REGULAR SESSION **AUGUST 5th, 2019**

The Bradley County Commission meets in REGULAR SESSION at 7:00 P.M. EDST on August 5th, 2019, at the 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, LOUIE ALFORD, THOMAS L. CRYE, JOHNNY MULL, CHARLOTTE PEAK, HOWARD LEWIS THOMPSON, BOBBY GOINS, JEFF YARBER, TIM MASON, ERICA DAVIS, KEVIN RAPER and BILL WINTERS. Commissioner MILAN M. BLAKE is absent. TOTAL PRESENT: 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, Baptist Association Director Phil Taylor leads in the invocation.

County Mayor D. Gary Davis requests his letter addressed to Johnny Mull, Chairman Bradley County Commission **In Re: VETO OF BUDGET RESOLUTIONS** be included in the July 26th, 2019, SPECIAL CALLED MEETING Minutes.

LETTER RECORDED AS AN ATTACHMENT AND ALSO RECORDED AS AN ATTACHMENT TO THE JULY 26TH, 2019, SPECIAL CALLED MEETING MINUTES

Commissioner Jeff Yarber moves that the Minutes of the July 15th, 2019, REGULAR SESSION and the Minutes of the July 26th, 2019, SPECIAL CALLED MEETING be approved; Commissioner Bobby Goins seconds the motion. ON roll call the Commissioners vote as follows: Epperson, aye; Hughes, aye; Alford, aye; Crye, 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.

RESOLUTION 2019-25
RESOLUTION AUTHORIZING BRADLEY COUNTY MAYOR TO NEGOTIATE AND ENTER INTO AN AGREEMENT WITH LEE-SMITH, INC. FOR CUSTOM PAINTING SERVICES ON A 2002 INTERNATIONAL AMBULANCE IN AN AMOUNT OF THIRTEEN THOUSAND FIVE HUNDRED DOLLARS ($13,500.00)

Commissioner Jeff Yarber moves to adopt Resolution 2019-25; Commissioner Kevin Raper seconds the motion. On roll call the Commissioners vote as follows: Epperson, aye; Hughes, aye; Alford, aye; Crye, 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.

RESOLUTION 2019-25 RECORDED AS AN ATTACHMENT

Mayor Gary Davis submits the following Committee reappointments/appointment for confirmation by the County Commission:

HIWASSEE UTILITIES COMMISSION - THREE YEAR TERM

Fred Murphy	**6/22**
Douglas A. LeComte	**9/22**

REGIONAL PLANNING COMMISSION - FOUR YEAR TERM

Lisa Webb	**6/23**
Janie Bishop	**6/23**

911 BOARD - FOUR YEAR TERM

David Benton	**7/23**

BOARD OF ZONING APPEALS - FIVE YEAR TERM

Mike Hughes	**2/20 (filling the unexpired term of Cathy McCracken)**

Commissioner Howard Thompson moves that the Commission confirm these appointments/reappointments by the County Mayor; Commissioner Bill Winters seconds the motion. On roll call the Commissioners vote as follows: Epperson, aye; Hughes, aye; Alford, aye; Crye, 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 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; 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

There being no further business to come before the Commission and on a motion by Commissioner Jeff Yarber the Commission adjourns at 7:58 P.M. EDST.

Johnny Mull, Chairman
Bradley County Commission

Donna A. Simpson
Bradley County Clerk

Offi[illegible]e
BRADLEY COUNTY MAYOR
D. GARY DAVIS

. Box 1167
Cleveland, Tennessee 37364

Office (423) 728-7141
Facsimile (423) 476-0696

July 24, 2019

Johnny Mull, Chairman
Bradley County Commission
209 Candice Dr. NE
Cleveland, TN 37323
jmull@bradleycountytn.gov

Re: VETO OF BUDGET RESOLUTIONS

Dear Chairman Mull:

On July 15, 2019, the Bradley County Commission voted to approve the enclosed Resolutions, designated as 2019-20; 2019-21; 2019-22; and 2019-23. As such, this letter shall serve as official written notification pursuant to Tenn. Code Ann. § 5-6-107 that I am exercising my veto with respect to all four of these Resolutions and am therefore vetoing the entire annual County budget for fiscal year 2019-20 and returning these Resolutions to you unsigned. These approved Resolutions needlessly include a 7.37 cent tax increase for some citizens of this County and an even higher 12.29 cent tax increase for other citizens.

