

The McMinn County Board of Commissioners met in Regular Session on April 16, 2012, at 7:30 pm, in the Blue Room of the McMinn County Courthouse.

1. CALL TO ORDER

The meeting was called to order by Chairman David Crews.

2. INVOCATION

The Invocation was given by Commissioner Gary Mason.

3. PLEDGE TO THE FLAG

The Pledge to the Flag was led by Boy Scout Troop 616, from Calhoun, TN.

4. ROLL CALL

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

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

5. APPROVAL OF MINUTES

Copies of the Minutes of the Regular Session on March 19, 2012 were provided to the McMinn County Commissioners.

MOTION made by Commissioner Holbrook, and seconded by Commissioner King, to approve the Minutes of March 19, 2012.

Motion carried by voice vote.

6. APPROVAL OF BIDS AND PURCHASES

A. A Resolution to Approve and Award the Annual Bid for Crushed Stone.

Mr. Luallen presented the following resolution to approve and award the annual bid for crushed stone, along with a letter of recommendation from the Solid Waste Manager and a copy of the bid summary sheet.

RESOLUTION NO. 12-041

A RESOLUTION TO APPROVE AND AWARD THE ANNUAL
BID FOR CRUSHED STONE

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. 12-041 (Cont'd)

WHEREAS, the McMinn County Solid Waste Manager, Stan Moses, requests the purchase of crushed stone for the period of May 1, 2012 through April 30, 2013, 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, Stan Moses, McMinn County Solid Waste Manager has recommended the bid be awarded to Vulcan Materials Company, the low bidder meeting specifications.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 16th DAY OF APRIL 2012, that this Commission does hereby approve the recommendation of the Solid Waste Manager.

(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 Curtis, to approve this resolution.

Motion carried by voice vote.

B. A Resolution to Approve and Award the Annual Road Striping Bid.

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

RESOLUTION NO. 12-042

A RESOLUTION TO APPROVE AND AWARD 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, Randall Moss, the McMinn County Highway Commissioner, requests to bid road striping for the period of May 1, 2012 through April 30, 2013, in order to properly carry out the functions of this department; and

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

WHEREAS, Randall Moss Commissioner of Highways has recommended the bid be awarded to the lowest bidder meeting all specifications, Volunteer Highway Supply of Knoxville, TN; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 16th DAY OF APRIL 2012, that this Commission does hereby approve the recommendation of the McMinn County Highway Commissioner.

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

Resolution No.12-042 (Cont'd)

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

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

Mr. Luallen presented the following resolution to approve and award the annual bid of hot mix, along with a letter of recommendation from the Highway Commissioner and the Bid Summary Sheet.

RESOLUTION NO. 12-043

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, 2012 through April 30, 2013, 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, Randall Moss, McMinn County Highway Commissioner has recommended the bid be awarded to the low bidder 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 16th DAY OF APRIL 2012, 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 Holbrook, to approve this resolution.

Motion carried by voice vote.

D. A Resolution to Approve and Award the Semi-Annual Liquid Asphalt Bid.

Mr. Luallen presented the following resolution to approve and award the semi-annual liquid asphalt bid, along with a letter of recommendation from the Highway Commissioner and the Bid Summary Sheet.

RESOLUTION NO. 12-044

A RESOLUTION TO APPROVE AND AWARD THE
SEMI-ANNUAL LIQUID ASPHALT 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 the purchase of liquid asphalt for the period of May 1, 2012 thru October 31, 2012, 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, Randall Moss, McMinn County Highway Commissioner recommends the bid be awarded to the low bidder, Marathon Petroleum Company, Knoxville, TN.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 16th DAY OF APRIL 2012, 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 King, and seconded by Commissioner Slack, to approve this resolution.

Motion carried by voice vote.

E. A Resolution to Approve and Award the Bid for the Board of Education Phase II Re-Roof Bids for McMinn County High School.

Mr. Luallen presented the following resolution to approve and award the bid for the Board of Education Phase II Re-Roof Bids for McMinn County High School.

