

The McMinn County Board of Commissioners met in Regular Session on July 15, 2024 at 6:00 pm, in the Blue Room of the McMinn County Courthouse.

1. CALL TO ORDER

The meeting was called to order by Chairman Curtis.

2. INVOCATION

The Invocation was given by Commissioner Millsaps.

3. PLEDGE TO THE FLAG

The Pledge to the Flag was led by Commissioner Carter.

4. ROLL CALL

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

Chairman Scott Curtis - Present
Tim King - Present
Roger Masingale - Present
Jerry Millsaps – Present
J. W. McPhail - Present
Brent Carter -Present
Tad Simpson - Present
Charles Slack – Present
Travis Crisp – Present
Scott Cass - Present

5. APPROVAL OF MINUTES

Copies of the Minutes of the Regular Session on June 28, 2024 were provided to the McMinn County Commissioners.

MOTION made by Commissioner King, and seconded by Commissioner McPhail, to approve the minutes of June 28, 2024 meeting.

Motion carried by voice vote.

6. REVIEW AND APPROVAL OF CONTRACTS

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

Mr. Luallen presented resolution #24-051 along with a copy of the Grant Contract.

RESOLUTION NO. 24-051

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

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

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

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

(Res. 24-051 con't)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 15th DAY OF JULY, 2024 that this Commission does authorize McMinn County to apply for grant and enter into a memorandum of understanding with the McMinn County Sheriff and the McMinn County Board of Education as stipulated by the terms of the Statewide School Resource Officer Grant Program; and

FURTHER RESOLVES that the County Mayor and/or his designee is authorized to execute all documents necessary to fulfill the intent of this resolution, the public welfare requiring it.

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

Attest:

(Orig signed by Melinda King)
County Clerk

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

Motion carried by voice vote.

B A Resolution to Approve Application for Grant Contract Between McMinn County and the Tennessee Department of Finance and Administration.

Mr. Luallen presented resolution #24-052.

RESOLUTION NO. 24-052

A RESOLUTION TO APPROVE THE APPLICATION FOR GRANT CONTRACT BETWEEN MCMINN COUNTY AND THE TENNESSEE DEPARTMENT OF FINANCE AND ADMINISTRATION

WHEREAS, the transportation of inmates with mental health issues to the appropriate facilities has become an increasing burden on the McMinn County Sheriff Department; and

WHEREAS, the State of Tennessee has recognized the challenges faced by Tennessee's sheriffs and has developed the Emergency Mental Health Transport Grant to assist in easing the burden of transporting mentally ill inmates to facilities that can provide appropriate care; and

WHEREAS, the sheriff is authorized to secure a third-party provider or use officers not in traditional uniform utilizing unmarked vehicles.

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

15th DAY OF JULY 2024, that this commission does hereby approve this grant contract between McMinn County and the State of Tennessee Department of Finance and Administration, AND FURTHERMORE, authorizes the County Mayor to execute the appropriate documents to fulfill the intent of this resolution.

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

Attest:

(Orig signed by Melinda King)
County Clerk

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

Motion carried by voice vote.

C. A Resolution to Approve a Memorandum of Understanding Between Volunteer Behavioral Health Care and McMinn County Jail.

Mr. Luallen presented resolution #24-053.

RESOLUTION NO. 24-053

A RESOLUTION TO APPROVE
A MEMORANDUM OF UNDERSTANDING BETWEEN VOLUNTEER BEHAVIORAL HEALTH CARE AND
MCMINN COUNTY JAIL

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

WHEREAS, McMinn County Sheriff's Department desires to enter into a Memorandum of Understanding with Volunteer Behavioral Health Care; and

WHEREAS, the purpose of this agreement is to formalize the understanding between the parties participating in the Re-Entry to Recovery County Jail Program, whereby offering comprehensive, client-centered treatment, the parties have a mutual goal of addressing the complex needs of people with Opioid Use Disorder (OUD). The mutual objective is to deliver high quality, evidence-based recovery services to incarcerated individuals with OUD and co-occurring disorders (COD) at McMinn County Jail as they begin transitioning back into the community; and

WHEREAS, the term shall begin on the date this MOU is fully executed by the parties and shall continue until and unless otherwise terminated or extended by agreement of the parties. This agreement will automatically renew according to its original provisions for terms of ninety (90) days until it is expressly extended, **renegotiated**, or terminated. Any party may terminate this agreement upon thirty (30) days prior written notice; and

WHEREAS, said MOU is at no cost to McMinn County; and

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

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 15th DAY OF JULY 2024, that this MEMORANDUM OF UNDERSTANDING be approved.

