irons, Niota Resident, Regarding Water Service.

Mr. Irons is retired from Athens Utilities Board in the water department and stated he is a recognized authority in water service in McMinn County. He talked about suggestions he made years ago that were not taken and how some of today's problems could have been avoided if they had been. He discussed the Commission's approval for Athens Utilities Board to put water into the Pond Hill region and asked if the Commissioners had really looked at these plans, because it excludes twelve homes in a mile region and has the potential of creating a vacuum on that system. Mr. Iron's home is located on the highest place in McMinn County until you get to Etowah, and he said that if a reservoir were placed right behind his house, it would solve the water problems in that area. He offered to meet with anyone about his ideas.

10. RESOLUTIONS

A. A Resolution to Approve the Appropriation of Funds to McMinn Central High School FBLA Club.

Mr. Gentry presented the following resolution to approve an appropriation of \$300.00 to McMinn Central High School FBLA Club for their trip to the national conference. Mr. Gentry added that this was approved at the Budget Committee earlier this evening.

Resolution No. 10-059

A RESOLUTION TO APPROVE THE APPROPRIATION OF FUNDS TO MCMINN CENTRAL HIGH SCHOOL FBLA CLUB

WHEREAS, a request has been made by the Central High School FBLA Club for funding assistance regarding their National Conference in Nashville; and

WHEREAS, in past years Central High School has maintained a strong presence of competition and has currently placed three of their members in competition for the national championship in Network Design and Word Processing I; and

WHEREAS, the McMinn County Board of Commissioners, desiring to promote and recognize excellence among its students approves an appropriation of funds from its discretionary account in the amount of \$300.00.

(Cont'd)

Resolution No. 10-059 (Cont'd)

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF MAY 2010 that this Commission does hereby approve this appropriation of funds to the McMinn Central High School FBLA Club in recognition and promotion of their excellence in competition.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

B. A Resolution to Approve the Request for Hotel-Motel Funds by the National Moofest Committee.

Mr. Gentry presented the following resolution to approve the request for Hotel-Motel Funds by the National Moofest Committee. Mr. Gentry said this was also approved by the Budget Committee earlier this evening.

Resolution No. 10-060

A RESOLUTION TO APPROVE THE REQUEST FOR HOTEL-MOTEL FUNDS BY THE NATIONAL MOOFEST COMMITTEE

WHEREAS, the National MooFest provides an important event to promote McMinn County's proud agrarian heritage on a grand scale; and

WHEREAS, last year's National MooFest was attended by an estimated 12,000 people; and

WHEREAS, the MooFest Committee has requested funding from McMinn County to assist in marketing the 2010 National MooFest; and

WHEREAS, to assist in the marketing and promotion of this event, the MooFest Committee requests twenty-five hundred dollars (\$2,500.00) from the Hotel/Motel Tax Fund.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF MAY 2010 that this Commission does hereby approve \$2,500 for the Moofest Committee to properly promote the National MooFest.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

C. A Resolution to Approve the Application Regarding Funding and Placement of a Rural Fire Hydrant.

Mr. Gentry presented the following resolution to approve the application regarding funding and placement of a fire hydrants in District 5, at the intersection of County Road 655 and Court Road 651. Mr. Gentry added that this had the approval of the Emergency Services Committee.

Resolution No. 10-061

A RESOLUTION TO APPROVE THE APPLICATION REGARDING
FUNDING AND PLACEMENT OF A RURAL FIRE HYDRANT

WHEREAS, in order to properly perform the essential means of fighting fires in McMinn County, it is necessary to provide fire hydrants to rural areas; and

WHEREAS, it is the policy of McMinn County to aid in the funding of the placement of 1 rural fire hydrant per year in each civil district; and

WHEREAS, the following application has been recommended for approval by the Rural Fire Committee:

As a service to the citizens of McMinn County, the McMinn County Commission approves a grant for payment toward the installation of ONE fire hydrants per civil district per fiscal year. The grant amount is \$3000 per hydrant, based on available funds and approval of the Budget Committee.