RESOLUTION NO. 12-045

A RESOLUTION TO APPROVE AND AWARD THE BID FOR THE BOARD OF EDUCATION
PHASE II RE-ROOF BIDS FOR
MCMINN COUNTY HIGH SCHOOL

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. 12-045 (Cont'd)

WHEREAS, McMinn County Board of Education has requested partial re-roofing at McMinn County High School in order to properly carry out the functions of the school; and

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

WHEREAS, architects Upland Design Group has recommended and the McMinn County School Board has approved the recommendation that the phase II re-roof project bid be awarded to the low bidder meeting specifications, Parris Roofing & Sheet Metal Company, Inc., of Cleveland, TN for \$470,000; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 16th DAY OF APRIL 2012, that this Commission does hereby approve the recommendation of the architect, Upland Design Group, and the McMinn County School Board and further authorize the County Mayor to execute all documents essential to fulfilling said project.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

In response to a question from Commissioner Simpson, Mr. Luallen explained that unit pricing would only be a factor if additional work were needed above the basic scope of work.

In response to a question from Commissioner King, Mr. Luallen said that Phase I was also done by Parris Roofing & Sheet Metal of Cleveland, TN, and that should be positive in regards to warranty where the Phase I and Phase II roofing join.

Motion carried by voice vote.

F. A Resolution to Approve Purchase Over \$10,000 for a Dodge Truck to be Used at the Highway Department.

Mr. Luallen presented the following resolution to approve purchase over \$10,000 for a Dodge Truck to be used at the Highway Department, along with a copy of the requisition. Mr. Luallen also said that the price met the criteria of being no more than 5% of the documented price range for purchase of used vehicle.

RESOLUTION NO. 12-046

A RESOLUTION TO APPROVE PURCHASE OVER \$10,000 FOR A
DODGE TRUCK TO BE USED AT THE HIGHWAY DEPARTMENT

WHEREAS, the McMinn County Highway Commissioner, Randall Moss, requests to purchase a Dodge truck; and

WHEREAS, the truck to be purchased is a 2008 Dodge Dakota valued at \$14,600; and

(Cont'd)

Resolution No. 12-046 (Cont'd)

WHEREAS, according to TCA 12-3-1003 and Financial Management Committee policy the purchase of used items or equipment valued over \$10,000 may be purchased from any federal, state, or local government without public advertisement or competitive bidding provided that cost is not more than 5% higher than the general range of value of the purchased item documented in a nationally recognized publication; and

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 16TH DAY OF APRIL, 2012, that this Commission does hereby approve the purchase of a 2008 Dodge Dakota truck for the McMinn County Highway Department.

(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 Masingale, to approve this resolution.

In response to a question from Commissioner Simpson, Roy Glass of the Highway Department said that this is a replacement for a truck that is going out of service.

Motion carried by voice vote.

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

Mr. Luallen presented the following resolution to approve payment of annual hardware and software maintenance support for the Register of Deeds, along with a copy of the requisition.

RESOLUTION NO. 12-047

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

WHEREAS, McMinn County Register of Deeds request renewal of annual hardware and software maintenance support in the amount of \$20,696.56 for the period of July 1, 2011 to June 30, 2012; 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 16TH DAY OF APRIL, 2012, that the payment for invoiced maintenance agreement to ProGResS, Inc. in the amount of \$20,696.56 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 Simpson, to approve this resolution.

Motion carried by voice vote.

H. A Resolution to Approve the Purchase of Portable Radios and Accessories for EMA from State Contract.

Mr. Luallen presented the following resolution to approve the purchase of Portable Radios and Accessories for EMA from State Contract, along with a copy of the requisition.

RESOLUTION NO. 12-048

A RESOLUTION TO APPROVE THE PURCHASE OF PORTABLE RADIOS AND ACCESSORIES FOR
EMA FROM STATE CONTRACT

WHEREAS, Betty Hamby, EMA Director requests approval for the purchase of three (3) portable radios and accessories from the state contract, to carry out her duties; and

WHEREAS, the amount of the purchase is \$ 19,981.83; and

WHEREAS, according to Financial Management Committee Policies & Procedures, purchases over \$10,000 requires County Commission approval; and

WHEREAS, purchase shall be made with funds from FY 2009 and FY 2010 Homeland Security Grant.

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE MEETING IN REGULAR SESSION ON THIS THE 16th DAY OF APRIL 2012, that this purchase from State Contract for EMS be hereby approved.