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

Attest:

(Orig signed by Melinda King)
County Clerk

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

Motion carried by voice vote.

D. A Resolution to Amend Agreement with Direct Primary Care Associates PLLC for Increase in Costs of Services at the McMinn County Justice Center.

Mr. Luallen presented resolution #24-054 along with a copy of the Amendment.

RESOLUTION NO. 24-054

A RESOLUTION TO AMEND AGREEMENT WITH DIRECT PRIMARY CARE ASSOCIATES, PLLC FOR
INCREASE IN COSTS OF SERVICES AT THE
MCMINN COUNTY JUSTICE CENTER

WHEREAS, Direct Primary Care Associates, PLLC, herein referred to as "DPCA," provides medical care to inmates at the McMinn County Justice Center; and

WHEREAS, DPCA has incurred a significant increase in cost of medical malpractice insurance, and

(Res. 24-054 con't)

WHEREAS, DPCA has requested an increase in cost for services provided from its current monthly amount of \$3,000 to \$4,166.67 per month; and

WHEREAS, it is necessary to increase the cost paid for medical care in the Medical Care Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 15th DAY OF JULY, 2024, that this Commission hereby approves amending the Medical Care Agreement between McMinn County and DPCA to the requested monthly amount of \$4,166.67.

(Orig signed by John M. Gentry)

McMinn County Mayor

Attest:

(Orig signed by Melinda King)

County Clerk

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

Motion carried by voice vote.

7. APPROVAL OF BUDGET AMENDMENTS

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

FUND: GENERAL FUND # 101			Date: 7/11/2024	
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
State of Tennessee	Other State Grants	46980-OCJP	376,205.00	
Jail	Other Salaries & Wages	54210-189-OCJP		10,000.00
Jail	Contracts w/Other School Systems	54210-311-OCJP		191,000.00
Jail	Travel	54210-355-OCJP		500.00
Jail	Office Supplies	54210-435-OCJP		4,255.00
Jail	Other Supplies & Materials	54210-499-OCJP		145,150.00
Jail	Other Equipment	54210-790-OCJP		5,300.00
Jail	Other Capital Outlay	54210-799-OCJP		20,000.00
Explanation: To budget revenue & expenditures related to OCJP Grant for Welding and HVAC classes.				
State of Tennessee	Health Department Programs	46310	423,000.00	
Local Health Center	Temporary Personnel (DGA Grant)	55110-168		423,000.00
Explanation: To amend budget to reflect grant budget for FY 24-25 DGA Grant. Approved 6/28/24.				
Tourism	Capital Outlay	58110-799	18,000.00	
Tourism	Programming & Placement	58110-599		18,000.00
Explanation: To amend budget to reflect approved changes in distribution percentages within Tourism portion of Hotel/Motel tax. Approved 6/28/2024				
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Reserve	Unassigned Fund Balance	39000	6,000.00	
Chancery Court	Data Processing Equipment	53400-709		6,000.00
JOURNAL ENTRY REQUIERED				
RESERVE	Restricted for Computer System-Clerk & Master	39126	6,000.00	
RESERVE	Unassigned Fund Balance	39000		6,000.00
Explanation: To budget for computer replacement for office from Data Processing Reserve. No affect on general budget.				
Sheriff's Department	Other Supplies & Materials	54110-499ACSIC		7,500.00

(con't)

Other Local Revenues	Other Local Revenues	4499-ACSIC	7,500.00	
Explanation: To budget revenues and expenditures related to Sheriff's Advance Crime Scene Investigation Class on August 26-30, 2024.				
RESERVE	Unassigned Fund Balance	39000	1,870.00	
Agricultural Extension Service3	Other Fringe Benefits	57100-299		1,870.00
Explanation: To budget benefits associated with cost-of-living increase for FY 2024-2025.				
State of Tennessee	Other State Grants	46980-VCIF	84,827.00	
Sheriff's Department	Other Equipment	54110-790- VCIF		84,827.00
Explanation: To budget revenues and expenditures related TO State of Tennessee Violent Crime Intervention Fund Grant.				
State of Tennessee	Other State Grants	46980-COLLA	63,297.00	
Sheriff's Department	Other Equipment	54110-790- COLLA		63,297.00
Explanation: To budget revenues and expenditures related TO State of Tennessee Violent Crime Intervention Fund Collaborative Enhancement Grant.				

