

The McMinn County Board of Commissioners met in Regular Session on August 19, 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 Cass.

3. PLEDGE TO THE FLAG

The Pledge to the Flag was led by Commissioner King.

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 – Absent  
Scott Cass - Present

5. APPROVAL OF MINUTES

Copies of the Minutes of the Regular Session on July 15, 2024 were provided to the McMinn County Commissioners.

MOTION made by Commissioner McPhail, and seconded by Commissioner Simpson, to approve the minutes of July 15, 2024 meeting.

Motion carried by voice vote.

Mr. Luallen presented resolution #24-056.

RESOLUTION NO 24-056

A RESOLUTION TO DECLARE 1999 BUICK LESABRE AS SURPLUS PROPERTY AND PLACE IT 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, Sheriff Joe Guy desires to declare a 1999 Buick LeSabre with VIN 1G4HLP52KXXH462826 as surplus; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN SPECIAL SESSION THIS THE 19<sup>th</sup> DAY OF AUGUST 2024, that this Commission hereby approves the sale of the 1999 Buick LeSabre with agreed collective consent of the respective department head, Director of Finance and the County Mayor AND FURTHERMORE, grants authority to the County Mayor to execute the necessary documents to fulfill the intent of this resolution.

(Res. # 24-056 con't)

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

Attest:

(Orig signed by Melinda King)  
County Clerk

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

Motion carried by voice vote.

## 6. REVIEW AND APPROVAL OF CONTRACTS

### A. A Resolution to Apply for an Archives development Grant from the Tennessee State Library and Archives.

Mr. Luallen presented resolution #24-057 along with a copy of the Grant Contract.

#### RESOLUTION NO. 24-057

#### A RESOLUTION TO APPLY FOR AN ARCHIVES DEVELOPMENT GRANT FROM THE TENNESSEE STATE LIBRARY AND ARCHIVES

WHEREAS, the Tennessee State Library and Archives provides a grant opportunity to local archives across the state for their archival needs; and

WHEREAS, the 2024-25 Archives Development Grant is available for local archives to replace or purchase archival supplies to improve the storage conditions of archival collections, operations, or public accessibility; and

WHEREAS, the McMinn County Historical Society is applying for a \$4,995.00 grant to purchase archival materials; and

WHEREAS, there is not a match requirement for this grant.

NOW, THEREFORE BE IT RESOLVED, BY THE McMINN COUNTY COMMISSION, MEETING IN REGULAR SESSION, THIS THE 19<sup>th</sup> DAY OF AUGUST, 2024 that this Commission approves the application for an Archives Development Grant in the amount of \$4,995.00 and authorizes the County Mayor to execute any and all documents necessary 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 Carter, and seconded by Commissioner King, 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.

(con't)

| FUND: ROAD & BRIDGE FUND # 131   |                         |           | Date: 8/15/2024 |            |
|--|-------------------------|-----------|-----------------|------------|
| DEPARTMENT   | ACCOUNT                 | FOLIO     | DEBIT           | CREDIT     |
| State of Tennessee   | State Aid Program       | 46410     | 334,210.00      |            |
| Reserve  | Unassigned Fund Balance | 39000     | 6,821.00        |            |
| Capital Outlay   | State Aid Projects      | 68000-726 |                 | 341,031.00 |
| Explanation: To budget revenue & expenditures related to State Aid Road Project. |                         |           |                 |            |

MOTION made by Commissioner King and seconded by Commissioner Slack 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 – Absent
- 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: General Purpose School # 141   |                                 |           | Date: 07/29/2024 |            |
|--|---------------------------------|-----------|------------------|------------|
| Restricted   | Restricted for Support Services | 34465-CSH | 13,650.55        |            |
| Other Student Support  | Other Supplies & Materials      | 72130-499 |                  | 8,150.55   |
| Other Student Support  | In-Service/Staff Development    | 72130-524 |                  | 500.00     |
| Other Student Support  | Other Contracted Services       | 72130-399 |                  | 5,000.00   |
| Explanation: To enter the Coordinated School Health TN Care budget from reserves for 24-25.  |                                 |           |                  |            |
| Revenue  | Undesignated Fund Balance       | 39000     | 156,528.00       |            |
| Transportation   | Transportation Equipment        | 72710-729 |                  | 156,528.00 |
| Explanation: To move funds from Unassigned Fund Balance for the purpose of four 72 passenger school buses that were approved via bid by the Board on 11/7/2023. Total purchase is \$518,888 and \$362,360 is in the budget for FY 24-25, this is to cover the remainder. |                                 |           |                  |            |
| Restricted   | Undesignated Fund Balance       | 39000     | 26,907.38        |            |
| Other Student Support  | Other Charges                   | 72130-599 |                  | 1,1713.88  |
| Board of Education Services  | Other Charges                   | 72310-599 |                  | 25,193.50  |
| EXPLANATION: To enter the Utrust mini grant budget from reserves for FY 24-25.   |                                 |           |                  |            |

