Page Number 540 McMinn County Commission Minutes - Regular Session June 17, 2013

The McMinn County Board of Commissioners met in Regular Session on June 17, 2013, 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 McPhail.

3. PLEDGE TO THE FLAG

The Pledge to the Flag was led by Commissioner Massingale.

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 May 20th, 2013 were provided to the McMinn County Commissioners.

MOTION made by Commissioner Holbrook, and seconded by Commissioner King, to approve the minutes of May 20th, 2013.

Motion carried by voice vote.

6. APPROVAL OF BIDS AND PURCHASES

A. <u>A Resolution to Approve and Award Insurance Bid on Workers Compensation and General Liability Commercial Package.</u>

Mr. Luallen presented resolution # 13-064 with bid summary sheets and letter of recommendation from the Director of Finance.

RESOLUTION NO. 13-064 A RESOLUTION TO AWARD INSURANCE BID ON WORKERS COMPENSATION AND GENERAL LIABILITY COMMERCIAL PACKAGE

WHEREAS, McMinn County has let for bid and received such competitive bids of General Liability Commercial Package and Workers Compensation Insurance Coverage for Fiscal Year 2013-14; and

Minutes - Regular Session June 17, 2013

Resolution No. 13-064 (con't)

WHEREAS, Director of Finance Jason Luallen recommends acceptance of the bid from Athens Insurance of Athens, TN. at a total cost of \$450,556.00 which includes a 2% early pay discount.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 17th DAY OF JUNE 2013, that this commission does hereby approve the recommendation of the Director of Finance for this insurance coverage package.

(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 Simpson, to approve this resolution.

Motion carried by voice vote.

B. A Resolution to Approve and Award Annual Janitorial Products Bid.

Mr. Luallen presented resolution # 13-065 with bid summary sheets and letters of recommendation from Scott McDowell supervisor for the maintenance department and Sheriff Joe Guy.

RESOLUTION NO. 13-065

A RESOLUTION TO APPROVE AND AWARD ANNUAL JANITORIAL PRODUCTS BID

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

WHEREAS, McMinn County has requested the purchase of Janitorial Products from July 1, 2013 through June 30, 2014, to properly carry out the functions of the department; and

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

WHEREAS, Scott McDowell, Courthouse Maintenance Supervisor, recommends the bid be awarded to the vendor with the lowest bid price per item meeting specifications; and WHEREAS, Sheriff Joe Guy, recommends the bid be awarded to the vendor with the lowest bid price per item meeting specifications.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF JUNE, 2013, that this Commission does hereby approve the recommendation of the Maintenance Supervisor and the Sheriff concerning the janitorial bid.

Minutes - Regular Session
June 17, 2013

Resolution No. 13-065 (con't)

(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 Slack, to approve this resolution.

Motion carried by voice vote.

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

Mr. Luallen presented resolution # 13-066 with bid summary sheets and letters of recommendation from Scott McDowell supervisor for the maintenance department and Sheriff Joe Guy.

RESOLUTION NO. 13-066

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

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

WHEREAS, the Courthouse Maintenance Department and Sheriff's Department requests the purchase of Paper and Plastic Products from July 1, 2013, to December 31, 2013, to properly carry out the functions of the department; and

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

WHEREAS, Scott McDowell, Courthouse Maintenance Supervisor, and Sheriff Joe Guy, both recommend the bid be awarded to the vendor with the lowest bid price per item meeting specifications.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF JUNE 2013, that this Commission does hereby approve the recommendation of the Maintenance Supervisor and the Sheriff.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Motion carried by voice vote.

Minutes - Regular Session
June 17, 2013

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

Mr. Luallen presented resolution # 13-067 with bid summary sheets and letter of recommendation from Commissioner of Highways Randal Moss attached.

RESOLUTION NO. 13-067

A RESOLUTION TO APPROVE AND AWARD ANNUAL PIPE BID

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

WHEREAS, Randall Moss, McMinn County Highway Commissioner, request to bid the annual pipe purchase for the period of July 1, 2013 through June 30, 2014; and

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

WHEREAS, Randall Moss the McMinn County Highway Commissioner recommends awarding the bid of steel pipe to Contech of Englewood, TN; and corrugated poly pipe to Contech of Englewood, TN, Bradley Tank & Pipe, Cleveland, TN & Tays, Inc., Crossville, TN. Each recommendation is for the lowest bid meeting specifications except for the corrugated poly pipe which the low bid will be determined by availability at the plant and price according to size at time of purchase, see attached recommendation letter.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF JUNE, 2013, 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 Commission Powers, to approve this resolution.

Discussion: Commissioner Simpson wanted to know if the pipe was delivered or do they pick it up. Dan Evans from the Highway department told the county commission that the pipe was picked up. Commissioner Simpson pointed out that Bradley Tank was much cheaper but could understand going with Contech in Englewood because the distance to drive to pick it up.

