

The McMinn County Board of Commissioners met in Regular Session on February 20, 2012, at 7:30pm, in the Blue Room of the McMinn County Courthouse.

1. CALL TO ORDER

The meeting was called to order by Chairman David Crews at 7:45 pm.

2. INVOCATION

The Invocation was given by Commissioner Gary Mason.

3. PLEDGE TO THE FLAG

The Pledge to the Flag was led by Commissioner Bob Powers.

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 – Absent  
Chairman David Crews – Present

5. APPROVAL OF MINUTES

Copies of the Minutes of the Regular Session on January 16, 2012 were provided to the McMinn County Commissioners.

MOTION made by Commissioner Holbrook, and seconded by Commissioner King, to approve the Minutes of January 16, 2012.

Motion carried by voice vote.

6. APPROVAL OF BIDS AND PURCHASES

A. A Resolution to Approve Purchase Over \$10,000 for a Bomag Compactor to be Used at the Landfill.

Mr. Luallen presented the following resolution to approve purchase over \$10,000 for a Bomag compactor to be used at the Landfill. Mr. Luallen added that this was approved by the Solid Waste Committee earlier this evening.

RESOLUTION NO. 12-013

A RESOLUTION TO APPROVE PURCHASE OVER \$10,000 FOR A BOMAG COMPACTOR TO  
BE USED AT THE LANDFILL

WHEREAS, the McMinn County Landfill Supervisor Stan Moses requests to purchase a used compactor in order to replace a compactor with approximately 15,000 hours of operation time; and

WHEREAS, the compactor to be purchased is a 2008 Bomag valued at \$97,427 with freight costs being \$7,573 totaling \$105,000; and

WHEREAS, according to TCA 12-3-1003 and McMinn County Financial Management Policy and Procedures, the purchase of used items or equipment valued over \$10,000 may be purchased without public advertisement or competitive bidding provided the price falls within 5% of a documented price range from a nationally recognized publication or a licensed appraiser; and

WHEREAS, an appraisal has been requested from an AMEA Certified Appraiser of Machinery and Appraisal Company, L.L.C. to declare the fair market value range of the compactor; and

WHEREAS, approval of this purchase is contingent upon the documented price of the Bomag compactor of \$97,427 being within the 5% threshold provided by T.C.A. 12-3-1003 and McMinn County Financial Management Committee Policy and Procedures; and

WHEREAS, a warranty for 12 months 1,000 hours is also requested in the amount of \$2,060; and

WHEREAS, purchase will be made using dedicated Waste Connection settlement revenue in an amount not to exceed \$107,060.

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 20<sup>TH</sup> DAY OF FEBRUARY, 2012, that this Commission does hereby approve the purchase of a Bomag compactor for the McMinn County Landfill.

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

Attest:

(Orig signed by Evonne Hoback)  
County Clerk

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

Motion carried by voice vote.

B. A Resolution to Disqualify Vendor.

Mr. Luallen presented the following resolution to disqualify vendor in accordance with Financial Management Committee Policy and Procedures and explained that the General Manager of American Paper & Twine Co. has requested to withdraw their bid due to an error in pricing that would have resulted in a significant loss of money. Mr. Luallen also explained that this is the first problem with this particular vendor and since this was a clerical error, he is not recommending that they be disqualified but said that he was following Financial Management policy and procedures. Mr. Luallen answered several questions from Commissioners, and told the Commissioners if they wanted to give the vendor another chance to just vote nay.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION TO DISQUALIFY VENDOR

WHEREAS, the semi-annual requirements bid on paper and plastic products for the bid period January 1, 2012 through June 30, 2012, was awarded to the lowest and best bidder for each individual product; and

WHEREAS, a portion of the bid was awarded to American Paper & Twine Co.; and

WHEREAS, General Manager Chris Romito of American Paper & Twine Co. has requested to withdraw their bid due to an error in pricing that would have resulted in a significant loss of money; and

WHEREAS, according to Financial Management Committee Policy and Procedures a vendor may be disqualified for failure to deliver bid items at the approved bid price; and

WHEREAS, proper notification of this policy has been given to Mr. Romito; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20<sup>th</sup> DAY OF FEBRUARY, 2012, that this Commission does hereby disqualify American Paper & Twine Co. from future bidding on any future bid.