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

Attest;

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

I. A Resolution to Approve Purchase Over \$10,000 for a Mack Frontloader Truck to be used at the Landfill.

Mr. Luallen presented the following resolution to approve purchase over \$10,000 for a Mack Frontloader Truck to be used at the Landfill, along with a copy of the purchase order.

RESOLUTION NO. 12-049

A RESOLUTION TO APPROVE PURCHASE OVER \$10,000 FOR A MACK FRONTLOADER TRUCK TO BE USED AT THE LANDFILL

WHEREAS, the McMinn County Landfill Supervisor Stan Moses requests to purchase a Frontloader truck with Heil half pack from the City of Athens; and

WHEREAS, the frontloader to be purchased is a 2001 Mack valued at \$25,000; and

WHEREAS, according to TCA 12-3-1003 the purchase of used items or equipment valued over \$10,000 may be purchased from any federal, state, or local government without public advertisement or competitive bidding; and

WHEREAS, purchase will be made using dedicated Waste Connection settlement revenue in an amount not to exceed \$25,000.

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 16TH DAY OF APRIL, 2012, that this Commission does hereby approve the purchase of a 2001 Mack Frontloader truck for the McMinn County Landfill.

(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 Masingale, to approve this resolution.

Motion carried by voice vote.

In response to a question from Commissioner Curtis, Mr. Gentry said that this is a replacement and the old truck will be used as a reserve since we presently do not have a back-up truck.

7. REVIEW AND APPROVAL OF CONTRACTS

A. A Resolution to Approve the Contract Amendment Between McMinn County and State of Tennessee Department of Corrections.

Mr. Luallen presented the following resolution to approve the contract amendment between McMinn County and State of Tennessee Department of Corrections and he explained that this contract amendment only increases the State's liability for the current fiscal year ending June 30, 2012.

RESOLUTION NO. 12-050

A RESOLUTION TO APPROVE THE CONTRACT AMENDMENT BETWEEN MCMINN COUNTY AND STATE OF TENNESSEE DEPARTMENT OF CORRECTIONS

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

WHEREAS, McMinn County has entered into contract with Tennessee Department of Correction to house state felons within the McMinn County Justice Center; and

WHEREAS, this amendment increases the maximum liability.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 16th DAY OF APRIL, 2012 THAT THE COMMISSION DOES APPROVE THIS CONTRACT AMENDMENT WITH TENNESSEE DEPARTMENT OF CORRECTIONS, AND FURTHERMORE RESOLVES TO GRANT AUTHORITY TO THE COUNTY MAYOR OR HIS DESIGNEE TO CARRY OUT THE DUTIES OF SAID CONTRACT, 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 Powers, to approve this resolution.

Motion carried by voice vote.

B. A Resolution to Approve an Interlocal Agreement Between McMinn County and the City of Athens Regarding a United States Department of Justice Assistance Grant.

Mr. Gentry presented the following resolution to approve an interlocal agreement between McMinn County and the City of Athens regarding a United States Department of Justice Assistance grant.

RESOLUTION NO. 12-051

A RESOLUTION TO APPROVE AN INTERLOCAL AGREEMENT BETWEEN MCMINN COUNTY AND THE CITY OF ATHENS REGARDING A UNITED STATES DEPARTMENT OF JUSTICE ASSISTANCE GRANT

WHEREAS, the United States Department of Justice has made available a Justice Assistance Grant to assist governmental entities to obtain funds for law enforcement purposes; and

WHEREAS, Athens and McMinn County have qualified for an award, which requires an interlocal agreement between the City and the County to receive their joint allocations; and

(Cont'd)

WHEREAS, the total award is \$14,378, with \$8,627 designated for the city and \$5,751 designated for the county; and

WHEREAS, McMinn County agrees to participate in this interlocal agreement in order to receive its allocated funds and authorizes the McMinn County Sheriff to apply for and receive said funds for the enhancement of the department

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 16th DAY OF April 2012, that this board does authorize McMinn County to enter into an interlocal agreement with the City of Athens as stipulated by the terms of the DOJ Justice Assistance Grant; and

FURTHER RESOLVES that the County Mayor is authorized to execute all documents involved in this interlocal agreement, the public welfare requiring it.

(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 Slack, to approve this resolution.

Motion carried by voice vote.

C. A Resolution to Approve the Dean Howard & Daughters Auction Company Contract.

Mr. Luallen presented the following resolution to approve the Dean Howard & Daughters Auction Company Contract, along with a copy of the contract.

