

**REGULAR SESSION**

**JULY 15th, 2019**

The Bradley County Commission meets in REGULAR SESSION at 12:00 noon EDST on July 15th, 2019, at the Bradley County Courthouse in Cleveland, Tennessee. D. Gary Davis, County Mayor and Donna A. Simpson, County Clerk are present. County Attorney Crystal Freiberg is absent. On roll call the following Commissioners are present: DENNIS EPPERSON, MIKE HUGHES, LOUIE ALFORD, 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. TOTAL PRESENT: 14; ABSENT: NONE. There is a quorum present and Chairman Johnny Mull calls the meeting to order.

Following the Pledge of Allegiance to the Flag, Pastor Bruce Hill leads in the invocation.

Commissioner Jeff Yarber moves that the Minutes of the July 1st, 2019 , REGULAR SESSION be approved; Commissioner Bobby Goins seconds the motion. On roll call the Commissioners vote as follows: Epperson, aye; Hughes, aye; Alford, 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: 14; OPPOSES: NONE. The motion passes.

Mayor Gary Davis asks that copies of the following be entered into the Commission

Minutes:

- 1) Report On Debt Obligation
- 2) Letter from the Comptroller of the Treasury approving the Tax Anticipation Note
- 3) Report On Debt Obligation Tax Anticipation Notes, Series 2019A
- 4) Tax Anticipation Note Series 2019A

THESE ARE RECORDED AS ATTACHMENTS

Commissioner Bobby Goins moves that the Consent Agenda be approved; Commissioner Bill Winters seconds the motion. On roll call the Commissioners vote as follows: Epperson, aye; Hughes, aye; Alford, 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: 14; OPPOSES: NONE. The motion passes.

CONSENT AGENDA RECORDED AS AN ATTACHMENT

Commissioner Jeff Yarber states that someone who wishes to remain anonymous would like to donate to the Bradley County Sheriff's Office a Smith/Wesson 22 long rifle revolver with 4 inch barrel Mod 34-1 Model #151959 - - 693X9 C5. It is presented in a custom leather and felt case and handmade by Kenneth G. Michalske, gunsmith; approximate value \$700-\$800. Also, would like to donate a Hunters leather holster #1100-8 and one Kleen Bore handgun cleaning kit model #K-211 and Commissioner Jeff Yarber moves to accept this gift; Commissioner Thomas Crye seconds the motion. On roll call the Commissioners vote as follows: Epperson, aye; Hughes, aye; Alford, 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: 14; OPPOSES: NONE. The motion passes.

Commissioner Charlotte Peak requests that the record show that Mr. Ed Elkins and Mr. Dan Rawls have petitions with over 650 names of people opposing the proposed tax increase.

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ROAD PETITION

AUGUSTUS WAY NE

TAX MAP ID	035
ROAD LOCATION	GRAYWOOD FARMS
BEGINNING	OLD CHARLESTON ROAD NE
ENDING	CUL-DE-SAC POSTED SPEED LIMIT: 25
ROAD CONSTRUCTED OF	ASPHALT CLASS A
WIDTH OF PAVEMENT	22'
WIDTH OF RIGHT-OF-WAY	50'
LENGTH OF ROAD RIGHT-OF-WAY	1,296'
LENGTH OF PAVEMENT	1,286'

(to back of cul-de-sac)

On recommendation from the Road Committee Commissioner Kevin Raper puts in the form of a motion to accept this road into the County's road system; Commissioner Thomas Crye seconds the motion. On roll call the Commissioners vote as follows: Epperson, aye; Hughes, aye; Alford, 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: 14; OPPOSES: NONE. The motion passes.

Commissioner Jeff Yarber moves that the Meeting Agenda be approved; Commissioner Bill Winters seconds the motion. On roll call the Commissioners vote as follows: Epperson, aye; Hughes, aye; Alford, 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: 14; OPPOSES: NONE. The motion passes.