\_\_\_\_\_  
John M. Gentry  
McMinn County Mayor

Attest:

\_\_\_\_\_  
Evonne Hoback, County Clerk

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

Motion failed by voice vote.

C. Proposed Resolution to Purchase a 2012 Ford F250 For Litter Collection from State Contract.

At the County Mayor's request, the resolution to purchase a 2012 Ford F250 for litter collection from state contract is being pulled because they will go out for bid for this vehicle.

7. REVIEW AND APPROVAL OF CONTRACTS

A. Resolution – McMinn County Community Development Block Grant Application.

Mr. Luallen presented the following resolution regarding the McMinn County Community Development Block Grant application for E. K. Baker Elementary School.

RESOLUTION NO. 12-014

MCMINN COUNTY  
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

**WHEREAS**, the E.K. Baker Elementary School is having major problems with the existing forty year old on-site wastewater treatment plant which is not meeting it's wastewater discharge requirements; and

**WHEREAS**, The Tennessee Department of Environment and Conservation has documented numerous instances of discharge violations in the past few years including ammonia, chlorine, suspended solids, fecal coliform and other violations; and

**WHEREAS**, the Athens Utilities Board has agreed to work in partnership with McMinn County and the McMinn County Board of Education to extend public sewer service to the school which would allow the Board of Education to eliminate the existing wastewater plant; and

**WHEREAS**, McMinn County is eligible to apply for up to \$500,000 in competitive Community Development Block Grant funds to assist with critical community needs such as this; and

**WHEREAS**, the McMinn County Board of Education has agreed to provide local matching funds in the amount of \$110,000 to complete the project;

**NOW THEREFORE BE IT RESOLVED, BY THE MCMINN COUNTY BOARD OF COMMISSIONERS, MEETING ON THIS 20<sup>th</sup> DAY OF FEBRUARY 2012**, that this Commission authorizes the County Mayor to apply for up to \$500,000 in CDBG funds to assist with the extension of sewer lines to serve the E.K. Baker Elementary School, **AND BE IT FURTHER RESOLVED** that the County Mayor is authorized to sign documents and enter into agreements necessary for the successful application and award of the grant, subject to its approval by the state.

(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 Mason, to approve this resolution.

Motion carried by voice vote.

B. A Resolution to Approve 2011 Homeland Security Grant Between McMinn County and the Tennessee Emergency Management Agency.

Mr. Luallen presented the following resolution to approve 2011 Homeland Security Grant between McMinn County and the Tennessee Emergency Management Agency. Mr. Luallen said that this was approved by the Emergency Services Committee earlier this evening.

RESOLUTION NO. 12-015

A RESOLUTION TO APPROVE 2011 HOMELAND SECURITY GRANT BETWEEN MCMINN COUNTY AND THE TENNESSEE EMERGENCY MANAGEMENT AGENCY

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 the State of Tennessee Emergency Management Agency which is providing a Homeland Security Grant to purchase communications, HazMat, and Interoperability equipment; and

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20<sup>TH</sup> DAY OF FEBRUARY, 2012 that this Commission does hereby agree to the contract with State of Tennessee, Tennessee Emergency Management for its 2011 Homeland Security Grant in the amount of \$ 23,667.73;

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

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

Attest:

(Orig signed by Evonne Hoback)  
County Clerk

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

Motion carried by voice vote.

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

Mr. Luallen presented the following resolution to approve the contract between McMinn County and State of Tennessee Department of Health and he explained that this is the annual resolution to approve the contract for the appropriation from the County to the State Health Department for FY 2011-12.