RESOLUTION NO. 12-052

A RESOLUTION TO APPROVE THE DEAN HOWARD & DAUGHTERS AUCTION COMPANY CONTRACT

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 enter into contract with Dean Howard & Daughters Auction Company for the professional services of the sale of surplus property at McMinn County's annual surplus sale according to the terms therein; and

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 16th DAY OF APRIL, 2012 that this Commission does hereby agree to enter into contract with Dean Howard & Daughters Auction Company to sell at public auction personal property belonging to McMinn County and their entities properly declared as surplus items.

(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 Powers, to approve this resolution.

Motion carried by voice vote.

D. A Resolution to Approve the Continued Financial Administration of Additional Assistant District Attorney General Position.

Mr. Luallen presented the following resolution to approve the continued financial administration of additional Assistant District Attorney General Position, along with a copy of the request from District Attorney General Bebb.

RESOLUTION NO. 12-053

A RESOLUTION TO APPROVE THE CONTINUED FINANCIAL ADMINISTRATION OF
ADDITIONAL ASSISTANT DISTRICT ATTORNEY GENERAL POSITION

WHEREAS, the Tenth Judicial District Drug Task Force has approved funds to continue the additional Assistant District Attorney General position for another two year period; and

WHEREAS, the Drug Task Force and District Attorney General Steven Bebb requests the McMinn County Finance Office to administer the receipt and disbursements of these funds; and

WHEREAS, the McMinn County Finance Office currently administers the accounting functions of the Tenth Judicial Drug Task Force as well as the additional Assistant District Attorney General position; and

WHEREAS, there shall be no cost to McMinn County, but for the time and expertise of the Finance Office staff; and

WHEREAS, McMinn County shall receive any interest earned on the money; and

WHEREAS, at the end of the two year period, McMinn County shall be under no obligation to retain this employee as an employee of McMinn County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE MEETING IN REGULAR SESSION THIS THE 16th DAY OF APRIL 2012, that the Commission does hereby approve the administration of Drug Task Force funds to hire an Assistant District Attorney General by the McMinn County Finance Office.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

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

Mr. Luallen presented the following resolution to declare items as surplus property and place them for sale at public auction. Mr. Luallen said that the auction is scheduled for May 19th.

RESOLUTION NO. 12-054

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 desires to declare the attached list of items as surplus property and provide them for sale by public auction; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 16th DAY OF APRIL 2012, that this Commission hereby approves the sale of the attached list 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, and furthermore sets the county surplus sale date for Saturday, May 19, 2012.

(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 Simpson, to approve this resolution.

Motion carried by voice vote.

F. A Resolution to Enter Into a Contract with the Tennessee Department of Health for Construction/Renovations to the McMinn County Health Department.

Mr. Gentry presented the following resolution to enter into a contract with the Tennessee Department of Health for Construction/Renovations to the McMinn County Health Department, along with a copy of the contract.

Resolution No. 12-055

A RESOLUTION TO ENTER INTO A CONTRACT WITH THE TENNESSEE DEPARTMENT OF HEALTH FOR CONSTRUCTION/RENOVATIONS TO THE MCMINN COUNTY HEALTH DEPARTMENT

WHEREAS, the State of Tennessee Department of Health awarded McMinn County \$300,000 for construction and renovations to the McMinn County Health Department beginning on July 1, 2010; and

WHEREAS, the State of Tennessee now wishes to enter into a contract with McMinn County which guarantees the completion of these services by September 30, 2012; and

WHEREAS, McMinn County has completed the project and the County Mayor recommends entering into the contract; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 16TH DAY OF APRIL 2012, that this commission does hereby approve the contract with the State of Tennessee guaranteeing the completion date of September 30, 2012, for the construction and renovations at the McMinn County Health Department and FURTHER authorizes the County Mayor to execute said agreement to fulfill the intent of this resolution.

(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 McPhail, to approve this resolution.

Motion carried by voice vote.

G. A Resolution to Approve Medical Care Agreement Between McMinn County and Nathan Trentham, MD to provide physician services at the McMinn County Justice Center.

Mr. Gentry presented and explained the following resolution to approve medical care agreement between McMinn County and Nathan Trentham, MD to provide physician services at the McMinn County Justice Center.

