

REGULAR SESSION

MAY 20th, 2019

The Bradley County Commission meets in REGULAR SESSION at 12:00 noon EDST on May 20th, 2019, at the Bradley County Courthouse 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: DENNIS EPPERSON, MIKE HUGHES, THOMAS L. CRYE, MILAN M. BLAKE, JOHNNY MULL, CHARLOTTE PEAK, HOWARD LEWIS THOMPSON, BOBBY GOINS, JEFF YARBER, TIM MASON, ERICA DAVIS, KEVIN RAPER and BILL WINTERS. Commissioner LOUIE ALFORD is absent. TOTAL FOR: 13; ABSENT: 1. There is a quorum present and Chairman Johnny Mull calls the meeting to order.

Following the Pledge of Allegiance to the Flag, Commissioner Milian Blake leads in the invocation.

Commissioner Howard Thompson moves to approve the Minutes of the May 6th, 2019, REGULAR SESSION; Commissioner Bobby Goins seconds the motion. On roll call the Commissioners vote as follows: Epperson, aye; Hughes, aye; Crye, aye; Blake, aye; Mull, aye; Peak, aye; Thompson, aye; Goins, aye; Yarber, aye; Mason, aye; Davis, aye; Raper, aye; and Winters, aye. TOTAL FOR: 13; OPPOSES: NONE; ABSENT: 1. The motion passes

Commissioner Jeff Yarber moves to approve the Consent Agenda; Commissioner Erica Davis seconds the motion. On roll call the Commissioners vote as follows: Epperson, aye; Hughes, aye; Crye, aye; Blake, aye; Mull, aye; Peak, aye; Thompson, aye; Goins, aye; Yarber, aye; Mason, aye; Davis, aye; Raper, aye; and Winters, aye. TOTAL FOR: 13; OPPOSES: NONE; ABSENT: 1. The motion passes.

CONSENT AGENDA RECORDED AS AN ATTACHMENT

COMMITTEE REPORT AND MOTION BY COMMISSIONER MIKE HUGHES

"Mr. Chairman, the Emergency Services Committee met last week and discussed the Fire and EMS Budget requests for the upcoming year. EMS continues to struggle to fill open positions, which there are currently ten. We voted to recommend establishing \$5,000 signing bonuses payable in two equal installments over two years with the first payment to be made one year from the employees hire date. This sign on bonus would be available for up to ten positions. It is important to note this recommendation will not impact the 2019-2020 Budget. The first payment would not be processed until the 2020-2021 Budget. Mr. Chairman, I put this recommendation in the form of a motion. We also discussed how the negated growth will impact the EMS Budget and specifically the Fire Budget, which incurred a net loss of revenue. It will definitely be a tight budget for our Fire Department." Commissioner Thomas Crye seconds the motion.

Commissioner Charlotte Peak offers a substitute motion to send this to the Finance Committee first to vet it completely; Commissioner Howard Thompson seconds the substitute motion.

Voting on the substitute motion, the Commissioners vote as follows: Epperson, aye; Hughes, nay; Crye, nay; Blake, aye; Mull, aye; Peak, aye; Thompson, aye; Goins, aye; Yarber, aye; Mason, nay; Davis, aye; Raper, nay; and Winters, nay. The Clerk asks if anyone would like to change their vote. TOTAL FOR: 8; OPPOSES: 5; ABSENT: 1. The substitute motion passes, therefore no vote taken on the original motion.

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Commissioner Jeff Yarber moves that the Meeting Agenda be approved; Commissioner Tim Mason seconds the motion. On roll call the Commissioners vote as follows: Epperson, aye; Hughes, aye; Crye, aye; Blake, aye; Mull, aye; Peak, aye; Thompson, aye; Goins, aye; Yarber, aye; Mason, aye; Davis, aye; Raper, aye; and Winters, aye. TOTAL FOR: 13; OPPOSES: NONE; ABSENT: 1. The motion passes.