MEETING AGENDA RECORDED AS AN ATTACHMENT

RESOLUTION 2019-20

RESOLUTION FIXING THE TAX LEVY  
BRADLEY COUNTY, TENNESSEE  
FOR THE FISCAL YEAR BEGINNING JULY 1, 2019

RESOLUTION 2019-20 RECORDED AS AN ATTACHMENT

Commissioner Milian Blake puts Resolution 2019-20 in the form of a motion; Commissioner Thomas Crye seconds the motion.

Commissioner Howard Thompson offers a substitute motion to leave the tax rate the same as it is today with no tax increase and that we go with the Mayor's proposal; Commissioner Charlotte Peak seconds the substitute motion.

Voting on the substitute motion the Commissioners vote as follows: Epperson, nay; Hughes, aye; Alford, nay; Crye, nay; Blake, nay; Mull, nay; Peak, aye; Thompson, aye; Goins, aye; Yarber, nay; Mason, aye; Davis, nay; Raper, nay; and Winters, nay. The Clerk asks if anyone would like to change their vote. TOTAL FOR: 5; OPPOSES: 9. The substitute motion FAILS.

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**07/19/2019**

Commissioner Charlotte Peak offers a substitute motion to take the \$80,000.00 out [2019-2020 Budget] for the designated sewer study; Commissioner Howard Thompson seconds the substitute motion. On roll call the Commissioners vote as follows: Epperson, nay; Hughes, aye; Alford, nay; Crye, nay; Blake, nay; Mull, nay; Peak, aye; Thompson, aye; Goins, aye; Yarber, nay; Mason, aye; Davis, nay; Raper, nay; and Winters, nay. The Clerk asks if anyone would like to change their vote. TOTAL FOR: 5; OPPOSES: 9. The substitute motion FAILS.

Voting on the original motion to approve Resolution 2019-20 setting the tax rate, the Commissioners vote as follows: Epperson, aye; \*Hughes, nay; Alford, aye; Crye, aye; Blake, aye; Mull, aye; Peak, nay; 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: 5. The motion passes.

\*Prior to voting Commissioner Mike Hughes reads the following statement:

"Because I am an employee of the Bradley County Sheriff's Department I have a conflict of interest in the proposal about to be voted on. However, I declare that my argument and my vote answer only to my conscience and to my obligation to my constituents and the citizens this Body represents."

**RESOLUTION 2019-21**  
**RESOLUTION FIXING THE TAX LEVY OF THE COUNTY FIRE DISTRICT**  
**BRADLEY COUNTY, TENNESSEE**  
**FOR THE FISCAL YEAR BEGINNING JULY 1, 2019**

SECTION 1. BE IT RESOLVED by the County Commission of Bradley County, Tennessee, assembled in REGULAR SESSION on this 15th day of July, 2019, that, pursuant to *Tennessee Code Annotated* Section 5-17-106, this County Commission hereby levies an annual fire tax upon the property owners of the Fire District 2 (Rural) in the amount of point four zero zero cents (\$.4400) on each \$100.00 of taxable property located within the County but outside of the Fire District 1 (Fringe) point four four zero zero cents (\$.4400) on each \$100.00 of taxable property located within the Fire District 1 (Fringe), for the fiscal year beginning July 1, 2019, which is deemed by this Commission to pay the budget of the County Fire District;

SECTION 2. BE IT FURTHER RESOLVED that, pursuant to *Tennessee Code Annotated* Section 5-17-107, the Fire Tax levied by this Resolution shall be assessed in the same manner as the County Property Tax and collected as an addition thereto, and shall in all ways be treated as a part of the County Property Tax;

SECTION 3. BE IT FURTHER RESOLVED that, as provided by *Tennessee Code Annotated* Section 5-17-108, this Resolution and nothing contained herein shall be construed to limit in any way the fire departments of any municipality providing fire service, but authorizes this Commission, in its capacity as the County Fire Department, if it so desires, to contract with municipalities in order to coordinate fire service county-wide;

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**RESOLUTION 2019-21 CONTINUES**

SECTION 4. BE IT FURTHER RESOLVED that all Resolutions of the Board of County Commissioners of Bradley County, Tennessee, which are in conflict with this Resolution are hereby repealed.