I, Patrick Alan Dyke, as the Chief of Claxton Fire District, wish to request the placement of 1 fire hydrant(s) at the following location:

Intersection of County Road 655 and County Road 651

(provide map)

This form stands as a Hold Harmless agreement whereas McMinn County is not responsible for any fees relating to maintenance of said fire hydrant. The undersigned applicant understands that this hydrant, should its funding be approved by the McMinn County Commission, will be installed by the local utility provider, and may or may not be maintained by the utility. The person/group making this request accepts the responsibility of maintaining this hydrant, which could include, but not be limited to: painting, mowing, arranging hydrant testing, keeping maintenance records,

Chief Signature: (Orig signed by Patrick Alan Dyke)

Address: 813 County Road 750, Athens, TN 37303

Telephone: 423.506.4952 (cell)

Date of Request: 5/04/10

Utility Provider Agreement:

As Utility Provider, it is agreed that the installation of this hydrant must be completed and billed to McMinn County within the fiscal year following the year in which the application is approved. If the installation is not completed and billed to McMinn County within that time, this utility provider will assume all costs incurred for the installation of the approved hydrant, including costs involving installation, materials, etc.

Utility Provider Authorizing Signature: (Orig signed by Ray Ingram, Athens Utilities Board) 5/4/10

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF May 2010, that this Commission does hereby approve this Fire Hydrant Requests.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

11. ELECTIONS, APPOINTMENTS AND CONFIRMATIONS

None.

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

A. Solid Waste (Landfill) Committee – Commissioner Millsaps.

Commissioner Millsaps said that the Solid Waste (Landfill) Committee met earlier this evening and they approved two resolutions that were considered and approved by the County Commission in this meeting.

B. Emergency Services Committee – Commissioner Curtis.

Commissioner Curtis said that the Emergency Services Committee met prior to this meeting and approved the Fire Hydrant resolution just passed by the County Commission. He said they also approved plans for the North Ambulance Station to be put out for bid.

C. Budget Committee – Commissioner Jack Powers.

Commissioner Jack Powers said that the Budget Committee met prior to this meeting and approved several resolutions just passed by the County Commission. He also said their next meeting will be on July 27, 2010, at 6:00 pm.

D. Declaration of Constable Vacancy in 3rd District – Commissioner Masingale.

Commissioner Masingale declared a constable vacancy in the 3rd district due to the death of W. J. Harris. Mr. Gentry explained that Mr. Amos Brock won his primary race for this vacancy, and he said that if the Commission declares the vacancy and publishes this in the newspaper, they could then appoint Mr. Brock as constable; however, Mr. Gentry added that other people may apply.

At the direction of the County Attorney, the County Clerk will publish a legal notice as follows:

LEGAL NOTICE

Take notice that the governing body of McMinn County, at their May 17, 2010 Regular Session, declared a Constable vacancy in the third district. The McMinn County Commission will appoint a Third District Constable at their June 21, 2010 Regular Session.

(Orig signed by Evonne Hoback)
McMinn County Clerk

13. COMMENTS FROM THE COUNTY MAYOR

A. Energy Efficient Grant – Stimulus Money.

Mr. Gentry said that this energy efficient grant of \$100,000.00, which was applied for earlier this year, was approved and will go toward the Courthouse Annex portion that is the future location of the Board of Education. Mr. Gentry said this should go a long way to getting that facility ready for School Board occupancy.

B. Rails to Trails Grant.

Mr. Gentry said that this \$80,000 rails to trails grant has been approved but Mr. Gentry said we still have a lot of work to do. He said that the Railroad has not yet given us an appraisal although they have been here and appraised it. He also said that they are working with other counties who have gone through this process to see if this is something we want to do.

14. APPROVAL OF NOTARY APPLICATIONS

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

Notary Applications for May 2010

Richard A. Boyd
Sondra Denton
Thomas B. Holladay III
Winona K. Pless
Rita C. Quarles
Frieda Rich
Mary Ann Sheffey
Lori Templeton

MOTION made by Commissioner Mason, and seconded by Commissioner Bob Powers, to approve these notary applications.

Motion carried by voice vote.

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

None.

16. ADJOURNMENT

There being no other regular business, Chairman Crews declared the Commission meeting adjourned at 8:05 pm.

EVONNE HOBACK
McMinn County Clerk

Attest:

Deputy Clerk (date)