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

- Chairman Scott Curtis – Aye
- Tim King - Aye
- Roger Masingale - Aye
- Brent Carter - Aye
- J. W. McPhail – Aye
- Jerry Millsaps - Aye
- Tad Simpson - Aye
- Charles Slack – Aye
- Travis Crisp - Aye
- Scott Cass – Aye

Motion carried by roll call vote, as recorded:

Mr. Luallen presented the following budget amendments, a copy of which was provided to each Commissioner. These did have School Board approval.

Fund: Federal Projects # 141		Date: 07/08/2024		
Reserve	Undesignated Fund Balance	39000	140,779.89	
Regular Instruction Program	Teachers	71100-116		14,306.69
Technology	Other Equipment	72250-790		40,350.20
Other Student Support	Other Charges	72130-599		2,477.00
Board of Education Services	Liability Insurance	72310-506		89,679.00
Board of Education Services	Worker's Compensation Insurance	72310-513	14,623.00	
Operation of Plant	Building & Contents Insurance	72610-502		7,687.00
Transpiration	Vehicle & Equipment Insurance	72710-511		903.00
Explanation: To move funds from Unassigned in FY 2024-25 to supplement Voluntary Pre-K due to decrease in grant allocation, eRate equipment upgrade and Property & Casualty Liability Insurance increases.				
Other Local Revenues	Early Childhood Education	46515		2,561.85
Early Childhood Education	Teachers	73400-116	2,561.85	
Explanation: To amend the budget for FY 2024-25 Voluntary Pre-K due to decrease in grant allocation.				
Revenue	Undesignated Fund Balance	39000	65,529.70	
Operation of Plant	Other Contracted Services	72610-399COPS		25,507.99
Operation of Plant	Other Supplies & Materials	72610-499 COPS		1,058.00
Operation of Plant	Other Charges	72610-599 COPS		4,340.43
Operation of Plant	Plant Operation Equipment	72610-720 COPS		34,623.28
EXPLANATION: To budget funds for the Public Safety Partnership and Community Policing (COPS)				

Fund: 141 General Purpose School Fund, Public Safety Partnership and Community Policing Grant -COPS		Date: 07/08/2024		
Special Education Program	Travel	72220-355	110,000.00	

(con't)

Transportation	Contracts with Parents	72710-313		110,000.00
Explanation: to adjust Special Education travel budget to new line item per State Department of Education.				

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

Chairman Scott Curtis – Aye
Tim King - Aye
Roger Masingale - Aye
Brent Carter - Aye
J. W. McPhail – Aye
Jerry Millsaps - Aye
Tad Simpson - Aye
Charles Slack – Aye
Travis Crisp - Aye
Scott Cass – Aye

Motion carried by roll call vote, as recorded:

8. COMMENTS FROM THE AUDIENCE

None.

9. RESOLUTIONS

A. A Resolution to Approve County Water Project Matching Funds for Watts Bar Utility District Water Line Extension.

Mr. Gentry presented resolution # 24-055.

RESOLUTION NO. 24-055

TO APPROVE MCMINN COUNTY WATER PROJECT MATCHING FUNDS FOR WATTS BAR UTILITY DISTRICT WATER LINE EXTENSION

WHEREAS, McMinn County has identified the need for public water to be extended to all areas of the county with unsafe water; and

WHEREAS, there are residents of McMinn County living along County Road 224 who have requested assistance with public water service; and

WHEREAS, the final construction cost of the lines is \$28,040; and

WHEREAS, citizens in this area have complied with Watts Bar Utility District's extension policy in conjunction with the county's 30% match; and

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

NOW, THEREFORE, BE IT RESOLVED that the McMinn County Commission agrees to provide the necessary 30% matching funds for construction expenses in the amount of \$8,413; and

BE IT FURTHER RESOLVED, THAT THE MCMINNN COUNTY COMMISSION, MEETING IN REGULAR SESSION ON THE 15th DAY OF JULY, 2024, and FURTHERMORE, authorizes the County Mayor to enter into agreements and execute documents necessary to carry out the intent of this resolution.

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

(Res. 24-054 con't)

Attest:

(Orig signed by Melinda King)
County Clerk

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

Motion carried by voice vote

10. ELECTIONS, APPOINTMENTS AND CONFIRMATIONS

None.

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

None.