Motion carried by voice vote.

E. A Resolution to Approve and Award The Sale of Surplus Scrap Metal.

Mr. Luallen presented resolution # 13-068 with bid summary sheets and letters of recommendation from County Mayor John Gentry and Commissioner of Highways Randall Moss.

Page Number 544 McMinn County Commission Minutes - Regular Session June 17, 2013

Resolution No. 13-068 (con't)

RESOLUTION NO. 13-068

A RESOLUTION TO APPROVE AND AWARD THE SALE OF SURPLUS SCRAP METAL

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 Highway Commissioner Randall Moss and McMinn County Sheriff Joe Guy were granted a request to declare various scrapped vehicles as surplus property and advertise to receive competitive sealed bids; and

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

WHEREAS, Randall Moss, Highway Commissioner, and John Gentry, County Mayor, recommends awarding the bid to the high bidder per pound.

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 17th DAY OF JUNE, 2013, that this Commission does hereby approve the recommendation of the Highway Commissioner and the McMinn County Mayor.

(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 Commission Mason, to approve this resolution.

Motion carried by voice vote.

F. A Resolution to Approve and Award Drainage Improvements Project Bid at the McMinn County Airport.

Mr. Luallen presented resolution # 13-069 with bid summary sheets and letters of recommendation from the airport engineers attached.

RESOLUTION NO. 13-069

A RESOLUTION TO APPROVE AND AWARD DRAINAGE IMPROVEMETNS PROJECT BID AT THE MCMINN COUNTY AIRPORT

WHEREAS, in order to properly perform the essential operations of county government goods and services must often be let for bid; and WHEREAS, McMinn County requested bids for drainage improvements project for the McMinn County Airport; and WHEREAS, McMinn County has followed the proper procedures in securing the bids; and

WHEREAS, PDC Consultants, the engineer for this project, recommends that the bid be awarded to the low bidder, Norris Brothers Excavating, in the amount of \$86,842.35 contingent upon available funds.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF JUNE, 2013, that this Commission does hereby approve the recommendation of the PDC Consultants.

Page Number 545 McMinn County Commission Minutes - Regular Session June 17, 2013

Resolution No. 13-069 (con't)

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 Commission Powers, to approve this resolution.

Motion carried by voice vote.

G. A Resolution to Approve the Annual Waste Tire Processing Bid.

Mr. Luallen presented resolution # 13-070 bid summary sheets and letter of recommendation from Stan Moses Landfill Supervisor and did have Landfill Committee approval.

RESOLUTION NO. 13-070

A RESOLUTION TO APPROVE THE ANNUAL WASTE TIRE PROCESSING BID

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

WHEREAS, Stan Moses, McMinn County Landfill Supervisor requests for bidding the annual requirements of waste tire processing for the period of July 1, 2013 through June 30, 2014; and

WHEREAS, Stan Moses, McMinn County Landfill Supervisor recommends the bid be awarded to Liberty Tire Recycling at the rate of \$91.00 per ton.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF JUNE, 2013, that this Commission does hereby approve the recommendation of the landfill supervisor.

(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 Commission Simpson, to approve this resolution.

Motion carried by voice vote.

Page Number 546 McMinn County Commission Minutes - Regular Session June 17, 2013

H. A Resolution to Approve and Award the Sale of Surplus Scrap Metal.

Mr. Luallen presented resolution # 13-071 with bid summary sheets and letter of recommendation from County Mayor John Gentry attached.

RESOLUTION NO. 13-071

A RESOLUTION TO APPROVE AND AWARD THE SALE OF SURPLUS SCRAP METAL

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 Highway Commissioner Randall Moss and McMinn County Sheriff Joe Guy were granted a request to declare various scrapped vehicles as surplus property and advertise to receive competitive sealed bids; and

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

WHEREAS, Randall Moss, Highway Commissioner, and John Gentry, County Mayor, recommends awarding the bid to the high bidder per pound.

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 17th DAY OF JUNE, 2013, that this Commission does hereby approve the recommendation of the Highway Commissioner and the McMinn County Mayor.

(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 Commission King, to approve this resolution.

Motion carried by voice vote.

I. A Resolution to Approve a Contract between McMinn County and Fitch and Associates for EMS Consulting Services.

Mr. Luallen presented resolution # 13-072. The cost proposal as well as the proposal percentage are attached and did have Emergency Services Committee Approval.