Resolution No. 12-056

A RESOLUTION TO APPROVE MEDICAL CARE AGREEMENT BETWEEN McMINN COUNTY AND NATHAN TRENTHAM, MD TO PROVIDE PHYSICIAN SERVICES AT THE McMINN COUNTY JUSTICE CENTER

WHEREAS, McMinn County presently contracts with Woods Memorial Hospital to provide medical services, including physician and nurse care, to inmates at the Justice Center; and

(Cont'd)

Resolution No. 12-056 (Cont'd)

WHEREAS, Woods Memorial Hospital has indicated they no longer desire to provide healthcare at the Justice Center due to liability concerns; and

WHEREAS, the County Mayor and Sheriff have talked to various companies that specialize in inmate healthcare and found the costs considerably higher than the costs of contracting with a local physician; and

WHEREAS, McMinn County wishes to contract directly with Nathan Trentham, MD the physician currently being used by Woods Memorial Hospital to provide medical care at the McMinn County Justice Center; and

WHEREAS, McMinn County shall pay the physician \$2,000 per month for the professional services rendered of providing medical care to inmates and nurse staff supervision and shall also pay the physician the actual cost incurred by the physician, plus 10% for any medical supplies furnished to inmates delivered under this agreement; and

WHEREAS, the Physician has reviewed the contract terms and offered his concurrence.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 16th DAY OF APRIL 2012 that this Commission does hereby approve this resolution to approve the Medical Care Agreement between McMinn County and Nathan Trentham, MD and Further authorizes the County Mayor to execute the necessary documents to implement the intent of this resolution.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

8. APPROVAL OF BUDGET AMENDMENTS

Mr. Luallen presented three Federal Projects budget amendments, a copy of which was provided to each commission.

Fund: Federal Projects # 142 – Teacher Incentive Fund Grant # 221 Date: March 20, 2012

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Regular Instruction Program Support	Library Books / Media	72210-432		500.00
“	In-Service /Staff Development	72210-524	500.00	

EXPLANATION: To change the estimated budget to the actual budget for the Teacher Incentive Fund FY 12 – Planning Funds.

Fund: Federal Projects # 142 – Teacher Incentive Fund Data Funds
 Grant, # 222

Date: March 21, 2012

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Federal Funds Received Thru State	Other Funds Thru State	47590	150,000.00	
Regular Instruction Program Support	Communication	72210-307		5,000.00
“	Travel	72210-355		5,500.00
“	Other Contracted Services	72210-399		125,000.00
“	Library Brooks / Media	72210-432		1,500.00
“	Other Supplies & Materials	72210-499		5,000.00
“	In-Service / Staff Develop- ment	72210-524		3,000.00
“	Other Equipment	72210-790		5,000.00

EXPLANATION: To change the budget entered for the T.I.F. Data Funds Grant to the actual budget approved for the McMinn County School System. The period of this grant award is July 1, 2011 to September 30, 2014.

Fund: # 142, Federal Projects, IDEA – Part B, 12.01, # 902

Date: April 3, 2012

<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>FOLIO</u>	<u>DEBIT</u>	<u>CREDIT</u>
Federal Funds Received Thru State	Special Ed. – Grants to States	47143	13,545.00	
Special Education Program	Contracts with Private Agencies	71200-312		13,545.00

EXPLANATION: To enter Amendment No. 2 to the IDEA – Part B 12.01 grant. This amendment was approved by the state March 20, 2012.

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

Motion carried by roll call vote, as recorded:

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

9. COMMENTS FROM THE AUDIENCE

A. Comments from Mr. Dan Chesanow, a McMinn County Resident.

In response to a question from Mr. Dan Chesanow concerning the status of the flood insurance program, Chairman Crews said it is scheduled to be implemented June 30, 2012, as the law requires.

10. RESOLUTIONS

A. A Resolution to Add Full-Time and Part-Time Nurse Positions for Justice Center Medical Services.

Mr. Gentry presented the following resolution to add full-time and part-time nurse positions for Justice Center medical services.

