

The McMinn County Commissioners met in Special Called Session on Monday, May 11, 2009, at noon, in the Blue Room of the McMinn County Courthouse.

1. CALL TO ORDER

The meeting was called to order by Chairman Crews.

2. INVOCATION

The Invocation was given by Commissioner Jack Powers.

3. PLEDGE TO THE FLAG

The Pledge to the Flag was led by Commissioner Tad Simpson.

4. ROLL CALL

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

Scott Curtis – Present  
Dale Holbrook – Present  
Jeannie King – Present  
Roger Masingale – Absent  
Gary Mason – Absent  
Jerry Millsaps – Present  
Bob Powers – Present  
Jack Powers – Present  
Tad Simpson – Present  
Chairman David Crews – Present

5. MCMINN COUNTY'S PARTICIPATION IN FUNDING THE EXTENSION OF WASTE WATER SERVICE TO MT VERD INDUSTRIAL PARK

The County Mayor gave a small recap of the recent joint meeting between Athens Utilities Board (AUB), the City of Athens, and McMinn County regarding wastewater service to the Mt. Verd Industrial Park and introduced Mr. Eric Newberry, AUB General Manager, who explained in detail the information in the following resolution. Mr. Newberry said that AUB is not pushing this juggernaut but is being pushed by the current Administration and by EPA Region 4. The county was given the green light on \$3.75 million for the expansion portion through the Tennessee Department of Environment and Conservation (TDEC) and Mr. Newberry said we have a unique opportunity which may not come our way again. Mr. Newberry said he knows this is a huge request but they are asking the City and the County be able to support \$1.125 million each which would give them the matching portion of this loan. Mr. Newberry also stressed that there is sufficient scope outside the Athens City limits to assure that our dollars are spent outside the city limits of Athens.

Mr. Gentry said that the \$1.125 million would be a maximum amount and if there are any savings realized through the bidding process, those savings would be passed back to the City of Athens and McMinn County. Mr. Newberry added that if the bids come in higher, the maximum amount for McMinn County and the City of Athens is \$1.125 million. Mr. Newberry also said that it will not be 0% loan but is based on the ability to pay and our loan interest rate is roughly 3%, with no prepayment penalties.

Mr. Newberry answered some questions from Commissioners regarding timing and added they are going to try to push to be one of the first projects out of the gate to avoid inflationary pressure on the bids.

In response to a question from Chairman Crews to Mr. Jack Hammontree, EDA Director, who was in the audience, Mr. Hammontree stressed that having sewer service at the industrial park would keep them in competition because most prospects are on a time schedule.

In response to a question from Commissioner Holbrook, Mr. Newberry said that they have others interested in connecting on to this sewer system.

Mr. Gentry discussed the funding availability and the replenishment of these funds. Mr. Gentry said we have an opportunity to do this in a timely manner and have it in place before or during recruiting a major industry, and added that this goes into our ultimate plans to get E. K. Baker School off the package plant. Mr. Gentry and Chairman Crews recommend that the Commissioner approve the following resolution to partner with the City of Athens and AUB to take wastewater service to the greater Mt. Verd area.

Resolution No. 09-038

A RESOLUTION TO APPROPRIATE FUNDING TO EXTEND WASTEWATER SERVICE  
TO THE MT. VERD INDUSTRIAL PARK

WHEREAS, McMinn County and the City of Athens jointly purchased approximately 223 acres on Exit 52, known as the Mt. Verd Exit, to be utilized as an industrial park to ultimately provide meaningful employment to hundreds of McMinn County families; and

WHEREAS, in order to properly position and equip the industrial park and greater Mt. Verd Exit area for economic growth and development, it is necessary to extend municipal wastewater services into the area; and

WHEREAS, the extension of wastewater services to the area, along with the system upgrades necessary to accept the additional load caused by the extension, is cost prohibitive for the Athens Utilities Board (AUB) wastewater ratepayers to bear alone; and

WHEREAS, the American Recovery and Reinvestment Act (ARRA) has provided a unique opportunity for AUB to obtain State Revolving Loan funds (SRF) to extend the wastewater services to the Mt. Verd area resulting in a forty percent loan principal forgiveness factor; and

WHEREAS, AUB has requested the County of McMinn and the City of Athens to provide \$1,125,000.00 each to supplement the SRF and AUB's investment to fully fund the project, with said funding being due and payable to AUB on the 15<sup>th</sup> day of the first month in which a full principal and interest payment is due to the SRF; and

WHEREAS, AUB shall provide McMinn County remittance proof that the funding has been appropriately applied to making payment towards the obligation owed to the SRF; and

WHEREAS, McMinn County's funding shall be used for the portion of the project extending from the city limits to the Mt. Verd Industrial Park; and

WHEREAS, McMinn County's funding shall be from the Industrial Development portion of the Hotel/Motel Tax Fund and Industrial Development portion of the Waste Connections Host Fee Fund.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN SPECIAL CALLED SESSION, THIS THE 11<sup>TH</sup> DAY OF MAY, 2009, that this Commission does hereby approve the allocation of funding to AUB in order to extend the necessary wastewater services to the Mt. Verd Industrial Park and greater area to help better prepare the area for economic development and ultimately job creation in McMinn County.

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

Attest:

(Orig signed by Evonne Hoback)  
County Clerk

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

Motion carried by roll call, as recorded:

Scott Curtis – Aye  
Dale Holbrook – Aye  
Jeannie King – Aye  
Roger Masingale – Absent  
Gary Mason – Absent  
Jerry Millsaps – Aye  
Bob Powers – Aye  
Jack Powers – Aye  
Tad Simpson – Abstained as employee of AUB  
Chairman David Crews – Aye

Mr. Newberry said that as a ratepayer of AUB, and as a taxpayer, as a voter, he really appreciates what the Commission, and the City of Athens, are doing and is an excellent example of cooperation.

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

None.

7. ADJOURNMENT

There being no other business, Chairman Crews declared the meeting adjourned at 12:25 pm.



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EVONNE HOBACK  
McMinn County Clerk

Attest:

jb                      5-14-09  
Deputy Clerk                      (Date)