RESOLUTION NO. 12-016

A RESOLUTION TO APPROVE THE 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 previously 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 appropriation for which the County shall be billed is \$56,125; and

WHEREAS, McMinn County Health Department does provide these services and both parties do hereby agree to these provisions in the contract for FY 2011-12.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20<sup>th</sup> DAY OF FEBRUARY, 2012, that this Commission does hereby approve this contract.

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

(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 McPhail, to approve this resolution.

Motion carried by voice vote.

8. APPROVAL OF BUDGET AMENDMENT

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

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

Date: January 16, 2012

| <u>DEPARTMENT</u>                       | <u>ACCOUNT</u>                     | <u>FOLIO</u> | <u>DEBIT</u> | <u>CREDIT</u> |
|---|------------------------------------|--------------|--------------|---------------|
| Federal Funds<br>Received Thru<br>State | Special Ed. – Grants to<br>States  | 47143        |              | 15,493.00     |
| Special Education<br>Program            | Contracts with Private<br>Agencies | 71200-312    | 15,493.00    |               |

EXPLANATION: To enter Amendment No. 1 to the IDEA – Part B 12.01 Grant. This amendment was approved by the state December 16, 2011. School Board approval: 2/09/12.

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

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 – Absent
- Chairman David Crews – Aye

9. ANNUAL REPORT FOR WOODS MEMORIAL HOSPITAL FUNDS – PHIL TUGGLE , TRUSTEE

Mr. Tuggle reviewed the following report for Woods Memorial Hospital Funds with the Commission, and offered to provide copies to anyone interested.

As of February 20, 2012, McMinn County received Woods Hospital District payment as follows:

|      |                             |
|------|-----------------------------|
| 2007 | \$1,000,000.00 (12-21-2007) |
| 2008 | \$ 800,000.00 (12-23-2008)  |
| 2009 | \$1,200,000.00 (12-31-2009) |
| 2011 | \$ 753,253.62 (12-28-2011)  |
| 2012 | \$ 179,671.95 (1-23-2012)   |
|      | \$3,032,025/58 (total)      |

This total represents our total and final payments from Woods Hospital District.

As of January 25, 2012, our current balance of \$4,075,794.55 includes \$142,868.98 in earned interest.

The account has been re-bid through January 2013 at a local bank.

10. COMMUNITY ACTION GROUP OF ENGLEWOOD (CAGE) REGARDING RAILS TO TRAILS

Ms. Gail Anderson, with the Community Action Group of Englewood, addressed the Commission regarding their support of Rails to Trails, as stated in their recent letter to the County Mayor and the Commission, and added that she would love to see it come even closer to Englewood.

11. COMMENTS FROM THE AUDIENCE

None.

12. RESOLUTIONS

A. A Resolution to Amend McMinn County's Ambulance Service Regulations.

Mr. Gentry presented the following resolution, which was discussed at length in the earlier Emergency Services Committee meeting, to amend McMinn County's Ambulance Service Regulations concerning two items having to do with emergency vs non-emergency service. Mr. Gentry explained this in detail and added that this was approved by the Emergency Services Committee.

Resolution No. 12-017

**A RESOLUTION TO AMEND McMINN COUNTY'S AMBULANCE SERVICE REGULATIONS**

**WHEREAS**, per the provision of T.C.A. 7-61-103, McMinn County adopted regulations in June 2006 to govern ambulance services wishing to operate in McMinn County; and

**WHEREAS**, McMinn County recognizes that these regulations may need to be amended as technologies and best practices change in the emergency services industry; and

**WHEREAS**, in an effort to prevent confusion for both the general citizenry and 911 emergency dispatchers the following language is to be added to the McMinn County Ambulance Service Regulations as items 4 and 5 under "General" section:

4. Service providers who are not the exclusive McMinn County contracted emergency medical service provider shall not respond to calls for emergency medical services, as broadly defined by T.C.A., unless expressly requested, authorized and dispatched by the McMinn County Emergency 911 Communications Center. If a non-emergency provider is contacted to provide emergency medical services by any other means the provider shall immediately instruct the caller to contact McMinn County E-911. Non-emergency ambulance service providers shall err on the side of caution when determining the nature of non E-911 dispatch generated service calls. If no medically trained personnel are on site of the scene from which the calls originate the calls should be referred to E-911 for proper dispatching. A non-emergency ambulance service that fails to refer the request for EMS to McMinn Dispatch shall pay a fine of \$50.00 per violation. Further, the license of a non-emergency ambulance service in McMinn County shall be subject to suspension or revocation by McMinn County (in its sole discretion) after the third violation.