SECTION 5. BE IT FURTHER RESOLVED that this Resolution shall take effect as of July 15, 2019, the public welfare requiring it, and that this Resolution be spread upon the Minutes of the County Commission.

Commissioner Milian Blake puts this Resolution in the form of a motion; Commissioner Jeff Yarber seconds the motion.

Commissioner Howard Thompson offers a substitute motion to set the fire tax for both the rural and fringe areas at 42 cents; Commissioner Charlotte Peak seconds the motion.

Voting on the substitute motion the Commissioners vote as follows: Epperson, nay; Hughes, nay; Alford, nay; Crye, nay; Blake, nay; Mull, nay; Thompson, aye; Goins, nay; Yarber, nay; Mason, aye; Davis, nay; Raper, nay; and Winters, nay. The Clerk asks if anyone would like to change their vote. TOTAL FOR: 3; OPPOSES: 11. The substitute motion FAILS.

Voting on the original motion to adopt Resolution 2019-21 setting the fire tax the Commissioners vote as follows: Epperson, aye; Hughes, nay; Alford, aye; Crye, aye; Blake, aye; Mull, aye; Peak, aye; Thompson, aye; Goins, aye; Yarber, aye; Mason, nay; Davis, aye; Raper, aye; and Winters, aye. The Clerk asks if anyone would like to change their vote. TOTAL FOR: 12; OPPOSES: 2. The motion passes.

**RESOLUTION 2019-22**

**A RESOLUTION MAKING APPROPRIATIONS FOR THE VARIOUS FUNDS,  
DEPARTMENTS, INSTITUTIONS, OFFICES AND AGENCIES OF  
BRADLEY COUNTY, TENNESSEE, FOR THE FISCAL  
YEAR BEGINNING JULY 1, 2019 AND ENDING JUNE 30, 2020**

Commissioner Milian Blake puts in the form of a motion the adoption of Resolution 2019-22; Commissioner Bill Winters seconds the motion. On roll call the Commissioners vote as follows: Epperson, aye; Hughes, nay; Alford, aye; Crye, aye; Blake, aye; Mull, aye; Peak, nay; Thompson, nay; Goins, aye; Yarber, aye; Mason, nay; Davis, aye; Raper, aye; and Winters, aye. The Clerk asks if anyone would like to change their vote. TOTAL FOR: 10; OPPOSES: 4. The motion passes.

RESOLUTION 2019-22 IS RECORDED AS AN ATTACHMENT

**RESOLUTION 2019-23**

**A RESOLUTION MAKING APPROPRIATIONS TO NON-PROFIT  
CHARITABLE ORGANIZATIONS OF BRADLEY COUNTY, TENNESSEE, FOR THE  
FISCAL YEAR BEGINNING JULY 1, 2019, AND ENDING JUNE 30, 2020**

Commissioner Milian Blake makes in the form of a motion the adoption of Resolution 2019-23; Commissioner Mike Hughes seconds the motion. On roll call the Commissioners vote as follows: Epperson, aye; Hughes, aye; Alford, 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: 14; OPPOSES: NONE. The motion passes.

RESOLUTION 2019-23 RECORDED AS AN ATTACHMENT

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**RESOLUTION 2019-24  
RESOLUTION TO COMMIT FUNDING OF UP TO TWELVE MILLION DOLLARS  
(\$12,000,000) TO FUND THE RENOVATION OF THE PIE CENTER WITH BOND ISSUE  
TO COMMENCE IN OCTOBER OF 2020**

**Whereas**, the Bradley County Board of Education on December 8, 2016, voted unanimously to authorize the Director of Schools to submit a funding proposal to the County Commission for the acquisition and renovation of the former American Uniform building located at 2181 Parker Street, Cleveland, Tennessee, 37311, for the intended purpose of housing GOAL Academy, BCS Technology Department and for the purpose of providing innovative high school programming and learning opportunities in collaboration with business, industry and community partners; and