MOTION made by Commissioner Millsaps 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 - Absent
- Scott Cass – Aye

Motion carried by roll call vote, as recorded:

(con't)

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

| Fund: Central Cafeteria Fund # 143  |                      |           | Date: 07/31/2024 |          |
|---|----------------------|-----------|------------------|----------|
| DEPARTMENT  | ACCOUNT              | FOLIO     | DEBIT            | CREDIT   |
| Other Local Revenues  | Interest Earned      | 44110     | 1,000.00         |          |
| Food Service  | Trustee's Commission | 73100-510 |                  | 1,000.00 |
| Explanation: To amend budget for FY 24-25 to reflect interest income and trustee commission on investments. |                      |           |                  |          |

MOTION made by Commissioner Slack and seconded by Commissioner Cass 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 - Absent
- 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.

| FUND: OTHER CAPITAL PROJECTS #189                        |                                      |           | Date: 8/15/2024 |               |
|--|--------------------------------------|-----------|-----------------|---------------|
| DEPARTMENT   | ACCOUNT                              | FOLIO     | DEBIT           | CREDIT        |
| RESERVE  | Unassigned Fund Balance              | 39000     | 30,866,092.00   |               |
| General Administration Projects                          | Airport Improvement                  | 91110-702 |                 | 324,867.00    |
| General Administration Projects                          | Building Const.(Expo/Rec.)           | 91110-706 |                 | 223,032.00    |
| General Administration Projects                          | Communication Equipment              | 91110-708 |                 | 486,251.00    |
| General Administration Projects                          | Data Processing Equipment            | 91110-709 |                 | 2,245.00      |
| General Administration Projects                          | Land                                 | 91110-715 |                 | 3,512,618.00  |
| General Administration Projects                          | Motor Vehicle                        | 91110-718 |                 | 103,071.00    |
| General Administration Projects                          | Voting Machines                      | 91110-731 |                 | 140,513.00    |
| General Administration Projects                          | Building Purchases (Courthouse Imp)  | 91110-732 |                 | 2,065,445.00  |
| General Administration Projects                          | Other Equipment (Fire)               | 91110-790 |                 | 617,744.00    |
| Administration of Justice                                | Building Improvements (Justice Cntr) | 91120-707 |                 | 1,507,974.00  |
| Administration of Justice                                | Law Enforcement Equipment            | 91120-707 |                 | 122,420.00    |
| Public Health Projects                                   | Other Capital Outlay (Water)         | 71140-799 |                 | 2,003,681.00  |
| Hwy & Street Capital Projects                            | Highway Construction                 | 91200-713 |                 | 703,232.00    |
| Educational Capital Projects                             | Building Construction                | 91300-706 |                 | 19,052,999.00 |
| Explanation: To budget carryover balances from FY 23-24. |                                      |           |                 |               |

MOTION made by Commissioner McPhail and seconded by Commissioner Carter 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 - Absent
- Scott Cass – Aye

Motion carried by roll call vote, as recorded:

8. COMMENTS FROM THE AUDIENCE

None.

9. RESOLUTIONS

A. A Resolution to Approve Purchase of Property Adjacent to Central High School of McMinn County.

Mr. Gentry presented resolution # 24-058. This did have Budget Committee approval.

RESOLUTION NO. 24-058

A RESOLUTION TO APPROVE THE PURCHASE OF PROPERTY ADJACENT TO MCMINN CENTRAL HIGH SCHOOL

WHEREAS, the thirty-five acres immediately adjacent to McMinn Central High School is for sale; and

WHEREAS, this property is owned by E.M. Armstrong, and the asking price is \$550,000; and

WHEREAS, the McMinn County School Board voted in its August meeting to recommend the purchase of the property with funds from the Education Capital Projects Fund; and

WHEREAS, the purchase would be made in four payments of \$137,500 at 0% interest with the first payment to be made in January 2025 and the last payment to be made January 2028; and

WHEREAS, the Hiwassee Utilities Commission will meet all the financial obligations related to the proposed purchase of the subject property.

NOW, THEREFORE, BE IT RESOLVED by the McMinn County Commission meeting in regular session at Athens, Tennessee, on this 22nd day of April, 2024, that the Hiwassee Utilities Commission of McMinn County and Bradley County is hereby authorized to negotiate and purchase property located at 3939 Chatata Valley Road in Charleston, Tennessee.

