

The Bradley County Commission meets in REGULAR SESSION on December 4<sup>th</sup>, 2017, at 7:00 P.M. EST in the Board Room of the Bradley County Schools Central Office in Cleveland, Tennessee. D. Gary Davis, County Mayor; Donna A. Simpson, County Clerk; and Crystal Freiberg, County Attorney are present. On roll call 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, DAN RAWLS, ROBERT ROMINGER, MARK HALL and BILL WINTERS. Commissioner JEFF YARBBER is absent. TOTAL PRESENT: 13; ABSENT: 1. There is a quorum present and Chairman calls the meeting to order.

Following the Pledge of Allegiance to the Flag, Commissioner Bill Winters leads in the invocation.

Commissioner Mike Hughes moves that the Minutes of the November 20<sup>th</sup>, 2017 REGULAR SESSION be approved; Commissioner Johnny Mull 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; Rawls, aye; Rominger, aye; Hall, aye; and Winters aye. TOTAL FOR: 13; OPPOSES: NONE; ABSENT: 1. The motion passes.

County Mayor Davis asks for the following reappointments be confirmed by the Commission:

**ETHICS COMMITTEE**

Terry Caywood	9/18	Commissioner
Johnny Mull	9/18	Commissioner
Bill Winters	9/18	Commissioner
Rhode' Kirkpatrick	9/18	Citizen
Susan Barnette	9/18	Citizen

**HEALTHY COMMUNITY INITIATIVE**

Dr. Michael Daubner	8/21	County Mayor
(Health Dept)		Appointment

Commissioner Thomas Crye moves that the Commission confirm the County Mayor's reappointments; Commissioner Robert Rominger 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; Rawls, aye; Rominger, aye; Hall, aye; and Winters, aye. TOTAL FOR: 13; OPPOSES: NONE; ABSENT: 1. The motion passes.

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Commissioner Howard Thompson moves that the Consent Agenda be approved; Commissioner Robert Rominger 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; Rawls, aye; Rominger, aye; Hall, aye; and Winters, aye. TOTAL FOR: 13; OPPOSES: NONE; ABSENT: 1. The motion passes.

**CONSENT AGENDA RECORDED AS AN ATTACHMENT**

On recommendation from the Finance Committee for the approval of the Bradley County Schools Budget Amendments [revenue from Grants] Commissioner Milan Blake puts this in the form of a motion; Commissioner Charlotte Peak 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; Rawls, aye; Rominger, aye; Hall, aye; and Winters, aye. TOTAL FOR: 13; OPPOSES: NONE; ABSENT: 1. The motion passes.

**AMENDMENTS (7) RECORDED AS ATTACHMENTS**

Commissioner Milan Blake puts in the form of a motion the approval of Budget Amendments from the Road Department [revenue from State]; 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; Rawls, aye; Rominger, aye; Hall, aye; and Winters, aye. TOTAL FOR: 13; OPPOSES: NONE; ABSENT: 1. The motion passes.

**AMENDMENTS (4) RECORDED AS ATTACHMENTS**

**RESOLUTION 2017-54**

**RESOLUTION OF THE GOVERNING BODY OF  
BRADLEY COUNTY, TENNESSEE,**

**AUTHORIZING THE ISSUANCE, SALE AND PAYMENT OF  
HOSPITAL INTERFUND LOAN CAPITAL OUTLAY NOTES  
NOT TO EXCEED \$3,835,399.00**

WHEREAS, the Governing Body of Bradley County, Tennessee, (the “Local Government” has determined that it is necessary and desirable to provide funds for the following public works project(s) (the “Project”):

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Bradley County Courthouse renovations (\$3,597,799.00) and Bradley County Parks and Recreation softball Complex lighting installation (\$237,600.00) with an estimated economic life of forty (40) years and the entire principal of the Note to be applied to the costs of the Projects construction; and

WHEREAS, the Governing Body has determined that the Project will promote or provide a traditional governmental activity or otherwise fulfill a public purpose; and

WHEREAS, under the provisions of Parts I, IV and VI of Title 9, Chapter 21, Tennessee Code Annotated, local governments in Tennessee are authorized to finance the cost of the Project through the issuance and sale of interest bearing capital outlay notes with a maturity not to exceed the end of the twentieth year following the date the notes are issued upon the approval of the Comptroller of the Treasury or Comptroller's Designee; and

WHEREAS, under the provisions of 9-21-408(b) of Title 9 Chapter 21, Tennessee Code Annotated, Local Governments in Tennessee are authorized to make interfund loans from all funds derived from the sale of any Tennessee private act hospital in accordance with procedures for issuance of notes in 9-21-604(b) of Title 9 Chapter 21, Tennessee Code Annotated; and

WHEREAS, the Governing Body finds that it is advantageous to the Local Government to authorize the issuance of capital outlay notes to finance the cost of the Project.