5. In the event a non-emergency service provider is contacted to provide back-up or mutual aid emergency medical services any responding ambulance shall have on board a licensed paramedic and emergency medical service technician.

**WHEREAS**, this amendment shall become effective immediately following its adoption.

(Cont'd)



Resolution No. 12-017 (Cont'd)

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 20<sup>th</sup> DAY OF FEBRUARY 2012**, that the current McMinn County Ambulance Service Regulations be amended as stated herein and the County Mayor shall provide such to each licensed Ambulance Service.

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

Approved:

(Orig signed by Evonne Hoback)  
County Clerk

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

Motion carried by voice vote.

B. A Resolution to Waive Landfill Tipping Fees for City of Etowah for Demolition of 6<sup>th</sup> Street School/Community Center.

Mr. Gentry presented a resolution to waive Landfill tipping fees for City of Etowah for demolition of 6<sup>th</sup> Street School/Community Center, as requested in a letter from Etowah's City Manager. Mr. Gentry said that this was considered at the Landfill meeting earlier this evening and they recommend that the Commission approve waiving 75% of the gate rate as reflected in the following resolution.

Resolution No. 12-018

**A RESOLUTION TO WAIVE LANDFILL TIPPING FEES FOR CITY OF ETOWAH FOR DEMOLITION OF 6<sup>th</sup> STREET SCHOOL/COMMUNITY CENTER**

**WHEREAS**, the City of Etowah is faced with demolishing the former Etowah Elementary School/Community Center located on 6<sup>th</sup> Street due to prohibitive restoration costs and construction of the new community center; and

**WHEREAS**, the facility is no longer insurable and poses a public safety risk in its current condition; and

**WHEREAS**, due to the large amount of debris expected from the demolition of the building the City of Etowah has requested McMinn County waive the landfill tipping fees for debris disposal, excluding any applicable state surcharges; and

**WHEREAS**, McMinn County may waive certain fees for debris disposal when it is in the best interest of the public welfare; and

**WHEREAS**, the McMinn County Commission hereby approves waiving 75% of the posted gate rate of \$19.00/ton due to its impact on the general welfare and to aid the City of Etowah in mitigating its costs on this significant public works project.

(Cont'd)

Resolution No. 12-018 (Cont'd)

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 20<sup>th</sup> DAY OF FEBRUARY 2012**, that this Commission does hereby approve waiving 75% of the posted gate rate of \$19.00/ton for the debris disposal of the former community center, excluding any applicable state surcharges.

Attest:

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

(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.

13. ELECTIONS, APPOINTMENTS AND CONFIRMATIONS

A. Three Resolutions to Confirm Reappointments to the McMinn County 911 Board of Directors.

Mr. Gentry presented the following resolutions to confirm reappointments to the McMinn County 911 Board of Directors. He said these three members have agreed to serve another term and Mr. Gentry expressed his appreciation for the work they did recently with the merger of the Athens system with 911 and he would like to see some continued continuity in this endeavor.

(1) A Resolution to Confirm the Re-appointment of Harold Masengil to the McMinn County 911 Board of Directors.

Resolution No. 12-019

**A RESOLUTION TO CONFIRM THE RE-APPOINTMENT OF  
HAROLD MASENGIL, TO THE MCMINN COUNTY 911 BOARD OF DIRECTORS**

WHEREAS, the McMinn County 911 has a Board of Directors to oversee the direction and management of its operations and service; and

WHEREAS, John M. Gentry as McMinn County Mayor, nominates HAROLD MASENGIL, for re-appointment to the McMinn County 911 Board of Directors, which terms are for four years; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 20th DAY OF FEBRUARY 2012, that this commission does hereby confirm this appointment.

