

RESOLUTION _____

**RESOLUTION TO APPROVE AND AWARD BID FOR
MCMINN COUNTY SHERIFF'S DEPARTMENT
VEHICLE EQUIPMENT**

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 Sheriff Joe Guy requests the purchase of vehicle equipment for his department; and

WHEREAS, Sheriff Guy recommends the bid be awarded to Mountain View Ford, the best and lowest bid meeting specifications.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 16th DAY OF JANUARY, 2012, that this Commission does hereby approve the recommendation of Sheriff Joe Guy.

John M. Gentry
McMinn County Mayor

Attest:

Evonne Hoback, County Clerk

RESOLUTION NO. _____

**A RESOLUTION TO REJECT THE BIDS FOR
SOLAR GENERATING SYSTEMS
FOR MCMINN COUNTY LANDFILL AND 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 on solar generating systems, in order to properly carry out the functions of the department; and

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

WHEREAS, County Planner Russell Thress, after reviewing the bid information, has recommended rejecting all bids.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 16th DAY OF JANUARY, 2012, that this Commission does hereby approve the recommendation of Russell Thress.

John M. Gentry
McMinn County Mayor

Attest:

Evonne Hoback, County Clerk

RESOLUTION NO. _____

**A RESOLUTION TO APPROVE
MEMORANDUM OF UNDERSTANDING WITH
TENNESSEE DEPARTMENT OF VETERANS AFFAIRS**

WHEREAS, Tennessee Department of Veterans Affairs is replacing its current claims management software with a web-based application provided by VetraSpec; and

WHEREAS, TDVA will fund the first year's cost of \$350.00 for the period from December 1, 2011 to November 30, 2012; and

WHEREAS, the Tennessee Department of Veterans Affairs requests approval of this Memorandum of Understanding.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 16TH DAY OF JANUARY 2012 that this request be hereby approved.

**John M. Gentry
McMinn County Mayor**

Attest:

Evonne Hoback, County Clerk

RESOLUTION NO _____

**A RESOLUTION TO APPROVE A CHANGE ORDER FOR WILSON
CONSTRUCTION GROUP LLC FOR HEALTH DEPARTMENT
RENOVATIONS**

WHEREAS, McMinn County entered into a contract with Wilson Construction Group LLC for Health Department renovations; and

WHEREAS, certain line items were not fully expended; and

WHEREAS, change order # 1 has resulted in a net decrease of \$9,055.55; and

WHEREAS, upon approval by the McMinn Board of Commissioners, the total for this change order issued to Wilson Construction Group, LLC will decrease the total contract amount from \$305,000.00 to \$295,944.45.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION ON THIS THE 16th DAY OF JANUARY 2012, that the Commission does approve the change order and decrease the contract amount to \$295,944.45.

John M. Gentry
McMinn County Mayor

Attest:

Evonne Hoback County Clerk

RESOLUTION NO. _____

A RESOLUTION TO APPROVE A GRANT WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR REIMBURSEMENT OF COSTS ASSOCIATED WITH STORM RECOVERY AND RESPONSE

WHEREAS, the purpose of the FEMA-1974 Grant is to reimburse for costs incurred by the county as a result of the severe storms, flooding, tornadoes and straight-line winds that occurred during April 2011 storms; and

WHEREAS, this contract is for projects that were written for reimbursement during the response and recovery phases of the declared disaster FEMA-1974-DR-TN; and

WHEREAS, projects include the work documented by the McMinn County Highway Department, Sheriff's Department, Landfill and various rural fire districts; and

WHEREAS, all projects are complete and the contract will now allow for reimbursement payments to the County; and

NOW, THEREFORE; BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 16th DAY OF January 2012, that this Commission approves the reimbursement grant with FEMA and **FURTHER RESOLVES** to authorize the County Mayor to execute all necessary documents regarding this grant.