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

Section 1. That, for the purpose of providing funds to finance the cost of the project in and for the Local Government, the Chief Executive Officer of the Local Government is hereby authorized in accordance with the terms of this Resolution, and upon the approval of the Comptroller of the Treasury or Comptroller's Designee, to issue and sell interest bearing capital outlay notes in a principal amount not to exceed Three Million Eight Hundred Thirty Five Thousand Three Hundred and Ninety Nine Dollars (\$3,835,399.00) (the "Notes") from the Hospital Fund to the Energy Program Fund and the General Fund upon approval of the Comptroller of the Treasury or Comptroller's Designee pursuant to the terms, provisions, and conditions permitted by law. The Notes shall be designated "Hospital Interfund Loan Capital Outlay Notes, Series 2017B", shall be numbered

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serially from 1 upwards; shall be dated as of the date of issuance; shall be in denomination(s) as agreed upon by the legislative governing body; shall be sold at not less than 99% of par value and accrued interest; and shall bear interest at a variable rate of 1.53% per annum, and in no event shall the rate exceed the legal limit provided by law.

Section 2. That, the Notes shall mature not later than twenty (20) years after the date of issuance and that the Notes shall not exceed the reasonably expected economic life of the Project, which is hereby certified by the Governing Body to be at least forty (40) years, provided, however, that each year after the date of issue the Notes are outstanding, one-twentieth (1/20) of the original principal amount of the Notes shall mature without renewal but subject to prior redemption.

Section 3. That, the Notes shall be subject to redemption at the option of the Local Government without penalty, in whole or in part, at any time, at the principal amount and accrued interest to the date of redemption, without a premium.

Section 4. That, the Notes shall be direct general obligations of the Local Government, for which the punctual payment of the principal and interest on the notes, the full faith and credit of the Local Government is irrevocably pledged and the Local Government hereby pledges its taxing power as to all taxable property in the Local Government for the purpose of providing funds for the payment of principal of and interest on the Notes.

Section 5. That, the Notes shall be executed in the name of the Local Government and bear the manual signature of the Chief Executive Officer of the Local Government and the manual signature of the County Clerk with the Local Government seal affixed thereon; and shall be payable as to principal and interest at the Office of the County Trustee of the Local Government or the paying agent duly appointed by the Local Government. Proceeds of the Notes shall be deposited with the County Trustee of the Local Government and shall be paid out for the purpose of financing the Project pursuant to this Resolution and as required by law.

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Section 6. That, the Notes will be issued in fully registered form and that at all times during which any Notes remains outstanding and unpaid, the Local Government or its agent shall keep or cause to be kept at its office a note register, if held by an agent of the Local Government, shall at all times be open for inspection by the Local Government or any duly authorized officer of the Local Government. Each Note shall have the qualities and incidents of a negotiable instrument and shall be transferable only upon the note register kept by the Local Government or its agent, by the registered owner of the Note in person or by the registered owner's attorney duly authorized in writing, upon presentation and surrender to the Local Government or its agent together with a written instrument of transfer satisfactory to the Local Government duly executed by the registered owner or the registered owner's duly authorized attorney. Upon the transfer of any such Note, the Local Government shall issue in the name of the transferee a new registered note or notes of the same aggregate principal amount and maturity as the surrendered Notes. The Local Government shall not be obligated to make any such Note transfer during the fifteen (15) days next preceding an interest payment date of the Notes or, in the case of any redemption of the Notes, during the forty-five (45) days next preceding the date of redemption.

Section 7. That, the Notes shall be in substantially the form authorized by the Comptroller of the Treasury or Comptroller's Designee and shall recite that the Notes are issued pursuant to Title 9, Chapter 21, Tennessee Code Annotated.

Section 8. The Notes shall not be sold until receipt of the Comptroller of the Treasury or Comptroller's Designee's written approval for the sale of the Notes.

Section 9. That, after the sale of the Notes, and for each year that any of the notes are outstanding, the Local Government shall prepare an annual budget in a form consistent with accepted governmental standards and as approved by the Comptroller of the Treasury or Comptroller's Designee (the "Director). The budget shall be kept balanced during the life of the notes. The annual budget shall be submitted to the Director immediately upon its adoption; however, it shall not become the official budget for the fiscal year until such budget is approved by the Comptroller of the Treasury or Comptroller's Designee in accordance with Title 9, Chapter 21, Tennessee Code Annotated (the "Statutes"). If the Comptroller of the Treasury or Comptroller's Designee determines that the budget does not comply with the

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Statutes, the Governing Body shall adjust its estimates or make additional tax levies sufficient to comply with the Statutes, or as directed by the Comptroller of the Treasury or Comptroller's Designee.

Section 10. That, all orders or resolutions in conflict with this Resolution are hereby repealed insofar as such conflict exists and this Resolution shall become effective immediately upon its passage.