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

Attest:

(Orig signed by Evonne Hoback)  
McMinn County Clerk

(2) A Resolution to Confirm the Re-appointment of Joel Riley to the McMinn County 911 Board of Directors.

Resolution No. 12-020

A RESOLUTION TO CONFIRM THE RE-APPOINTMENT OF  
JOEL RILEY, TO THE MCMINN COUNTY 911 BOARD OF DIRECTORS

WHEREAS, the McMinn County 911 has a Board of Directors to oversee the direction and management of its operations and service; and

WHEREAS, John M. Gentry as McMinn County Mayor, nominates JOEL RILEY, for re-appointment to the McMinn County 911 Board of Directors, which terms are for four years; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 20th DAY OF FEBRUARY 2012, that this commission does hereby confirm this appointment.

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

Attest:

(Orig signed by Evonne Hoback)  
County Clerk

(3) A Resolution to Confirm the Re-appointment of Mike Jones to the McMinn County 911 Board of Directors.

Resolution No. 12-021

A RESOLUTION TO CONFIRM THE RE-APPOINTMENT OF  
MIKE JONES, TO THE MCMINN COUNTY 911 BOARD OF DIRECTORS

WHEREAS, the McMinn County 911 has a Board of Directors to oversee the direction and management of its operations and service; and

WHEREAS, John M. Gentry as McMinn County Mayor, nominates MIKE JONES, for re-appointment to the McMinn County 911 Board of Directors, which terms are for four years; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 20th DAY OF FEBRUARY 2012, that this commission does hereby confirm this appointment.

(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 these resolutions.

Motion carried by voice vote.

B. A Resolution to Confirm the Appointment of Bob Foster to the McMinn County Industrial Development Bond Board.

Mr. Gentry presented the following resolution to confirm the appointment of Bob Foster to the McMinn County Industrial Development Bond Board. Mr. Gentry mentioned Mr. Foster's contributions to McMinn County as former plant manager of Heil and now as Chairman of their Board of Directors and said he highly recommends this appointment.

Resolution No. 12-022

A RESOLUTION TO CONFIRM THE APPOINTMENT OF BOB FOSTER TO THE McMINN COUNTY INDUSTRIAL DEVELOPMENT BOND BOARD

WHEREAS, McMinn County has an Industrial Development Bond Board to provide for the review of the issuance of industrial development bonds and notes subject to the appropriate rules and regulations as promulgated by the Tennessee Code; and

WHEREAS, state law grants authority to the County Mayor to appoint members to the McMinn County Industrial Development Bond Board upon confirmation by the county legislative body; and

WHEREAS, John M. Gentry as McMinn County Mayor, nominates Bob Foster to serve as a member of the McMinn County Industrial Development Bond Board, for a four year term ending January, 2016

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 20<sup>th</sup> DAY OF February 2012, that this commission does hereby confirm the appointment of Bob Foster to the McMinn County Industrial Development Bond Board.

(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.

C. Resolutions to Confirm Reappointments to the Riceville Utility District Board of Directors.

Mr. Gentry presented the following resolutions to confirm reappointments to the Riceville Utility District Board of Directors, as recommended by the Utility District.

(1) A Resolution to Confirm the Reappointment of Jim Danuel to the Riceville Utility District Board of Directors.

Resolution No. 12-023

A RESOLUTION TO CONFIRM THE REAPPOINTMENT OF JIM DANUEL TO THE RICEVILLE  
UTILITY DISTRICT BOARD OF DIRECTORS

WHEREAS, Mr. Jim Danuel's four-year term on the Riceville Utility District Board of Directors has expired; and

WHEREAS, Tennessee Code Annotated 7-82-307 empowers utility districts to 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. Jim Danuel of the Riceville community to be reappointed as a member of the Riceville Utility District Board of Directors for a four year term subject to County Commission confirmation.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE MEETING IN REGULAR SESSION THIS THE 20<sup>th</sup> DAY OF FEBRUARY 2012, that this Commission does hereby confirm the reappointment of Mr. Jim Danuel 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

(2) A Resolution to Confirm the Reappointment of Ron Banks to the Riceville Utility District Board of Directors.