RESOLUTION NO. 13-072

A RESOLUTION TO APPROVE A CONTRACT BETWEEN McMINN COUNTY AND FITCH AND ASSOCIATES FOR EMS CONSULTING SERVICES

WHEREAS, McMinn County Government has seen the need to conduct an analysis of the local EMS market; and

WHEREAS, McMinn County issued a request for proposals (RFP) from consultants who are qualified to perform an EMS market analysis, review county EMS regulations and make recommendations to McMinn County Government based on what the consultant's research reveals; and

Page Number 547 McMinn County Commission Minutes - Regular Session June 17, 2013

Resolution No. 13-072 (con't)

WHEREAS, Fitch and Associates was the only firm that effectively met the specifications in the ambulance consultant RFP; and

WHEREAS, Fitch and Associates has provided similar consulting services for communities across the nation; and

WHEREAS, the firm's proposed price for consulting services is \$57,850; and

WHEREAS, of the total price for consulting, McMinn County E-911 has agreed to pay half, or \$28,925, leaving McMinn County paying the remaining \$28,925; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF JUNE 2013, that this commission does approve entering a contract with Fitch and Associates and FURTHER approves the County Mayor to execute all necessary documentation regarding said contract.

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

Attest:

(Orig signed by Evonne Hoback)
County Clerk

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

Discussion: Commission King wanted to inform everyone that 911 are funding half of this.

Motion carried by voice vote.

J. A Resolution to Declare items as Surplus Property and Place them for Sale at Public Auction.

Mr. Luallen presented resolution #13-073 with a letter of recommendation from Sheriff Joe Guy.

RESOLUTION NO. 13-073

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 Sheriff, Joe Guy, requests approval from the Commission to declare the attached list of items as surplus property and provide them for sale by public auction.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF JUNE 2013, that this Commission hereby approves the sale of the attached list of surplus property.

Page Number 548
McMinn County Commission
Minutes - Regular Session
June 17, 2013

Resolution No. 13-073 (con't)

(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 Commission Simpson, to approve this resolution.

Discussion:

• Mr. Luallen explained that this will be held as sealed bids and is open to the general public and is advertised as the others were.

Motion carried by voice vote.

7. REVIEW AND APPROVAL OF CONTRACTS

A. <u>A Resolution to Approve Amendment No.2 to Add Additional Construction Costs to Storm Water Drainage Study Grant from the Tennessee Aeronautics Division.</u>

Mr. Luallen presented resolution # 13-074.

RESOLUTION NO. 13-074

A RESOLUTION TO APPROVE AMENDMENT NO. 2 TO ADD ADDITIONAL CONSTRUCTION COSTS TO STORM WATER DRAINAGE STUDY GRANT FROM THE TENNESSEE AERONAUTICS DIVISION

WHEREAS, McMinn County approved a grant for a storm water drainage study on January 16, 2012 to determine the most appropriate way to reduce impact to adjacent property; and

WHEREAS, the amount of this grant is \$10,000; and

WHEREAS, this grant was amended in the amount of \$90,000 to provide construction; and

WHEREAS, bids were received and came in over budget making it necessary to increase amount of grant by \$25,000; and

WHEREAS, the 5% matching funds will be taken from Other Capital Projects Fund 189; and

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF JUNE, 2013 that this Commission

Page Number 549 McMinn County Commission Minutes - Regular Session June 17, 2013

Resolution No. 13-074 (con't)

does hereby approve this amendment and authorize the County Mayor to execute all documents necessary for this amendment.

BE IT FURTHER RESOLVED that McMinn County agrees to match 5% of this amendment from Other Capital Projects Fund 189.

(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. <u>A Resolution to Renew the Contract Between McMinn County and the McMinn County Emergency</u> Communications District for Emergency Dispatch Services.

Mr. Luallen presented resolution # 13-075 with a copy of the contract attached.

Resolution No. 13-075

A RESOLUTION TO RENEW THE CONTRACT BETWEEN McMINN COUNTY AND THE McMINN COUNTY EMERGENCY COMMUNICATIONS DISTRICT FOR EMERGENCY DISPATCH SERVICES

WHEREAS, in February, 2003, the McMinn County Board of Commissioners approved the consolidation of McMinn County Emergency dispatch to be placed under the management of the McMinn County E-911 Center; and

WHEREAS, every five years, the contract with E-911 to provide dispatching services is renegotiated; and

WHEREAS, the current five year contract expires in July, 2013; and

WHEREAS, McMinn County and the McMinn County Emergency Communications District desire to renew the contract for an additional five year term for a yearly cost of \$369,414.02; and

WHEREAS, this yearly cost will increase 2% on an annual basis to compensate E-911 for annual increases in its yearly cost of providing its services; and

WHEREAS, the previous rate for dispatch services for McMinn County was \$347,685 prior to county-wide consolidation; and

WHEREAS, the McMinn County Emergency Communications District has stated it is their ultimate goal to save the taxpayers' money by providing quality, consolidated dispatch services; and

WHEREAS, the McMinn County Emergency Communications District has successfully endeavored to maintain licensed dispatchers and modern equipment; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF JUNE 2013, that this Commission does hereby approve the contract renewal between McMinn County and the McMinn County Emergency

Page Number 550 McMinn County Commission Minutes - Regular Session June 17, 2013

Resolution No. 13-075 (con't)

Communications Board for a five year term and **FURTHERMORE**, authorizes the County Mayor to execute any documents necessary to fulfill the intentions of this resolution.