John M. Gentry
County Mayor

ATTEST:

Evonne Hoback, County Clerk

Resolution No. ___

**A RESOLUTION TO ENTER INTO AGREEMENT WITH THE CITY OF ATHENS,
TDEC AND THE U.S. ARMY CORPS OF ENGINEERS CONCERNING REMEDIATION
AND RESTRICTED USE OF MOUSE CREEK BANK IN THE ATHENS REGIONAL
PARK**

WHEREAS, The City of Athens and McMinn County(Grantor), is the owner of approximately 2.47 acres situated along 2,127 linear feet (lf) of North Mouse Creek within 11.1 acres of real property described in a Deed of record with the McMinn County Tennessee Register of Deeds, Book 14G, Page 187, and Parcel Number 054055 03100 herein after referred to as the "Property"; and,

WHEREAS, the Property is shown on a survey drawn by City of Athens, GIS Division dated 12-15-2011, attached hereto as **Exhibit A** and incorporated herein by reference; and,

WHEREAS, the Property possesses natural resources with significant aquatic, ecological and habitat values ("Conservation Values"). These natural resources are of aesthetic, ecological, educational, historical, recreational, and scientific value to the Nation and its people. These values include Waters of the U.S., as defined in 40 C.F.R § 122.2 (Oct. 1, 2009), including streams, wetlands and the adjacent uplands, and other native vegetation and wildlife. These natural resources are of great importance to both TDEC, the Grantor, and the United States Army Corps of Engineers ("USACE");

WHEREAS, the Property has been approved by USACE for use as mitigation pursuant to and as defined in 33 C.F.R. Part 332 (April 10, 2008);

WHEREAS, the Property has been identified as being occupied by, or as being potential habitat for species of native plants and wildlife which Grantor desires to establish, preserve, protect, restore and enhance;

WHEREAS, on or about 10-6-2009, the Commissioner of the Department of Environment and Conservation (TDEC) issued Aquatic Resource Alteration Permit (ARAP) Number NRS 09.260 to Grantor; and,

WHEREAS, on or about 9-11-2009, the Nashville District Engineer of the USACE issued an Individual Permit (IP) [OR "verified Nationwide Permit (NWP)" or "General Permit (GP)"] Number 2009-01223 pursuant to Section 404 of the Clean Water Act (CWA) to Grantor; and,

WHEREAS, the referenced ARAP and CWA permits and approval of the Property for use as mitigation under 33 C.F.R. Part 332 require that certain uses of the Property be restricted.

WHEREAS, it is the purpose of this Notice to ensure that the Property will be retained forever in an open space condition and to prevent any use of the Property that will impair or interfere with the Conservation Values of the Property. Grantor intends that this Notice (i) will assure that the Property will be used for such activities that are

Resolution No. _____

**A RESOLUTION TO AUTHORIZE THE COUNTY MAYOR TO APPLY FOR A
CLEAN TENNESSEE ENERGY GRANT FOR IMPROVEMENS TO THE
COURTHOUSE ANNEX**

WHEREAS, McMinn County desires to seek the assistance of a new funding source to promote energy conservation in the renovation of the former Proffit's building for the McMinn County Board of Education administration office; and

WHEREAS, the successful renovation of the 20,000 sq/ft facility requires a new HVAC system and, if funding allows, a new energy efficient lighting system; and

WHEREAS, McMinn County will be requesting \$250,000 from the Tennessee Department of Environment and Conservation through a Clean Tennessee Energy Grant; and

WHEREAS, due to the competitive nature of the grant, the matching amounts ranging from 20% to 50% would result in McMinn County's maximum exposure being \$125,000; and

WHEREAS, it is proposed that the match requirement be funded through TVA Impact Funds; and

WHEREAS, the deadline to apply for this grant is March 30, 2012; and

NOW, THEREFORE; BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF MCMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 16th DAY OF JANUARY 2012, that this Commission authorizes the County Mayor to apply for a Clean Tennessee Energy Grant from TDEC and FURTHER RESOLVES to authorize the County Mayor to execute all necessary documents regarding this grant.