Commissioner Milan Blake puts in the form of a motion the adoption of Resolution 2017-54 Authorizing The Issuance, Sale And Payment Of Hospital Interfund Loan Capital Outlay Notes Not To Exceed \$3,835,399.00; Commissioner Bill Winters 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; Rawls, aye; Rominger, aye; Hall aye; and Winters, aye. TOTAL FOR: 13; OPPOSES: NONE; ABSENT: 1. The motion passes.

THE CAPITAL OUTLAY NOTE FORM IS RECORDED AS AN ATTACHMENT

Commissioner Mike Hughes moves that the Meeting Agenda be approved; Commissioner Terry Caywood 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; Rawls, aye; Rominger, aye; Hall, aye; and Winters, aye. TOTAL FOR: 13; OPPOSES: NONE; ABSENT: 1. The motion passes.

MEETING AGENDA RECORDED AS AN ATTACHMENT

The Finance Committee recommends paying Mike Crittenden \$33,894.15 from County Commission Line 599 for drainage, roadway and stormwater improvements required by the County to be made in Stonebridge Subdivision and Commissioner Milan Blake puts this in the form of a motion; Commissioner Mike Hughes seconds the motion.

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Commissioner Milan Blake offers a substitute motion to take all that is in the original motion but add to include the payment will not be until March 1, 2018; the County Attorney will have some paperwork that Mr Crittenden will need to sign; Commissioner Bill Winters seconds the substitute motion.

Voting on the substitute motion the Commissioners vote as follows: Caywood, aye; Hughes, aye; Alford, nay; Crye, aye; Blake, aye; Mull, aye; Peak, aye; Thompson, aye; Goins, aye; Rawls, nay; Rominger, aye; Hall, aye; and Winters, aye. The Clerk asks if anyone would like to change their vote. TOTAL FOR: 11; OPPOSES: 2; ABSENT: 1. The substitute motion passes therefore no vote taken on the original motion.

TIMELINE FOR MIKE CRITTENDEN CLAIM RECORDED AS AN ATTACHMENT

The Finance Committee recommends approving the Finance Department budget amendment to increase revenue by \$100,000 in Account 101-49800 and to increase expenses by \$100,000 in Account 101-54510-338 for asbestos abatement discovered as a result of the fire [at Courthouse] and Commissioner Milan Blake puts this in the form of a motion; Commissioner Johnny Mull 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; Rawls, aye; Rominger, aye; Hall, aye; and Winters, aye. TOTAL FOR: 13; OPPOSES: NONE; ABSENT: 1. The motion passes.

BUDGET AMENDMENT RECORDED AS AN ATTACHMENT

The Finance Committee recommends to approve an EMS budget amendment to decrease by \$170,000 expenses in account 101-55130-169 and increasing expenses by \$170,000 in account 101-55130-187 for overtime needs and Commissioner Milan Blake puts this in the form of a motion; Commissioner Bobby Goins 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; Rawls, aye; Rominger, aye; Hall, aye; and Winters, aye. TOTAL FOR: 13; OPPOSES: NONE; ABSENT: 1. The motion passes.

BUDGET AMENDMENT RECORDED AS AN ATTACHMENT

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Commissioner Milan Blake puts in the form of a motion that a letter be sent to our State Legislators to see if there is anything that can be done to repeal the 1.75% State medical insurance premium; Commissioner Terry Caywood 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; Rawls, aye; Rominger, aye; Hall, aye; and Winters, aye. TOTAL FOR: 13; OPPOSES: NONE; ABSENT: 1. The motion passes.

**COPY OF THE LETTER IS RECORDED AS AN ATTACHMENT**

Commissioner Charlotte Peak moves that the December 25<sup>th</sup>, 2017, Work Session and the January 1<sup>st</sup>, 2018, Voting Session be cancelled; Commissioner Howard Thompson seconds the motion. On roll call the Commissioners voted as follows: Caywood, aye; Hughes, aye; Alford, aye; Crye, aye; Blake, aye; Mull, aye; Peak, aye; Thompson, aye; Goins, aye; Rawls, aye; Rominger, aye; Hall, aye; and Winters, aye. TOTAL FOR: 13; OPPOSES: NONE; ABSENT: 1. The motion passes.

The Bradley County Road Committee recommends to approve the request for correction to the [Bradley County] Road List to extend Albert Lawson Road from .20 miles to .204 miles and Commissioner Robert Rominger puts this in the form of a motion; Commissioner Charlotte Peak 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; Rawls, aye; Rominger, aye; Hall, aye; and Winters, aye. TOTAL FOR: 13; OPPOSES: NONE; ABSENT: 1.

**REQUEST FOR CORRECTION TO THE ROAD LIST RECORDED AS AN ATTACHMENT**

There is no further business to come before the Commission, and on a motion by Commissioner Johnny Mull, the Commission adjourns at 7:34 P.M. EST.

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Louie Alford, Chairman  
Bradley County Commission

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Donna A. Simpson  
Bradley County Clerk

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