BE IT FURTHER RESOLVED that this Resolution shall take effect upon passage, having been properly signed, certified and meeting all other legal requirements of the McMinn County Commission, and as otherwise provided by law, 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 Request from Various Non-Profit Agencies for Funding.

Mr. Gentry presented resolution # 24-059. This did have Budget Committee approval.

RESOLUTION NO. 24-059

A RESOLUTION TO APPROVE REQUESTS FROM VARIOUS  
NON-PROFIT AGENCIES FOR FUNDING

(Res. # 24-059 con't)

WHEREAS, the county's Hotel/Motel Tax Fund may be used to promote events and tourism related activities in McMinn County; and

WHEREAS, these events may be safely held outdoors through July 2025; and

WHEREAS, funding is limited to a maximum of \$3,000 per event; and

WHEREAS, organizations applying for funding are listed below with their respective events and financial requests:

|                                | <u>REQUESTED</u>                          | <u>APPROVED</u> |
|--------------------------------|---|-----------------|
| Friendly City Festivals        | \$3,000 MooFest 2025                      | \$3,000         |
|                                | \$3,000 Pumpkintown 2024                  | \$3,000         |
|                                | \$3,000 Sounds of Summer Concert Series   | \$3,000         |
| City of Calhoun                | \$3,000 River Town Festival               | \$3,000         |
| Athens Parks                   | \$3,000 July 4 <sup>th</sup> Fireworks    | \$3,000         |
| CAGE                           | \$3,000 Englewood Celebrates              | \$3,000         |
| Etowah 4 <sup>th</sup> of July | \$3,000 Etowah 4 <sup>th</sup> of July    | \$3,000         |
| Mainstreet Etowah/Chamber      | \$3,000 Fall Festival                     | \$3,000         |
|                                | \$3,000 Christmas Market/Festival         | \$3,000         |
| Mainstreet Athens              | \$3,000 Old Fashion Downtown Christmas    | \$3,000         |
| Living Heritage Museum         | \$2,000 Annual Quilt Show                 | \$2,000         |
| Gem Players Association        | \$2,500 Murders on Main Street            | \$2,500         |
| Etowah Arts Commission         | \$3,000 Cousin Jake Festival              | \$3,000         |
|                                | \$3,000 Off the Rails Fall Concert Series | \$3,000         |
| City of Niota                  | \$3,000 Fried Green Tomato Festival       | \$3,000         |

WHEREAS, to assist in the funding the advertising and the entertainment, the McMinn County Commission agrees to provide funding from the Hotel/Motel Tax Fund; and

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 19<sup>th</sup> DAY OF AUGUST 2024, that this Commission does hereby approve the requested funding for these community special events.

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

Attest:

(Orig signed by Melinda King)  
 County Clerk

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

Motion carried by voice vote

C. A Resolution to Approve the Request for Funds by the City of Niota for Construction of Restrooms in the Niota Depot.

Mr. Gentry presented resolution # 24-060. This did have Budget Committee approval.

RESOLUTION NO. 24-060

A RESOLUTION TO APPROVE THE REQUEST FOR FUNDS BY

(Res. # 24-060 con't)

THE CITY OF NIOTA FOR CONSTRUCTION OF  
RESTROOMS IN THE NIOTA DEPOT

WHEREAS, the City of Niota has moved its City Hall from the Historic Niota Depot to a new structure; and

WHEREAS, the number of festivals and events hosted in Downtown Niota has greatly increased in the last five years; and

WHEREAS, there is also a greater need for publicly available restrooms for these events; and

WHEREAS, the City of Niota would like to convert the now unused portion of the Niota Depot to restroom space for events; and

WHEREAS, the City of Niota requests McMinn County allocate funds from the Hotel/Motel Tax Fund in the amount of \$15,000 to help with the renovation of the unused portion of the Niota Depot; and

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 19<sup>TH</sup> DAY OF AUGUST 2024, that this Commission does hereby approve \$15,000 from the Hotel/Motel Tax Fund to be used toward the bathroom renovations at the Niota Depot.

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

Attest:

(Orig signed by Melinda King)  
County Clerk

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

Motion carried by voice vote

D. A Resolution to Allow Riceville Utility District to Make Improvements on County Property Located on State Highway 11 in Riceville.

Mr. Gentry presented resolution # 24-061.