**Whereas**, the Bradley County Commission on April 17, 2017, adopted Resolution 2017-17 authorizing the Bradley County Mayor to enter into a conditional sale agreement with Larry Armour regarding the purchase of the property known as the former American Uniform property, map and parcel numbers 050 A O 004.00, 050 H A 001.00 and 050 A P 001.00 for an amount of two million two hundred thousand dollars (\$2,200,000) and directing the Mayor to obtain an updated appraisal of the subject property; and

**Whereas**, the Bradley County Mayor on April 17, 2017, entered into a conditional sale agreement with Larry Armour regarding the purchase of the property known as the former American Uniform property, map and parcel numbers 050 A O 004.00, 050 H A 001.00 and 050 A P 001.00 for an amount of two million two hundred thousand dollars (\$2,200,000); and

**Whereas**, on July 17, 2017, the Bradley County Commission adopted Resolution 2017-37 authorizing the Bradley County Mayor to enter into a Deed of Trust and promissory note regarding the purchase of the property known as the former American Uniform Property, map and parcel numbers 050 A O 004.00, 050 H A 001.00 and 050 A P 001.00; and

**Whereas**, on July 27, 2017, the closing on the subject property occurred and a Deed of Trust, promissory note and other required closing documents were executed by the Bradley County Mayor completing the purchase of said property by Bradley County; and

**Whereas**, the Bradley County Board of Education on February 14, 2019, voted unanimously to approve one million three hundred thousand dollars (\$1,300,000.00) for the GOAL build out project; and

**Whereas**, it is the desire of the Bradley County Legislative Body to provide innovative student experience and experiential learning in STEM; and

**Whereas**, the Bradley County Legislative Body wishes to collaborate with business, industry and non-profit organizations to bridge the gap between business, industry and education to change learning pathways and to offer embedded work-based learning experiences and promotion of design thinking; and

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**RESOLUTION 2019-24 CONTINUES**

Whereas, it is the hope of the Bradley County Legislative Body to create a skilled workforce and to prepare students to enter careers that provide a living wage.

Now, therefore, be it resolved by the Legislative Body of Bradley County meeting in Regular Session on this 15th day of July, 2019, that Bradley County commits to funding the renovation of the PLE Center at a cost of up to twelve million dollars (\$12,000,000), which is legally required to include a maximum long term indebtedness of up to eighteen million dollars (\$18,000,000) for the City of Cleveland's estimated share of six million dollars (\$6,000,000), with the funds to be made available such that the first debt service payment occurs no later than the fiscal year 2021-2022 budget; and

Be it further resolved that this commitment is conditioned on the Bradley County School System's agreement to solicit competitive requests for proposals for the design and construction of the new facility with such proposals to provide detailed costs for both conventional and geothermal heating and air conditioning systems and the estimated energy savings for each type of system.

Commissioner Milan Blake makes the motion to adopt Resolution 2019-24; Commissioner Thomas Crye seconds the motion. On roll call the Commissioners vote as follows: Epperson, aye; Hughes, nay; Alford, aye; Crye, aye; Blake, aye; Mull, aye; Peak, aye; Thompson, aye; 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: 11; OPPOSES: 3. The motion passes.

Commissioner Jeff Yarber moves that Alan Walsh be given his service weapon (Glock 23 - Serial Number DSZ20645) upon his retirement from the Bradley County Sheriff's Department; Commissioner Mike Hughes seconds the motion. On roll call the Commissioners vote as follows: Epperson, aye; Hughes, aye; Alford, 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: 14; OPPOSES: NONE. The motion passes.

**THE 2019-2020 BUDGET IS RECORDED AS AN ATTACHMENT**

There is no further business to come before the Commission and on a motion by Commissioner Jeff Yarber, the Commission adjourns at 1:12 P.M. EDST.

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Johnny Mull, Chairman  
Bradley County Commission

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Donna A. Simpson  
Bradley County Clerk