As this is a power of the Office of County Mayor that I have never previously exercised in my previous 20 years in Office, this is not an act that I take lightly or without much deliberation. However, a budget proposal was presented to the Bradley County Commission on June 3, 2019 that addressed the needs of Bradley County Government and of the Bradley County Schools, without a tax increase for the citizens of Bradley County. This budget included funding for all currently provided services the citizens of Bradley County are accustomed to receiving and that each citizen deserves. This budget proposal did not, as none of my other budget proposals have in the past, include all the legitimate "wants" of all the elected officials and departments of Bradley County. Nor did this budget compensate all of the hard working employees of Bradley County to the level they deserve or desire. However, it did provide at least a 2% percent pay increase to all departments of the County and a much higher percentage increase to the Justice Center employees, the EMS, the Juvenile Department, the Circuit Court Clerk's Office and our Firefighters. This budget included a plan to fund within this budget and the 2020-21 budget the top three requested projects of the Bradley County Schools (North Lee, Black Fox and PIE Center). This budget complied with the long established and Bradley County Commission approved Mission Statement "to maximize the quantity and quality of services and programs while minimizing the financial contribution of taxpayers."

I was elected to serve all of the people of Bradley County and to be the best steward of taxpayer dollars as possible. All governments should be required, just as the hard working citizens of this County that in many cases do not receive as much pay from their employers as they deserve or desire, to make hard decisions regarding expenditures and to prioritize those things that are and are not immediate needs. Unfortunately, sometimes this means that Elected Officials and Departments do not get all of the resources that they would like to run their offices or departments.

Most of the taxpayers of Bradley County also have to make difficult decisions everyday regarding household expenditures and must prioritize necessities for their families. Furthermore, the Commission approved budget, even with a 7.3 cent & 12.2 cent tax increase lowers the projected fund balance so low, that without some unexpected revenues, Bradley County could be in a very serious situation within just 2 years. I have an obligation to make sure the Commission and every citizen is made aware of this situation.

As Your Mayor, I refuse to ask the taxpayers of this County to shoulder a tax increase, unless I can look them in the eye and assure them that a tax increase is the only way to fund the necessary services of this County. I, respectfully, do not believe that I can give them this assurance since I have proposed a budget that does not include a tax increase.

I realize it takes only a simple majority of 8 to override my veto. However, I owe it to the taxpayers to require the Commissioners to have to vote twice to increase their taxes. For many of them, it will be the third time! That's the least I can do.

Sincerely,

D. Gary Davis

D. Gary Davis
Bradley County Mayor

cc: Lorri Moultrie, Legislative Assistant
Bradley County Commission
P.O. Box 1167
Cleveland, TN 37364

RESOLUTION 2019-25

RESOLUTION AUTHORIZING BRADLEY COUNTY MAYOR TO NEGOTIATE AND ENTER INTO AN AGREEMENT WITH LEE-SMITH, INC. FOR CUSTOM PAINTING SERVICES ON A 2002 INTERNATIONAL AMBULANCE IN AN AMOUNT OF THIRTEEN THOUSAND FIVE HUNDRED DOLLARS ($13,500.00)

WHEREAS, Bradley County EMS seeks custom painting services for a 2002 International ambulance; and

WHEREAS, this project is vital to the continued operation of Bradley County EMS; and

WHEREAS, the custom painting services for the EMS Department was the subject of competitive bidding as required by Tennessee Law; and

WHEREAS, Bradley County EMS has reviewed the bid submitted and has recommended proceeding with Lee-Smith, Inc. as the lowest and best bidder for the project.

NOW, THEREFORE, BE IT RESOLVED by the Bradley County Legislative Body meeting in regular session at Cleveland, Tennessee, on this 5th day of August, 2019, that the Bradley County Mayor is hereby authorized to negotiate and upon successful negotiation to enter into an agreement with Lee-Smith, Inc. for custom painting services on a 2002 International Ambulance in an amount of thirteen thousand five hundred dollars ($13,500.00).

ADOPTED this 5th day of August, 2019.