(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.

C. <u>A Resolution to Approve an Amendment to the McMinn County Sanitary Landfill's "Contract in Lieu of Performance Bond".</u>

Mr. Luallen presented resolution #13-076 and did have Landfill approval.

Resolution No. 13-076

A RESOLUTION TO APPROVE AN AMENDMENT TO THE McMINN COUNTY SANITARY LANDFILL'S "CONTRACT IN LIEU OF PERFORMANCE BOND"

WHEREAS, McMinn County and the Tennessee Department of Environment and Conservation (TDEC) have a Contract in Lieu of Performance Bond for financial assurances for the solid waste permits held by McMinn County; and

WHEREAS, these contracts must be amended annually to accurately reflect annual inflation adjustments; and

WHEREAS, the State of Tennessee and McMinn County desire to amend contracts for the following solid waste permits:

1.	SNL 54-0003	\$ 428,594.00	to	\$ 400,342.00
2.	SNL 54-0003-ext	\$2,266,661.00	to	\$ 2,309,728.00
3.	DML 54-0098	\$ 104,000.00	to	\$ 191,575.00

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17TH DAY OF June, 2013, that this Commission does hereby approve the amendments for inflation adjustments to the financial assurances for solid waste permits held by McMinn County and FURTHERMORE, authorizes the County Mayor to execute the necessary documents to fulfill the intentions of this resolution.

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

Attest:

(Orig signed by Evonne Hoback) County Clerk

McMinn County Commission Minutes - Regular Session June 17, 2013

Resolution No. 13-076 (con't)

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

Motion carried by voice vote.

D. <u>A Resolution to Approve Professional Services with GEOServices, LLC for Special Inspections Associated with the McMinn County Justice Center Expansion Project.</u>

Mr. Luallen presented resolution #13- 077 and does not have Emergency Services Committee approval.

Resolution No. 13-077

A RESOLUTION TO APPROVE PROFESSIONAL SERVICES WITH GEOServices, LLC FOR SPECIAL INSPECTIONS ASSOCIATED WITH THE McMINN COUNTY JUSTICE CENTER EXPANSION PROJECT

WHEREAS, special inspection services were included in the original bid for the McMinn County Justice Center Expansion Project as the responsibility of the contractor; and

WHEREAS, upon discussion with representatives of Rouse Construction, Cope Architects and county personnel it is the general consensus the testing agency should be employed by the owner; and

WHEREAS, GEOServices has prepared a proposal for both general and special testing services in the approximated amount of \$47,571 depending on any additional services requested by owner; and

WHEREAS, these services include testing for concrete, weld verification, soil compaction, mortar strength, and asphalt as well as documented observations for structural steel erection, masonry, and foundation and reinforcements; and

WHEREAS, McMinn County will receive a credit of \$25,000 from the contractor that was included in the base bid and should experience additional value saving profit and overhead costs from the contractor and the architect; and

WHEREAS, the remaining costs shall come from the contingency fund.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE MEETING THIS THE 17TH DAY OF JUNE, 2013 that this proposal be accepted between McMinn County and GEOServices, LLC for special inspections at the McMinn County Justice Center, and FURTHERMORE, authorizes the County Mayor to execute any and all documents 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 Slack, and seconded by Commission Mason, to approve this resolution.

Motion carried by voice

Page Number 552 McMinn County Commission Minutes - Regular Session June 17, 2013

E. <u>A Resolution to Approve the Acceptance of a 2013-14 Waste Tire Grant from Tennessee Department of Environment and Conservation</u>.

Mr. Luallen presented Resolution#13-078 and has Landfill Committee approval.

Resolution No.13-078

A RESOLUTION TO APPROVE THE ACCEPTANCE OF A 2013-14 WASTE TIRE GRANT FROM TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION

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

WHEREAS, Tennessee Department of Conservation has provided McMinn County with a grant offer to subsidize the acceptance, collection, and proper disposal of waste tires; and

WHEREAS, the amount of the Waste Tire Grant for McMinn County is \$44,495 per year for two years totaling \$88,990, with no obligation on the part of McMinn County.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF JUNE 2013, that the commission does approve the acceptance of the TDEC Waste Tire Grant in the amount of \$88,990, and further resolves to authorize the County Mayor to execute the necessary documents regarding this 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 McPhail, and seconded by Commission Slack, to approve this resolution.

Motion carried by voice vote.