Resolution No. 12-057

A RESOLUTION TO ADD FULL-TIME AND PART-TIME NURSE POSITIONS FOR JUSTICE CENTER
MEDICAL SERVICES

WHEREAS, Woods Memorial Hospital has indicated they no longer desire to provide nursing services at the McMinn County Justice Center due to liability concerns; and

WHEREAS, the current contract with Woods Memorial Hospital provides one full-time nurse position and one part-time nurse position to provide necessary medical services at the McMinn County Justice Center; and

WHEREAS, after consulting third party inmate medical care providers and reviewing past medical staffing costs, the County Mayor and Sheriff recommend McMinn County provide its own “in house” nursing staff by creating the positions of full-time and part-time Justice Center nurses; and

WHEREAS, McMinn County’s current liability insurance provides the necessary malpractice coverage for employees acting solely in their official roles of employment with McMinn County; and

WHEREAS, the nurses will be under the medical direction/supervision of the physician contracted to provide medical services at the Justice Center; and

WHEREAS, McMinn County believes combining in house nurse care with contracted physician services will be the most cost-effective solution to provide quality inmate healthcare.

WHEREAS, it is anticipated this new medical care model will be effective June 1, 2012.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 16th DAY OF APRIL 2012 that this Commission does hereby approve this resolution to add full-time and part-time nurse positions to the Justice Center staff to provide inmate medical nurse care.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

B. A Resolution to Approve the Private Act Passed by the Tennessee General Assembly to Dissolve the Woods Memorial Hospital District Board of Trustees.

Mr. Gentry presented and explained the following resolution to approve the Private Act passed by the Tennessee General Assembly to Dissolve the Woods Memorial Hospital District Board of Trustees, along with a copy of the Private Act.

Resolution No. 12-058

A RESOLUTION TO APPROVE THE PRIVATE ACT PASSED BY THE TENNESSEE GENERAL ASSEMBLY TO DISSOLVE THE WOODS MEMORIAL HOSPITAL DISTRICT BOARD OF TRUSTEES

WHEREAS, Woods Memorial Hospital District (WMHD) was established by Private Act of the State of Tennessee on the 16th day of February 1965; and

WHEREAS, the WMHD Board of Trustees requested the McMinn County Commission to petition the Tennessee General Assembly to introduce a private act to terminate the board effective December 31, 2012; and

WHEREAS, on January 16, 2012, the McMinn County Commission approved by a unanimous vote a petition to the Tennessee General Assembly to Repeal Chapter 13 of the Private Acts of 1965, thus terminating the WMHD Board of Trustees.

WHEREAS, on March 30, 2012, the Tennessee General Assembly passed Private Chapter No. 42 which repeals Chapter 13 of the Private Acts of 1965 and any other acts amendatory thereto, relative to the termination of the Woods Memorial Hospital District Board of Trustees in McMinn County; and

WHEREAS, final enactment of a Private Act requires approval of two thirds of the McMinn County Commission; and

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 16th DAY OF APRIL 2012 that this Commission does hereby approve this resolution to approve the Tennessee General Assembly's passage of Private Chapter No. 42 to dissolve the WMHD Board of Trustees effective December 31, 2012.

(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 Masingale, to approve this resolution.

Motion carried by roll call vote, as recorded:

Scott Curtis – Aye
Dale Holbrook – Aye
Tim King – Aye
Roger Masingale – Aye
Gary Mason – Aye
J. W. McPhail – Aye
Bob Powers – Aye
Tad Simpson – Aye
Charles Slack – Aye
Chairman David Crews – Aye

11. ELECTIONS, APPOINTMENTS AND CONFIRMATIONS

A. A Resolution to Confirm the Appointment of Rick Brown to the Riceville Utility District Board of Directors.

Mr. Gentry presented the following resolution to confirm the appointment of Rick Brown to the Riceville Utility District Board of Directors.

Resolution No. 12-059

A RESOLUTION TO CONFIRM THE APPOINTMENT OF RICK BROWN TO THE RICEVILLE UTILITY DISTRICT BOARD OF DIRECTORS

WHEREAS, Mr. Joe Henry has decided to resign as a member of the Riceville Utility District Board of Directors; and

WHEREAS, Tennessee Code Annotated 7-82-307 empowers utility districts to the submit the names of prospective board members to the County Mayor for appointment; and

WHEREAS, based upon the recommendation of the Riceville Utility District Board of Directors, and finding no sound reason to reject the recommendation, County Mayor John Gentry does recommend Mr. Rick Brown to serve the remaining year of Joe Henry's four year term as a member of the Riceville Utility District Board of Directors.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEEM MEETING IN REGULAR SESSION THIS THE 16TH DAY OF APRIL 2012, that this Commission does hereby confirm the appointment of Mr. Rick Brown to the Riceville Utility District Board of Directors.