MEETING AGENDA RECORDED AS AN ATTACHMENT

RESOLUTION 2019-11

**RESOLUTION AUTHORIZING BRADLEY COUNTY MAYOR TO
EXECUTE A DEED CONVEYING CERTAIN REAL PROPERTY
IDENTIFIED AS MAP AND PARCEL 017.00 042 OWNED BY BRADLEY
COUNTY TO THE INDUSTRIAL DEVELOPMENT BOARD OF THE
COUNTY OF BRADLEY AND THE CITY OF CLEVELAND, TENNESSEE**

WHEREAS, Bradley County is the fee simple owner of certain real property located in Bradley County, Tennessee, consisting of approximately 1.6 acres, being a portion of the property conveyed to it by deed of Cleo Effie Hicks dated June 19, 1970, and recorded in Deed Book 167, Page 53, in the Register's Office for Bradley County, Tennessee ("ROBCT") and further identified as Parcel 017.00 on Tax Map 042 in the Tax Assessor's Office for Bradley County, Tennessee, upon which is located a railroad line spur lead-in track being approximately seventy-six (76) feet in width; and

WHEREAS, The Industrial Development Board of the County of Bradley and the City of Cleveland, Tennessee (the "Board"), is a public, nonprofit corporation organized and existing under, and by virtue of, the provisions of Chapter 53, Title 7, Tennessee Code Annotated, as amended (the "Act") created upon the Resolutions of both Bradley County and the City of Cleveland for the purpose of job creation and economic development; and

WHEREAS, Bradley County has previously transferred ownership of industrial properties owned by it to The Industrial Development Board of the County of Bradley and the City of Cleveland, Tennessee, to facilitate the activities for which the Board was created; and

WHEREAS, it is proper and appropriate to transfer the property identified herein to the Board so that the Board may manage the railroad spur and enter into the appropriate track easements and/or agreements for the usage and maintenance of said track with the adjoining industries.

NOW, THEREFORE, BE IT RESOLVED by the Bradley County Legislative Board meeting in regular session at Cleveland, Tennessee, on this 20th day of May, 2019, that the Bradley County Mayor be and is hereby authorized to execute a deed to The Industrial Development Board of the County of Bradley and the City of Cleveland, Tennessee, for the approximately 1.6 acres, being a portion of the property conveyed to it by deed of Cleo Effie Hicks dated June 19, 1970, and recorded in Deed Book 167, Page 53, in the Register's Office for Bradley County, Tennessee, ("ROBCT") and further identified as Parcel 017.00 on Tax Map 042 in the Tax Assessor's Office for Bradley County, Tennessee, upon which is located a railroad line spur lead-in track being approximately seventy-six (76) feet in width as more particularly described as follows:

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RESOLUTION 2019-11 CONTINUES

LOCATED IN THE FOURTH CIVIL DISTRICT OF BRADLEY COUNTY, TENNESSEE, TO WIT:

The center line of a seventy-six (76) foot wide easement, containing approximately 1.57 acres for railroad purposes is described as follows: Beginning at a point on the East property line of the Owens-Illinois, Incorporated tract, said point being northeasterly 62.26 feet, more or less, from the southeast corner of said tract; thence South 28 degrees 31 minutes East, 392.17 feet, more or less, to the beginning of a 12 degree curve to the right; thence along said curve a distance of 383.80 feet, more or less, to a point on the West right-of-way line of the Southern Railway System's property said right-of-way line being westerly 100 feet, more or less, from the center of Southern Railway's main track as shown on Southern Railway System's drawing number F-1301 R-4.

SOURCE: Being the same description as set out in Track Easement dated 1 September, 1972, and recorded in Deed Book 192, Page 538, in the Register's Office of Bradley County, Tennessee.