F. <u>A Resolution to Approve Grant Contract for the General Maintenance agreement Between State of Tennessee and McMinn County.</u>

Mr. Luallen presented Resolution #13-079 with a copy of the agreement attached.

Resolution No. 13-079

A RESOLUTION TO APPROVE GRANT CONTRACT FOR THE GENERAL MAINTENANCE AGREEMENT BETWEEN STATE OF TENNESSEE AND MCMINN COUNTY

Page Number 553
McMinn County Commission
Minutes - Regular Session
June 17, 2013

Resolution No. 13-079 (con't)

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 contracts with other entities; and

WHEREAS, McMinn County has received a grant from the State of Tennessee Department of Transportation for the High Risk Rural Roads/Highway Safety Improvement Program (HRRR/HSIP); and

WHEREAS, the HRRR/HSIP grant can and will be used for various safety improvements on Lamontville Rd from Shelton Rd to I-75; and

WHEREAS, these improvements will include the installation of various signs, snowplowable markers, reflectors, chevrons, thermoplastic white and yellow lines, guardrails as well other safety improvements the within the jurisdiction of the McMinn County Highway Department; and

WHEREAS, this grant requires no monetary match, only that the safety improvements installed by TDOT shall be maintained by the McMinn County Highway Department; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF JUNE 2013, that this Commission does hereby agree to enter into this grant contract with the State of Tennessee Department of Transportation and FURTHERMORE RESOLVES, to authorize 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 Evonne Hoback) County Clerk

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

Motion carried by voice vote.

8. APPROVAL OF BUDGET AMENDMENTS

Mr. Luallen presented the following budget amendments, a copy of which was provided to each Commissioner and did have school board approval.

Fund: General Purpose School # 141, Safe Schools Act of 1998 FY 2012-2013

Date: June 6, 2013

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Regular Ed. Program Support	Other Contracted Services	72210-399		21,500
Regular Ed. Program Support	Staff Development	72210-521		2,000.00
Maintenance	Equipment	72620-717		500.00
Other Student Support	Other Contracted Services	7213-399	13,000.00	
Other Student Support	Other Supplies & Materials	72130-499	4,500.00	
Other Student Support	Staff Development	72130-524	6,500.00	

Page Number 554 McMinn County Commission Minutes - Regular Session June 17, 2013

Fund: Federal Project Fund # 142, Carl Perkins 13.01, #803

Date: June 6, 2013

DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Vocational Education Program Vocational Education Program Vocational Education Program Vocational Education Program Other Student Support	Maint. & Repair SerEquip. Other Supplies & Materials Equipment Bus Drivers Social Security State Retirement Medicare Travel Other Contracted Services In Service/Staff Development In Service/Staff Development	71300-366 71300-499 71300-730 72130-146 72130-201 72130-204 72130-212 72130-355 72130-399 72130-524 72230-521	4,057.76 3,482.48 2,680.00 166.16 162.68 38.86 800.00 147.77 174.03	8,307.01 3,402.73

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

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

Motion carried by roll call vote, as recorded:

Mr. Luallen presented the following budget amendments, a copy of which was provided to each Commissioner and did have school board approval.

Fund: Federal Project Fund #142, Title I, Mountain View #103

Date: May 20, 2013

-				
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Regular Instruction Program Regular Instruction Program	Other Equipment Instructional Supplies & Materials	71100-722MTVW 71100-429MTVW	1,500.00	1,500.00
Fund: Federal Project	Fund #142, Title I, Rogers C	Creek, #103	June 6, 2013	
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Regular Instruction Program Regular Instruction Program	Instructional Supplies & Materials Other Equipment	71100-429-RGCK 71100-722-RGCK	131.25	131.25
D LE L IDuis	. F 1 #142 DTTT #591		Date: May 20	2013
Fund: Federal Project	t Fund #142, RTTT, #581		Date: Way 20	, 2015
DEPARTMENT	ACCOUNT	FOLIO	DEBIT	CREDIT
Regular Instruction Program Regular Instruction Program	In Service/Staff Development Other Supplies & Materials	72210-524 72210-499	2,500.00	2,500.00

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

McMinn County Commission
Minutes - Regular Session
June 17, 2013

(con't)

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

Motion carried by roll call vote, as recorded:

9. APPROVAL OF FY 13-14 CONTINUING BUDGET RESOLUTION

Mr. Luallen presented a Resolution #13-080. This resolution did have Budget Committee approval.