12. COMMENTS FROM THE COUNTY MAYOR

Mayor Gentry said that he and the Chairman have spoken about community members in the northern part of the county with concerns over how late the I-75 Racetrack operates. Mr. Gentry said a couple years ago the State Legislators under Title 55 chapter 22 placed Racetracks under counties. Mr. Gentry read the law:

A county legislative body shall have the authority to:

1. Provide for the times, dates, and conditions under which motor vehicle races shall be conducted; and
2. Establish any other rule relative to the regulation and licensure of automobile race tracks that the county legislative body deems prudent and advisable.

Mr. Gentry said after meeting with a couple of them he told them his pledge would be to inform the commission of this law and if the Chairman would like to assign that to a committee. He said you cannot just start regulate in parcel. He said we really need to look at it through a committee structure and see how that works. Mr. Gentry said when it says "establish any other rule" then you are blowing something wide open. He said he wants to know if we study it today with a narrow confine of time. He said he understands racing at 2 am is not good for the community and probably not the racers most likely. But because of wrecks things get pushed back and its tuff. Mr. Gentry told Chairman Curtis with his agreeance he would be glad to facilitate everything with which ever committee he thinks best. Mr. Gentry said he has talked with other counties that have racetracks to see how they operate. Chairman Curtis said he thought Public Safety Committee would be the committee to handle this.

Mr. Gentry said they have had great meetings with the state about the program they have allowed to do. He said they are eager to be partners and already opening some funding for the project. He said there is \$100,000 tourism grant that will be bringing before the commission most likely next month working possibly Calhoun on their boat ramp on the Hiwassee. Mr. Gentry said Calhoun's City Manager and he is going to run it though their city and see if we would partner with them and the match on the \$100,000. He said he told them he would entertain possibly helping them with that through the Hotel/Motel tax to help the capital to help do a nice canoe launch or something on that side.

Mr. Gentry said he met with the developer who has property on Exit 36 in Calhoun, met with development district, utilities they are working on that project. He said State Representative Mark Cochran and Senator Adam Lowe and legislators have seen fit to put \$400,000 in the state budget to help with that and the county would match. He said he told the developer utilities that once everything has been ironed out he will bring a resolution to the commission for the county's matching funds but will wait until they have everything secured on their end to make sure what's going on at that exit is something that enhances the community and also the right water line size that does what is needed to do. Mr. Gentry said his understanding is they hope to have that worked out in the next couple of weeks. Commissioner Crisp ask if Bowater had come back with any potential sale of land. Mr. Gentry said they have not to him. He said he

was told they have talked to the developer and ask for that contact and said they would get that to him. Mr. Gentry said they have the state reaching out to them on our behalf.

Mr. Gentry said Opioid money, they have a meeting on July 23, 2024. He said they have had 9 requests totaling \$643,000 and have approximately \$523,000 available so the committee will have their work cut out for them. He said the \$523, 000 came through 2 years of funding. Mr. Gentry said July 23 they will be going through the 9 requests. It will not be with the applicants it will be just the committee looking at the applications and weeding out.

Mr. Gentry said that if some of you have been to the Justice Center and noticed some cones that is not a sink hole. He said they thought there was a sink hole in the parking lot but turns out to be the case slipped on one of the 100 Geothermal Wells. He said the insurance sent an engineer out and confirmed that is what it was. He said it was partially fixed right now. Commissioner Cass said that a couple of months ago the Sheriff had said a corner in his office had settled and wanted to know if this might have to do with this. Mr. Gentry said they think that was from the old portion of the jail from about 30 years ago and that if that is connected, they will have bigger problems. Mr. Gentry said that that portion of the jai is not served by the geothermal wells.

Mr. Gentry said that everything has been finalized for Bicentennial Park with 2 grants on it. So now the environmental has started and design will happen in the next month.

Mr. Gentry told the commissioners on the desk they have a from Brett King, Living Heritage Museum thanking the commission for their donation and support to them and also on behalf of the employees for their appreciation of the cost of living 5% raise.

13. APPROVAL OF NOTARY APPLICATIONS

Notaries to be elected July 15 ,2024

TERESA ALLEN
SHAYDEN K COOK
RILEY DUNCAN
JANICE HALL GENTRY

EDNA B. KINARD
SHANDRICKA C SHIPP
JACQUELINE D THRONBERRY

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

Motion carried by voice vote.

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

There being no other business, Chairman Curtis declared the Commission meeting adjourned at 6:16 pm.

MELINDA KING
McMinn County Clerk

Attest:

Deputy Clerk (date)