Resolution No. 12-024

A RESOLUTION TO CONFIRM THE REAPPOINTMENT OF RON BANKS TO THE RICEVILLE  
UTILITY DISTRICT BOARD OF DIRECTORS

WHEREAS, Mr. Ron Banks' four-year term on the Riceville Utility District Board of Directors has expired; and

WHEREAS, Tennessee Code Annotated 7-82-307 empowers utility districts to 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. Ron Banks of the Riceville community to be reappointed as a member of the Riceville Utility District Board of Directors for a four year term subject to County Commission confirmation.

(Cont'd)

Resolution No. 12-024 (Cont'd)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE MEETING IN REGULAR SESSION THIS THE 20<sup>th</sup> DAY OF FEBRUARY 2012, that this Commission does hereby confirm the reappointment of Mr. Ron Banks to the Riceville Utility District Board of Directors.

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

Attest:

(Orig signed by Evonne Hoback)  
McMinn County Clerk

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

Motion carried by voice vote.

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

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

Commissioner McPhail said that the Solid Waste Committee met prior to this meeting and recommended approval of the resolution to approve the purchase of a used Bomag compactor for the Landfill, which the Commission approved tonight.

B. Emergency Services Committee – Commissioner Simpson.

Commissioner Simpson said that the Emergency Services Committee met earlier this evening and approved two resolutions which the Commission approved earlier in this meeting.

C. Rails to Trails Joint Committee.

Chairman Crews said three representatives from the McMinn County Commission are needed for this joint committee and said that Commissioners Curtis, King and McPhail have agreed to serve.

D. Business Incubator Project.

Chairman Crews said Mayor Gentry will serve as our representative on this project.

15. COMMENTS FROM THE COUNTY MAYOR

A. VA Clinic Update.

Mr. Gentry said that a State VA official called him and said that there is positive movement in the D. C. Office toward getting this bid package together.

B. Meeting with Tennessee Aeronautics Division.

Mr. Gentry said that we received a favorable response to our application for grants from the Tennessee Aeronautics Division for a new maintenance hangar, new ten-unit t-hangar and airport drainage study. We were approved for over \$1.7 million in projects at a 90/10 match.

C. Jail Update.

Mr. Gentry said that the fire alarm people are in and working in the non-secure areas. The system is being built in Alabama will be tested down there before it is shipped here.

D. Joint Meeting with Athens and Englewood to Discuss Tax Increment Financing (TIF) and Rails to Trails.

Mr. Gentry said he has received favorable comments regarding this joint meeting. He said that the City of Athens will probably move quicker than the county regarding the TIF, because there are some differences on how the TIF will affect the county, but Mr. Gentry said he hoped to have some final language to present to the Commission soon. Mr. Gentry said that there will be a joint panel, with three representatives from each body, to address the rails to trails issues of funding, maintenance, use guidelines and adjacent landowner concerns. Mr. Gentry said hopefully that will come back to the Commission within 30 to 45 days with more information for the County Commission.

16. APPROVAL OF NOTARY APPLICATIONS

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

Notary Applications for February 2012

Lea Ann Arbuthnot  
Debbie Davis Carver  
Sherian Diana Cranfield  
Retta Davis  
Joanna G. England  
Sharon D. Graham  
Judy H. Hammonds  
Connie Coffee Lowry  
Gigi D. Perian  
Stephanie W. Ring  
Glenda P. Sharp  
Teri Wade  
Chynna Wolfenden

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

Motion carried by voice vote.

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

None.

18. ADJOURNMENT

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

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EVONNE HOBACK  
McMinn County Clerk

Attest:

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Deputy Clerk                      (date)