RESOLUTION NO. 13-080

RESOLUTION TO ADOPT A CONTINUING BUDGET AND TAX RATE FOR THE FISCAL YEAR BEGINNING JULY 1, 2013 AND TO AUTHORIZE THE EXPENDITURE OF FUNDS BY THE VARIOUS COUNTY OFFICES AND DEPARTMENTS

WHEREAS, it now appears that the fiscal year 2013 – 2014 budget of McMinn County, Tennessee will not be approved by July 1, 2013:

NOW, THEREFORE, BE IT RESOLVED, by the County legislative body of McMinn County, Tennessee, meeting in regular session this 17th day of June, 2013, that:

SECTION 1. The amount set out in the fiscal year 2012 – 2013 Appropriations Resolution are continued and the various departments, offices and agencies are authorized to expend funds at the same level as the previous fiscal year.

SECTION 2. The property tax rate of \$1.5553 per each \$100 of taxable property for the fiscal year beginning July 1, 2012, will remain in effect until a new property tax rate is adopted.

SECTION 3. No local funds can be expended or obligated that exceed the previous year's budget appropriation until a new budget is adopted. Expenditures mandated by the State or rules and regulations adopted by the State are incorporated into this continuing budget. Fiscal year 2013 – 2014 equipment purchases and salary increases will be delayed until after final approval of the budget.

SECTION 4. This resolution will take effect from and after its passage and its provisions will be in force from July 1, 2013, until the budget and tax rate for fiscal year 2013 - 2014 is finally adopted and approved. The County Clerk shall include this Resolution in the minutes of the McMinn County legislative body.

Adopted this 17	th day	of June	2013.
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APPROVED:

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

Attest:

(Orig signed by Evonne Hoback) County Clerk

Page Number 556
McMinn County Commission
Minutes - Regular Session
June 17, 2013

Resolution No. 13-080 (con't)

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

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

Motion carried by voice vote as recorded.

10. EVONNE HOBACK, MCMINN COUNTY CLERK RECYCLING PRESENTATION

• Ms. Hoback gave a presentation on recycling old license plates.

11. COMMENTS FROM THE AUDIENCE

- Dr. Mark Workman addressed the commission for follow up on resolve of the noise coming from the Lambcon Ready Mix plant.
- Jason Miller (Lambcon Ready Mix plant)
- Marcie Norwood (Lambcon Ready Mix plant)

12. RESOLUTIONS

A. A Resolution to Approve a Change in Landfill Disposal Rates Related to Non-Manifested Tires Disposal.

Mr. Gentry presented Resolution # 13-081 did have Landfill Committee approval.

Resolution No.13-081

A RESOLUTION TO APPROVE A CHANGE IN LANDFILL DISPOSAL RATES RELATED TO NON-MANIFESTED TIRES DISPOSAL

WHEREAS, due to state law, tires must be directed to a state approved end user and may not be placed in municipal solid waste facilities; and

WHEREAS, McMinn County presently contracts with Liberty to provide disposal of all manifested tires; and

WHEREAS, the State of Tennessee provides grant assistance to McMinn County to assist in offsetting the cost of disposal of manifested tires, but no such program exists to offset the cost of disposal for non-manifested tires; and

McMinn County Commission Minutes - Regular Session June 17, 2013

Resolution No. 13-081 (con't)

WHEREAS, McMinn County has historically as much as \$40,000 per year in disposing of non-manifested tires; and

WHEREAS, due to the losses related to disposal of non-manifested tires, McMinn County wishes to raise rates for non-manifested tires from \$86 per ton to \$91 per ton, with the recommendation of the Solid Waste Director and Landfill Committee; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE MEETING THIS THE 17TH DAY OF JUNE 2013, THIS COMMISSION APPROVES THIS INCREASE IN LANDFILL RATES, 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 McPhail, to approve this resolution.

Motion carried by voice vote.

B. <u>A Resolution Authorizing and supporting the submission of an Application for Grant Assistance</u> from the Tennessee Aeronautics Division for Waterline Extension.

Mr. Gentry presented resolution #13-082.

RESOLUTION NO. 13-082

A RESOLUTION AUTHORIZING AND SUPPORTING THE SUBMISSION OF AN APPLICATION FOR GRANT ASSISTANCE FROM THE TENNESSEE AERONAUTICS DIVISION FOR WATERLINE EXTENSION

WHEREAS, McMinn County Airport operations are being systematically transferred from the south end of the runway to the center terminal area due to safety violations of the older hangars; and

WHEREAS, a new ten unit t-hangar and large storage hangar are currently under construction in the new apron area; and

WHEREAS, in order to provide adequate water supply and fire protection the Athens Utilities Board has agreed to extend a 6 inch water line with two fire hydrants to the new apron area contingent upon funding from McMinn County and the Tennessee Aeronautics Division; and

WHEREAS, the grant request is in the amount of \$40,000 with McMinn County providing a match amount up to \$4,000.00; and

WHEREAS, matching funds will be taken from Other Capital Projects Fund 189; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17TH DAY OF JUNE 2013, that this Commission does hereby authorize the County Mayor to submit the application and execute the grant from the Tennessee Aeronautics Division for the above mentioned project at the McMinn County Airport.