RESOLUTION NO. 24-061

A RESOLUTION TO ALLOW RICEVILLE UTILITY DISTRICT TO MAKE IMPROVEMENTS ON  
COUNTY PROPERTY LOCATED ON STATE HIGHWAY 11 IN RICEVILLE

WHEREAS, McMinn County owns a small parcel of land on State Highway 11 in Riceville which was obtained through the delinquent tax process; and

WHEREAS, parcel 083E C 014.00 currently contains a dilapidated gas station that is in need of demolition; and

WHEREAS, Riceville Utility District has expressed a desire to lease this parcel from the county for the purpose of a farmers market and other public uses; and

WHEREAS, the county attorney will draft a lease agreement between McMinn County and Riceville Utility District to be approved by the McMinn County Commission; and

WHEREAS, Riceville Utility District has requested access to demolish the building and clear the parcel; and

WHEREAS, Riceville Utility District will assume all risk and liability during the demolition process; and

(Res. # 24-061 con't)

NOW, THEREFORE, BE IT RESOLVED BY THE MCMIN COUNTY BOARD OF COMMISSIONERS MEETING IN REGULAR SESSION THIS THE 19<sup>th</sup> DAY OF AUGUST 2024, that this Commission does hereby approve the request of Riceville Utility District to make improvements on parcel 083E C 014.00 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 Melinda King)  
County Clerk

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

Motion carried by voice vote

E. A Resolution to Approve Opioid Abatement Council Funding Recommendation.

Mr. Gentry presented resolution # 24-062.

RESOLUTION NO. 24-062

A RESOLUTION TO APPROVE OPIOID ABATEMENT COUNCIL  
FUNDING RECOMMENDATION

WHEREAS, the McMinn County Commission has appointed an opioid abatement council to provide funding recommendations to ensure opioid settlement monies are being utilized in accordance with the settlement agreement and state law: and

WHEREAS, McMinn County has received \$523,000 for the first two years of allocations; and

WHEREAS, the McMinn County Opioid Abatement Council has recommended the disbursement of \$375,000 and the McMinn County Commission is charged with approving these recommendations; and

WHEREAS, the McMinn County Opioid Abatement Council has reviewed the applications and recommends the following organizations receive contributions:

|  |           |
|--|-----------|
| Ocoee Boys and Girls Club                | \$20,000  |
| Celebrate Recovery Woodward Avenue       | \$20,000  |
| Celebrate Recovery Englewood             | \$20,000  |
| 10 <sup>th</sup> Judicial Recovery Court | \$50,000  |
| CASA                                     | \$10,000  |
| Women at the Well                        | \$51,000  |
| AMR/McMinn County                        | \$54,000  |
| Straightway Ministries                   | \$50,000  |
| Volunteer Behavioral Health              | \$100,000 |

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS 19<sup>th</sup> DAY OF AUGUST, 2024, that this Commission does hereby approve the recommendation of the McMinn County Opioid Abatement Council to grant a total of \$375,000 to the approved causes, AND FURTHERMORE, grants authority to the County Mayor to execute the necessary 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

(Res. # 24-062 con't)

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

Motion carried by voice vote

10. ELECTIONS, APPOINTMENTS AND CONFIRMATIONS

None.

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

Commissioner Cass said the Opioid Abatement Council met to go through all the applicants that applied. Resolution 24-062 gives the totals and who the organizations the money was approved for.

Chairman Curtis said Budget Committee met prior to this meeting and recommended 3 resolutions to send to the full commission.

12. COMMENTS FROM THE COUNTY MAYOR

Mayor Gentry talked about the meeting they had with the Opioid Abatement Council. He went over the amount of money that was allocated for different organizations. This can be referenced in Resolution 24-062.

13. APPROVAL OF NOTARY APPLICATIONS

Notaries to be elected August 19, 2024

|                    |                             |
|--------------------|-----------------------------|
| TERESA L BARLOK    | AMELIA B LEDFORD            |
| ANDREW E BATEMAN   | SHANNON MICHELLE LINGERFELT |
| ELAINE BENKIS      | LAURA MARTIN                |
| ANGELA BURK        | JAMES H MCDONALD            |
| JENNIFER S CARTER  | ALEJANDRO MORA              |
| BRITTNEY CROWDER   | JAMIE MOSES                 |
| BEVERLY D. DAKE    | GENA L NEAR                 |
| STEVEN R GRUBB     | REBECCA J PERKINS           |
| RACHEL L HATCHETT  | JUBILEE P. REID             |
| AUSTIN BRENT HAYES | MATTHEW C ROGERS            |
| BEVERLY JACKSON    | DAN C SCRUGGS               |
| MORGAN JACKSON     | ARYN STEWART                |
| APRIL D JENNINGS   | JAMES TUGGLE                |
| LINDA M JONES      | TONYA VESS                  |
| TUCKER JONES       | WHITNEY PAIGE WEIR          |
| LINDA D KEENER     | ASHLEY N WHITSON            |

MOTION made by Commissioner Simpson, and seconded by Commissioner McPhail, 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 6:42 pm.

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MELINDA KING  
McMinn County Clerk

Attest:

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Deputy Clerk (date)