Commissioner Milan Blake puts in the form of a motion to adopt Resolution Authorizing Bradley County Mayor To Execute A Deed Conveying Certain Real Property Identified As Map And Parcel 017.00 042 Owned By Bradley County To The Industrial Development Board Of The County Of Bradley And The City Of Cleveland, Tennessee; Commissioner Bill Winters seconds the motion. On roll call the Commissioners vote as follows: Epperson, aye; Hughes, aye; Crye, aye; Blake, aye; Mull, aye; Peak, aye; Thompson, aye; Goins, aye; Yarber, aye; Mason, aye; Davis, aye; Raper, aye; and Winters, aye. TOTAL FOR: 13; OPPOSES: NONE; ABSENT: 1. The motion passes.

Commissioner Milan Blake moves to approve the Finance Committee recommendation to include the feasibility study recommended by the Drinking Water and Waste Water Treatment Services Ad Hoc Committee in the 2020-2021 Budget and the amount not to exceed \$80,000.00; Commissioner Bill Winters seconds the motion.

Commissioner Thomas Crye offers a substitute motion to change the budget year to 2019-2020 instead of 2020-2021; Commissioner Charlotte Peak seconds the substitute motion.

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

Voting on the original motion to include the feasibility study in the 2020-2021 Budget and the amount not to exceed \$80,000.00, the Commissioners vote as follows: Epperson, aye; Hughes, nay; Crye, aye; Blake, aye; Mull, aye; Peak, aye; Thompson, nay; Goins, nay; Yarber, aye; Mason, nay; Davis, aye; Raper, aye; and Winters, aye. The Clerk asks if anyone would like to change their vote. TOTAL FOR: 9; OPPOSES: 4; ABSENT: 1. The motion passes.

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PUBLIC HEARING

RESOLUTION 2019-12

RESOLUTION TO REZONE FROM FAR FORESTRY/AGRICULTURAL/RESIDENTIAL DISTRICT
TO C-2 GENERAL COMMERCIAL DISTRICT PROPERTY LOCATED AT
WASHINGTON AVENUE SE AND IDENTIFIED BY TAX MAP: 066A GROUP: B PARCEL 004.00

WHEREAS, Gregory A. Swift petitioned the Bradley County Planning Commission to rezone from FAR Forestry/Agricultural/Residential to C-2 General Commercial property located at Washington Avenue SE and identified by Tax Map: 066A Group: B Parcel: 004.00 and said Planning Commission on April 18, 2019, recommended that this petition be approved;

WHEREAS, Gregory A. Swift requested that the Bradley County Commission consider said petition and notice has been published in a newspaper in general circulation in Bradley County and that the County Commission will hold a public hearing on May 20, 2019, concerning the passage of this Resolution as required by law, and such hearing having been held.

NOW, THEREFORE, BE IT RESOLVED by the County Legislative Body of Bradley County meeting in session at Bradley County, Tennessee, on the 20th day of May, 2019, that the zoning map of Bradley County, Tennessee, be amended to rezone from FAR Forestry/Agricultural/Residential to C-2 General Commercial property located at Washington Avenue SE and described in Deed Book: 357 Page: 616, Bradley County Register of Deed's Office and identified by Tax Map: 066A Group: B Parcel: 004.00 as shown on the attached *map.

Commissioner Thomas Crye makes in the form of a motion to approve Resolution To Rezone From FAR Forestry/Agricultural/Residential District To C-2 General Commercial District Property Located At Washington Avenue SE And Identified By Tax Map: 066A Group: B Parcel: 004.00; Commissioner Mike Hughes seconds the motion. On roll call the Commissioners vote as follows: Epperson, aye; Hughes, aye; Crye, aye; Blake, aye; Mull, aye; Peak, aye; Thompson, aye; Goins, aye; Yarber, aye; Mason, aye; Davis, aye; Raper, aye; and Winters, aye. TOTAL FOR: 13; OPPOSES: NONE; ABSENT: 1. The motion passes.

MAP RECORDED AS AN ATTACHMENT

PUBLIC HEARING CONCLUDES

There is no further business to come before the Commission and on a motion by Commissioner Jeff Yarber, the Commission adjourns at 12:47 P.M. EDST.

Johnny Mull, Chairman
Bradley County Commission

Donna A. Simpson
Bradley County Clerk

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