BE IT FURTHER RESOLVED that McMinn County agrees to match 10% of the grant from Other Capital Projects Fund 189.

Page Number 558
McMinn County Commission
Minutes - Regular Session
June 17, 2013

Resolution No. 13-082 (con't)

(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 Slack, to approve this resolution.

Motion carried by voice vote.

C. <u>A Resolution to Approve the Request for Hotel-Motel Funds by the Etowah Fourth of July Committee to Fund the Etowah old Fashioned Fourth of July Celebration.</u>

Mr. Gentry presented resolution # 13-083. Budget Committee did recommend participation.

Resolution No.13-083

A RESOLUTION TO APPROVE THE REQUEST FOR HOTEL-MOTEL FUNDS BY THE ETOWAH FOURTH OF JULY COMMITTEE TO FUND THE ETOWAH OLD FASHIONED FOURTH OF JULY CELEBRATION

WHEREAS, Etowah's Old Fashioned Fourth of July festival is an important event that celebrates the birth of our nation while promoting the heritage of McMinn County; and

WHEREAS, this celebration is attended by thousands of visitors annually and brings in many from outside McMinn County; and

WHEREAS, to assist in the funding of this annual festival, the McMinn County Commission agrees to provide \$2000.00 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 17th DAY OF JUNE 2013 that this Commission does hereby approve \$2000.00 for the Etowah Fourth of July Committee to produce Etowah's Old Fashioned Fourth of July celebration.

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

Attest:

(Orig signed by Evonne Hoback) County Clerk

Page Number 559 McMinn County Commission Minutes - Regular Session June 17, 2013

Resolution No. 13-083 (con't)

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

Motion carried by voice vote.

D. <u>A Resolution to Approve the Request for Hotel-Motel Funds by the Athens Park Foundation to Fund the Athens July 4 Fireworks Show.</u>

Mr. Gentry presented Resolution #13-084. Budget Committee did recommend participation.

Resolution No. 13-084

A RESOLUTION TO APPROVE THE REQUEST FOR HOTEL-MOTEL FUNDS BY THE ATHENS PARK FOUNDATION TO FUND THE ATHENS JULY 4 FIREWORKS SHOW

WHEREAS, the Athens July 4 Celebration provides an important event to celebrate our nation's independence and promote McMinn County's proud heritage on a grand scale; and

WHEREAS, the annual attendance at the Athens July 4 Fireworks is an estimated 10,000 people with many being from outside McMinn County; and

WHEREAS, the fireworks show's title sponsor withdrew their funding in 2013 leaving the Athens Parks Foundation to raise the money from numerous donors; and

WHEREAS, to assist in the funding of this annual event, the McMinn County Commission agrees to provide \$1000.00 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 17th DAY OF JUNE 2013 that this Commission does hereby approve \$1000.00 for the Athens Parks Foundation to produce the Athens July 4 fireworks show and advertise appropriately as a donation to a not-for-profit agency.

(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 King, to approve this resolution.

Motion carried by voice vote.

E. A Resolution to Approve the Request for Hotel-Motel Funds by the City of Athens for a Little League Tournament at Athens Regional Park.

Mr. Gentry presented Resolution # 13-085. Budget Committee did approve this resolution.

Resolution No. 13-085 (con't)

Resolution No.13-085

A RESOLUTION TO APPROVE THE REQUEST FOR HOTEL-MOTEL FUNDS BY THE CITY OF ATHENS FOR A LITTLE LEAGUE TOURNAMENT AT ATHENS REGIONAL PARK

WHEREAS, McMinn County has been selected by Little League to host the 9 and 10 year old state tournament for 2013; and

WHEREAS, Little League selected Athens Regional Park as the host site for this tournament due to its central location and availability of restaurants and hotel rooms; and

WHEREAS, this tournament will be held in Athens from July 12 through July 20, 2013 and will require motel stays for the duration of the tournament; and

WHEREAS, attendance at the tournament will consist of over 150 coaches, players, officials and their families; and

WHEREAS, to assist in the funding of this tournament, the McMinn County Commission agrees to provide \$1,000 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 17th DAY OF JUNE 2013 that this Commission does hereby approve \$1,000 for the City of Athens Parks and Recreation to host the 2013 Little League State Tournament.

(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 Slack, to approve this resolution.

Discussion:

• <u>Commissioner Curtis</u> wanted the County Commission to know that there was a possibility that his son might be participating in this event. He wasn't sure if it would be a conflict of interest. County Attorney Vance Baker said there was no conflict of interest.

Motion carried by voice vote.

F. <u>A Resolution to Renew and License Rural/Metro as a Non-Emergency Ambulance Service Provider in McMinn County.</u>

Mr. Gentry presented Resolution # 13-086.