John M. Gentry
County Mayor

ATTEST:

Evonne Hoback, County Clerk

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING AND SUPPORTING THE SUBMISSION OF AN APPLICATION FOR GRANTS FROM THE TENNESSEE AERONAUTICS DIVISION FOR A NEW MAINTENANCE HANGAR, NEW TEN UNIT T-HANGAR AND AIRPORT DRAINAGE STUDY

WHEREAS, the current McMinn County Airport maintenance hangar is in violation of FAA height restrictions and must be replaced at an estimated cost of \$950,000; and

WHEREAS, the old ten unit T-Hangar is in poor condition and is also in violation of FAA height restrictions and needs to be replaced at an estimated cost of \$947,777; and

WHEREAS, McMinn County desires to conduct a drainage study to determine the most appropriate way to reduce impact to adjacent property; and

WHEREAS, this drainage study will cost an estimated \$10,000; and

WHEREAS, grants for these projects are available through the Tennessee Aeronautics Division requiring 10% matching funds for each project; and

WHEREAS, \$853,000 in FAA Entitlement Funds have already been earmarked to McMinn County for the replacement of the old ten unit T-hangar; 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 16TH DAY OF JANUARY 2012, that this Commission does hereby authorize the County Mayor to submit the applications and execute the grants from the Tennessee Aeronautics Division for the above mentioned projects at the McMinn County Airport.

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

John M. Gentry
McMinn County Mayor

Attest:

Evonne Hoback, County Clerk

Resolution No. _____

**A RESOLUTION TO APPROVE THE REQUEST FOR HOTEL-MOTEL FUNDS
BY THE ATHENS AREA CHAMBER OF COMMERCE TO FUND
NATIONAL MOOFEST**

WHEREAS, the National MooFest provides an important event to promote McMinn County's proud agrarian heritage on a grand scale; and

WHEREAS, the 2011 National MooFest was attended by an estimated 10,000 people; and

WHEREAS, the Athens Area Chamber of Commerce has agreed to carry on National MooFest with the retirement of Richard and Elaine Newman; and

WHEREAS, National MooFest does not have sufficient working capital to begin the Chamber's new venture; and

WHEREAS, the MooFest Committee has requested funding from McMinn County to assist in marketing the 2011 National MooFest; and

WHEREAS, to assist in the funding of this annual festival, the Athens Chamber of Commerce requests \$20,000 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 16th DAY OF JANUARY 2012 that this Commission does hereby approve _____ for the Athens Chamber to produce the 5th Annual National MooFest.

John M. Gentry,
McMinn County Mayor

Attest:

Evonne Hoback, County Clerk

Resolution No. _____

A RESOLUTION REQUESTING THE TENNESSEE GENERAL ASSEMBLY TO CONSIDER MAKING THE SALE OF SYNTHETIC DRUGS A FELONY

WHEREAS, synthetic marijuana and designer stimulants have created a public health problem; and

WHEREAS, currently in the State of Tennessee some of these products are being sold legally while some are covered under current legislation deeming their use only a misdemeanor; and

WHEREAS, McMinn County, like many communities in our state, is experiencing the adverse the effects of illicit drug use; and

WHEREAS, the McMinn County Commission believes the Tennessee General Assembly should consider passing comprehensive legislation to make the manufacturing, distribution and selling of synthetic drugs a felony in the State of Tennessee; and

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF McMINN COUNTY, TENNESSEE, MEETING IN REGULAR SESSION THIS THE 16th DAY OF JANUARY 2012 that this Commission does hereby request State Senator Mike Bell and State Representative John Forgety to further research the negative impacts of synthetic marijuana and other illegal drugs, and consider introducing or co-sponsoring legislation which would make its manufacture, sell or distribution a felony.

John M. Gentry,
McMinn County Mayor

Attest:

Evonne Hoback, County Clerk