

The Bradley County Commission meets in REGULAR SESSION on November 20th, 2017, at 12:00 noon EST in the Board Room of the Bradley County Schools Central Office in Cleveland, Tennessee. D. Gary Davis, County Mayor and Donna A. Simpson, County Clerk are present. County Attorney Crystal Freiberg is absent. On roll the following Commissioners are present: TERRY CAYWOOD, MIKE HUGHES, LOUIE ALFORD, THOMAS L. CRYE, MILAN M. BLAKE, JOHNNY MULL, CHARLOTTE PEAK, HOWARD LEWIS THOMPSON, BOBBY GOINS, JEFF YARBER, DAN RAWLS, ROBERT ROMINGER and MARK HALL. Commissioner BILL WINTERS is absent. TOTAL PRESENT: 13; ABSENT: 1. There is a quorum present and Chairman Louie Alford calls the meeting to order.

Following the Pledge of Allegiance to the Flag, Pastor David Riggs leads in the invocation.

Commissioner Jeff Yarber moves that the Minutes of the November 6th, 2017, REGULAR SESSION be approved; Commissioner Dan Rawls seconds the motion. On roll call the Commissioners vote as follows: Caywood, aye; Hughes, aye; Alford, aye; Crye, aye; Blake, aye; Mull, aye; Peak, aye; Thompson, aye; Goins, aye; Yarber, aye; Rawls, aye; Rominger, aye; and Hall, aye. TOTAL FOR: 13; OPPOSES: NONE; ABSENT: 1. The motion passes.

Commissioner Robert Rominger moves that the Consent Agenda be approved; Commissioner Mark Hall seconds the motion. On roll call the Commissioners vote as follows: Caywood, aye; Hughes, aye; Alford, aye; Crye, aye; Blake, aye; Mull, aye; Peak, aye; Thompson, aye; Goins, aye; Yarber, aye; Rawls, aye; Rominger, aye; and Hall, aye. TOTAL FOR: 13; OPPOSES: NONE; ABSENT: 1. The motion passes.

CONSENT AGENDA RECORDED AS AN ATTACHMENT

11/20/2017

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Commissioner Milan Blake pulls Item D to approve the Finance Committee recommendation to pay Mike Crittenden \$33,894.15 from Commission Line Item 599 for drainage, roadway and stormwater improvements required by the County to be made in Stonebridge Subdivision from the Meeting Agenda and Commissioner Johnny Mull moves for the approval of the Meeting Agenda and Item D; Commissioner Jeff Yarber seconds the motion. On roll call the Commissioners vote as follows: Caywood, aye; Hughes, aye; Alford, aye; Crye, aye; Blake, aye; Mull, aye; Peak, aye; Thompson, aye; Goins, aye; Yarber, aye; Rawls, aye; Rominger, aye; and Hall, aye. TOTAL FOR: 13; OPPOSES: NONE; ABSENT: 1. The motion passes.

MEETING AGENDA RECORDED AS AN ATTACHMENT

RESOLUTION 2017-51

RESOLUTION AUTHORIZING THE BRADLEY COUNTY MAYOR TO EXECUTE A ONE (1) YEAR CONTRACT WITH CIGNA HEALTH AND LIFE INSURANCE COMPANY FROM JANUARY 1, 2018, THROUGH DECEMBER 31, 2018, TO PROVIDE HEALTH INSURANCE BENEFITS FOR BRADLEY COUNTY EMPLOYEES OFFERING THREE (3) OPTIONS TO EMPLOYEES AT COUNTY COST OF FIVE HUNDRED SIXTY DOLLARS AND EIGHTY NINE CENTS (\$560.89) PER MONTH FOR EACH EMPLOYEE ENROLLED

WHEREAS, pursuant to the Affordable Care Act and Bradley County Employee Handbook Section 316, Bradley County is required to offer health benefits to all full-time employees; and

WHEREAS, Bradley County has approximately five hundred and ninety (590) full-time employees that are offered health benefits; and

WHEREAS, on November 9, 2017, based upon the recommendation of the Mayor, the Bradley County Commission Insurance Committee voted to recommend approval of three (3) employee options offered by Cigna to employees.