Page Number 561 McMinn County Commission Minutes - Regular Session June 17, 2013

Resolution No. 13-086 (con't)

RESOLUTION No. 13-086

A RESOLUTION TO RENEW AND LICENSE RURAL/METRO AS A NON-EMERGENCY AMBULANCE SERVICE PROVIDER IN MCMINN COUNTY

WHEREAS, McMinn County adopted County Ambulance Service Regulations in 2006, as provide by TCA 7-61-103, to ensure professional and responsible EMS service for the citizens of McMinn County: and

WHEREAS, such regulations affect both emergency 911 ambulance services as well as non-emergency ambulance services, and stipulates operational, financial, and management issues that are required for an ambulance service to operate in McMinn County; and

WHEREAS, Rural Metro Ambulance has requested licensure renewal to operate as a convalescent nonemergency ambulance service in McMinn County, and has provided documentation as to its fulfillment of all requirements stipulated in McMinn County's Ambulance Service Regulations; and

WHEREAS, having met such requirements and qualifications, McMinn County approves renewal for Rural Metro Ambulance as a non-emergency ambulance service provider in McMinn County; and

WHEREAS, the term of this McMinn County EMS license shall be one year, and coincide with the same date terms as Rural/Metro's Tennessee License for McMinn County, at such time Rural Metro may request license renewal and re-submit its affidavit it meets the qualifications of the McMinn County Ambulance Service Regulations; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING THIS 17th DAY OF JUNE 2013, that this Commission does hereby approve Rural/Metro Ambulance as a non-emergency ambulance service provider and by passage of this resolution does renew licensure for Rural/Metro Ambulance to provide said service within the corporate limits of McMinn County in accordance to the terms of McMinn County's Emergency Services Regulations, 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 Massingale, and seconded by Commissioner Slack, to approve this resolution.

Motion carried by voice vote.

F. A Resolution to Honor Betty Hamby's Career Contributions to McMinn County's Emergency Services.

Mr. Gentry presented Resolution # 13-087.

Resolution No 13-087

Page Number 562 McMinn County Commission Minutes - Regular Session June 17, 2013

Resolution No. 13-087(con't)

A RESOLUTION TO HONOR BETTY HAMBY'S CAREER CONTRIBUTIONS TO McMINN COUNTY'S EMERGENCY SERVICES

WHEREAS, Betty Hamby has decided to retire from the field of emergency services after 23 years of devoted service to the citizens of McMinn County; and

WHEREAS, throughout her career, Betty Hamby has consistently displayed a passion for providing effective and efficient emergency services; and

WHEREAS, Betty Hamby has shown a devotion to helping others and a commitment to keeping the citizens of McMinn County safe during an emergency situation; and

WHEREAS, Betty Hamby has worked tirelessly to make certain that McMinn County EMA is prepared for all disasters, both natural and man-made; and

WHEREAS, Betty Hamby's efforts have ensured that McMinn County EMA is on the cutting edge of emergency services and furnished with state of the art equipment; and

WHEREAS, Betty Hamby's service to the citizens of McMinn County has been characterized by dedication, integrity, courtesy and professionalism; and

WHEREAS, McMinn County is an overall better place to live because of Betty Hamby's career contributions to Emergency Management in McMinn County; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 17th DAY OF JUNE 2013, that this Commission does hereby honor the numerous career contributions of Betty Hamby.

(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.

13. ELECTIONS, APPOINTMENTS AND CONFIRMATIONS

• None at this time.

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

- <u>Commissioner Curtis</u>: Budget Committee met before this meeting and recommended the 4 resolutions that were approved by the County Commission tonight.
- <u>Commissioner Simpson</u>: Emergency Services Committee met before this meeting and recommended several resolutions that were approved by the County Commission tonight

Page Number 563 McMinn County Commission Minutes - Regular Session June 17, 2013

15. COMMENTS FROM THE COUNTY MAYOR

- Prospect Hill Properties
- Woods Hospital Sale
- Rural Development Grant
- Betty Hamby Retirement

16. APPROVAL OF NOTARY APPLICATIONS

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

Notary Applications for June 2013

- 1. CINDA G. BIVENS
- 2. LAWRENCE LEE BRADY II
- 3. PAM G. CATHEY
- 4. JUDITH A. CHOAT
- 5. DEWANNA S. CRANFILL
- 6. JULIE ELLIOTT
- 7. TINA THOMAS GATES
- 8. KELLY J. HOLMES
- 9. LINDA L. RARICK
- 10. SANDRA T. WILKE
- 11. ESTER I. MCCOWAN
- 12. STEVEN JOEY SUTTLES

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

• County Attorney Vance - Summary Judgment in the school law suit.

18. ADJOURNMENT

		EVONNE HOBACK
		McMinn County Clerk
Attest:		
Deputy	(date)	