(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 McPhail, to approve this resolution.

Motion carried by voice vote.

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

A. Solid Waste Disposal (Landfill) Committee – Commissioner McPhail.

Commissioner McPhail said that the Landfill Committee met earlier this evening and recommended approval of two resolutions (annual bid for crushed stone, and purchase of a truck for the Landfill) which the Commission approved earlier in this meeting.

B. Flood Insurance Committee – Commissioner McPhail.

Commissioner McPhail said that the implementation of the Flood Insurance program is still in progress, but it looks like the E-911 Office will be the permit office.

C. Budget Committee – Commissioner Curtis.

Commissioner Curtis said that the Budget Committee met earlier this evening and recommended approval of two resolutions regarding health care at the Justice Center which the Commission approved earlier in this meeting.

He also said they discussed the draft Tax Increment Financing (T.I.F.) Policies and Guidelines for McMinn County, a copy of which was provided to the Commissioners for their review.

D. Emergency Services Committee – Commissioner Simpson.

Commissioner Simpson said that the Emergency Services Committee met earlier this evening and recommended approval of the purchase of portable radios and accessories for EMA which the Commission approved earlier in this meeting.

E. Sheriff's Office Monthly Report.

The Sheriff's Office Monthly Report was provided to the Commissioners.

13. COMMENTS FROM THE COUNTY MAYOR

A. VA Clinic Update.

Mr. Gentry read an email from Chris Alexander, the Public Affairs Officer for the VA, stating that the clinic is moving forward.

B. Flood Insurance Program.

Mr. Gentry thanked the Flood Insurance Committee for their hard work for the good of our citizens in order to meet compliance requirements.

C. Tax Increment Financing (T.I.F.) Policies and Guidelines for McMinn County.

Mr. Gentry referred to a draft Tax Increment Financing Policies and Guidelines for McMinn County and he asked all Commissioners to study and give him their comments. He added that this will be presented to the Bond Board on April 25, 2012.

D. "Picking Up McMinn"

Mr. Gentry asked his Litter Coordinator, Mark Cochran, to discuss a new program called "Picking Up McMinn." Mr. Cochran said that there is a new program funded by the State and in McMinn County will be administered by through Keep McMinn Beautiful, for non-profit groups to earn \$50.00 a mile to pick up litter. Mr. Cochran said that this is an exciting way for non profit groups to earn money.

E. 2012 John S. Wilder Rebuild Tennessee Award.

Mr. Gentry said that the Commission has been awarded the Tennessee Development District Association's 2012 John S. Wilder Rebuild Tennessee Award for their strategic planning process which has resulted in large infrastructure projects, hundreds of miles of waterlines, and all done without the issuance of debt. Mr. Gentry stated that the Commission should be commended for being recognized by their peers for their wise stewardship of the public's resources.

F. Debt-free Status.

Mr. Gentry reported he had recently attended a regional economic development meeting, sponsored by E.C.D. Commissioner Bill Hagerty, where the state was touting its "strongest in the nation" balance sheet made possible by Tennessee low public debt. He has found industry to be increasingly concerned with the balance sheet of the governments where they locate. Mr. Gentry stated that given McMinn County's debt free status and Tennessee's "Strongest in the Nation" balance sheet, it would be interesting to note how McMinn County's balance sheet ranked among the nation's counties.

15. APPROVAL OF NOTARY APPLICATIONS

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

Notary Applications for April 2012

Elizabeth Blackledge
Susan Brown
Lisa M. Buckner
Margie Caraway
Carla Jo Carr
William H. Estes
Melissa C. Hahn
Carol Annette Hinshaw
Kelly Hockman
Sonya Howton-Walden
Connie P. Landers
Charles J. Liner
Kimberly C. Rymer
Billie Jean Wilcox

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

Motion carried by voice vote.

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

None.

17. ADJOURNMENT

There being no other business, Chairman Crews declared the Commission meeting adjourned.

EVONNE HOBACK
McMinn County Clerk

Attest:

Deputy Clerk (date)

Note for the Record: This meeting was not recorded due to a malfunction/error.