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RESOLUTION 2017-51 CONTINUES

NOW, THEREFORE, BE IT RESOLVED by the Bradley County Legislative Body meeting in regular session at Cleveland, Tennessee, on this 20th day of November, 2017, that the Bradley County Mayor be and is hereby authorized following successful negotiation to enter into a one (1) year contract with Cigna Health and Life Insurance Company from January 1, 2018, through December 31, 2018, to provide health insurance benefits for Bradley Count employees offering three (3) options to employees at a cost to the County of five hundred sixty dollars and eighty nine cents (\$560.89) per month for each employee enrolled in Option 1 or Option 2.

Commissioner Mark Hall puts in the form of a motion the adoption of Resolution 2017-51; Commissioner Howard Thompson seconds the motion.

Commissioner Thomas Crye offers a substitute motion that we go back and fully fund Option 1 and the County absorb the cost of the \$30.00 per employee and this cost come from the Insurance Line Item of each Department; Commissioner Mike Hughes seconds the substitute motion.

Voting on the substitute motion, the Commissioners vote as follows: Caywood, nay; Hughes, aye; Alford, nay; Crye, aye; Blake, aye; Mull, aye; Peak, aye; Thompson, aye; Goins, nay; Yarber, aye; Rawls, nay; Rominger, nay; and Hall, nay. The Clerk asks if anyone would like to change their vote. TOTAL FOR: 7; OPPOSES: 6; ABSENT: 1. The substitute motion FAILS.

Voting on the original motion to adopt Resolution 2017-51 the Commissioners vote as follows: Caywood, aye; Hughes, nay; Alford, aye; Crye, nay; Blake, aye; Mull, aye; Peak, nay; Thompson, nay; Goins, aye; Yarber, nay; Rawls, aye; Rominger, aye; and Hall, aye. The Clerk asks if anyone would like to change their vote. TOTAL FOR: 8; OPPOSES: 5; ABSENT: 1. The motion passes.

BRADLEY COUNTY GOVERNMENT 1-1-2018 MEDICAL PLANS
RECORDED AS AN ATTACHMENT

11/20/2017

11/20/2017

**RESOLUTION 2017-52
A RESOLUTION APPROVING A PAYMENT-IN-LIEU-OF TAXES
(PILOT) SCHEDULE**

WHEREAS, the Industrial Development Board of the County of Bradley and the City of Cleveland, Tennessee (the "Board") recommends a Payment-In-Lieu-of-Taxes (PILOT) schedule for Bayer HealthCare LLC (hereinafter referred to as the "Company") to demonstrate the community's commitment to long-term partnerships with existing manufacturers and encourage the Company to make a major three-phase investment in existing manufacturing operations in Cleveland, Tennessee, to upgrade the site to new Good Manufacturing Practices ("GMP") standards;

WHEREAS, the proposed investments include the addition of a new administrative and employee services building to separate administrative functions from production areas in Phase 1, the upgrade of existing production rooms in Phase 2, and the acquisition and installation of certain machinery and equipment to close liquids, ointments and creams processes in Phase 3 with a potential combined investment of \$34,000,000 to \$38,000,000 through the calendar year 2021;

WHEREAS, the Project will further enhance the competitive position of Cleveland operations as it contends worldwide for new product lines in the Consumer Health Division of Bayer thereby protecting existing production, improving the opportunities for new product lines and improving the working environment of 376 permanent employees receiving a combined annual payroll of approximately \$39.3 million and 126 temporary employees earning approximately \$3.7 million annually in support of seasonal production fluctuations;

WHEREAS, the Company has exhibited a continuing commitment to contribute to the betterment of the general community through the ongoing participation of company personnel and resources in programs such as the Michigan Avenue Elementary and Trousdale School BEST Partnerships, United Way Habitat for Humanity Women Build Program, The Salvation Army and First Responder Appreciation Programs, to name a few;

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RESOLUTION 2017-52 CONTINUES

WHEREAS, the Company has requested that all real and personal property acquired in connection with the Phase 1 Project identified as Building 2 (collectively, the “Property”) qualify for an arrangement (the “PILOT Arrangement”) whereby the Property shall be exempt from all ad valorem property taxes otherwise due thereon (collectively, “Property taxes”), and in lieu of the property taxes, the Company shall make annual payments in lieu of taxes equal to sixty-two and one-half percent (62.5%) of the property taxes otherwise due on the Property during the five year tax assessment periods commencing on January 1, 2019 and ending on December 31, 2023;

WHEREAS, the Board and Company intend to request at future dates and by separate resolution that all real and personal property acquired in connection with the Phase 2 and Phase 3 Project components also qualify for similar PILOT arrangements;

WHEREAS, the Board has determined that, notwithstanding the PILOT Arrangement, the Project will result in the direct payment of taxes to Bradley County, Tennessee, in an estimated amount of \$346,685 and the City of Cleveland, Tennessee, in an estimated amount of \$418,035 over the same five-year period; and

WHEREAS, the County Commission of Bradley County, Tennessee, (the “County”) has determined that the proposed PILOT Arrangement is fair, reasonable and necessary for the continued economic development of Bradley County and the City of Cleveland.

NOW THEREFORE, BE IT RESOLVED by the County Commission of Bradley County, Tennessee, as follows:

Section 1. The County hereby agrees to the PILOT Arrangement and hereby delegates the power and authority to the Board to negotiate a PILOT agreement to reflect the parties' respective rights and obligations in accordance with the PILOT Arrangement.

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RESOLUTION 2017-52 CONTINUES

Section 2. The County hereby authorizes the Mayor to execute any and all documents necessary for the successful completion of the Project, including but not limited to, all documents related to the PILOT Arrangement, and the County authorizes the Company to assign all of their respective rights, title and interest in and to the aforementioned documents and arrangements to a parent, subsidiary or affiliate of the Company without the prior written consent of the County, provided such assignee shall assume in writing all of the obligations of the Company under such assigned documents.

Section 3. This Resolution shall become effective upon its adoption.

Commissioner Thomas Crye makes the motion that this be approved; Commissioner Mike Hughes seconds the motion. On roll call the Commissioners vote as follows: Caywood, aye; Hughes, aye; Alford, aye; Crye, aye; Blake, aye; Mull, aye; Peak, aye; Thompson, aye; Goins, aye; Yarber, aye; Rawls, aye; Rominger, aye; and Hall, aye. TOTAL FOR: 13; OPPOSES: NONE; ABSENT: 1. The motion passes.

RESOLUTION 2017-53
RESOLUTION AUTHORIZING BRADLEY COUNTY MAYOR TO
ENTER INTO A THREE (3) YEAR LEASE AGREEMENT WITH
FILLAUER FAMILY PARTNERSHIP, LP FOR THE PARKING LOT
LOCATED BEHIND THE BRADLEY COUNTY ANNEX BUILDING AT A
RATE OF THREE HUNDRED DOLLARS (\$300.00) PER MONTH

WHEREAS, Fillauer Family Partnership, LP is the owner of certain real property located at 180 1st Street NW in Cleveland, Tennessee, more particularly described as Map and Parcel Number 049MD A 003.00; and

WHEREAS, Bradley County uses this property for employee parking and parking of County owned vehicles; and

WHEREAS, Fillauer Family Partnership, LP has offered to continue to lease this property for an additional period of three (3) years at a rate of three hundred dollars (\$300.00) per month.

11/20/2017

RESOLUTION 2017-53 CONTINUES

NOW, THEREFORE, BE IT RESOLVED by the Bradley County Legislative Body meeting in regular session at Cleveland, Tennessee, on this 20th day of November, 2017, that the Bradley County Mayor be and is hereby authorized to enter into a three (3) year Lease Agreement with Fillauer Family Partnership, LP for the parking lot located behind the Bradley County Annex Building, located at 180 1st Street NW, Map and Parcel 049MD A 003.00, at a rate of three hundred dollars (\$300.00) per month.

Commissioner Milam Blake puts in the form of a motion the adoption of Resolution 2017-53; Commissioner Mike Hughes seconds the motion. On roll call the Commissioners vote as follows: Caywood, aye; Hughes, aye; Alford, aye; Crye, aye; Blake, aye; Mull, aye; Peak, aye; Thompson, aye; Goins, aye; Yarber, aye; Rawls, aye; Rominger, aye; and Hall, aye. TOTAL FOR: 13; OPPOSES: NONE; ABSENT: 1. The motion passes.

There is no further business to come before the Commission and on a motion on Commissioner Jeff Yarber, the Commission adjourns at 1:01 P.M. EST.

Louie Alford, Chairman
Bradley County Commissioner

Donna A. Simpson
Bradley County Clerk

11/20/2017