Johnny Mull, Chairman

Donna A. Simpson, County Clerk

D. Gary Davis, County Mayor

Bradley County Commission
Johnny Mull, Chairman
CONSENT AGENDA
August 5, 2019, at 7:00p.m.
Bradley County Courthouse

REQUESTS TO DISPOSE OF ASSETS

1. Road Department request to dispose of Swenson stainless steel tailgate salt spreader Serial number 1011-5041 (see page 4)
2. Road Department request to dispose of Swenson stainless steel salt spreader (2015 model) asset number 700664 (see page 5)
3. Road Department request to dispose of Swenson steel tailgate salt spreader (2011 model) asset number 700514 (see page 6)
4. Road Department request to dispose of Swenson steel tailgate salt spreader (2000 model) asset number 9142 (see page 7)
5. Road Department request to dispose of Swenson steel tailgate salt spreader (2000 model) asset number 8929 (see page 8)
6. Road Department request to dispose of Swenson steel tailgate salt spreader (2000 model) asset number 8925 (see page 9)

NOTARY PUBLICS

7. Notary publics – Clerk will bring to the meeting

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SCRAP AND SURPLUS PROPERTY DISPOSAL AUTHORIZATION FORM

Note: For Vehicle Disposition Use "Change of Vehicle Status Form"

This form is to be completed in accordance with Bradley County general fixed assets policies and procedures for declaring property surplus or scrap and to make the property available for redeployment, sale or disposal.

DEPARTMENT: ROAD CONTACT PERSON: JORDAN HAYES

DATE: 7/23/19 PHONE NUMBER: 423-728-7006

List and describe each item to be declared scrap/surplus – List only one item per form except for matching items.

Complete Description – Include color, materials, measurements, condition, etc.

Swenson Stainless steel tailgate salt spreader

Serial Number: 1011-5041 Please Circle: (Surplus) or Scrap

Asset Number: N/A Original Price: $3,850.00

Current Value: $2,200.00

Item Location (Building and/or Office): Shop - Pleasant Grove Rd

Does the item include memory? NO If memory, date cleaned by department:

Disposition of Property Described Above

Price: $ Disposal Date:

Auctioned/Scraped by:

Approved by: 7-23-19

Department head/Elected official Date

SUBMIT THIS FORM TO: FINANCE OFFICE/PURCHASING

Must submit form to Finance Office/Purchasing one week prior to voting session.

Completed form must accompany budget amendment request.

4.27.2016

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SCRAP AND SURPLUS PROPERTY DISPOSAL AUTHORIZATION FORM

Note: For Vehicle Disposition Use "Change of Vehicle Status Form"

This form is to be completed in accordance with Bradley County general fixed assets policies and procedures for declaring property surplus or scrap and to make the property available for redeployment, sale or disposal.

DEPARTMENT: ROAD CONTACT PERSON: JORDAN HAYES

DATE: 7/23/19 PHONE NUMBER: 423-728-7006

List and describe each item to be declared scrap/surplus – List only one item per form except for matching items.

Complete Description – Include color, materials, measurements, condition, etc.

Swenson Stainless steel salt spreader (2015 model)
Condition: good

Serial Number: 212-6012 Please Circle: Surplus or Scrap

Asset Number: 7006604 Original Price: $3,850.00

Current Value: $2,200.00

Item Location (Building and/or Office): Shop-Pleasant Grove Rd

Does the item include memory? NO If memory, date cleaned by department:

Disposition of Property Described Above

Price: $ Disposal Date:

Auctioned/Scraped by:

Approved by: 7-23-19

Department head/Elected official Date

SUBMIT THIS FORM TO: FINANCE OFFICE/PURCHASING

Must submit form to Finance Office/Purchasing one week prior to voting session.

Completed form must accompany budget amendment request.

4.27.2016

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SCRAP AND SURPLUS PROPERTY DISPOSAL AUTHORIZATION FORM

Note: For Vehicle Disposition Use "Change of Vehicle Status Form"

This form is to be completed in accordance with Bradley County general fixed assets policies and procedures for declaring property surplus or scrap and to make the property available for redeployment, sale or disposal.

DEPARTMENT: ROAD CONTACT PERSON: JORDAN HAYES

DATE: 7/23/19 PHONE NUMBER: 423-728-7006

List and describe each item to be declared scrap/surplus – List only one item per form except for matching items.

Complete Description – Include color, materials, measurements, condition, etc.

Swenson steel tailgate salt spreader (2011 model)
condition: used, but in good condition

Serial Number: 209-1047 Please Circle: (Surplus) or Scrap

Asset Number: 700514 Original Price: $3,600.00

Current Value: $ 800

Item Location (Building and/or Office): Shop - Pleasant Grove Rd

Does the item include memory? NO If memory, date cleaned by department:

Disposition of Property Described Above

Price: $ Disposal Date:

Auctioned/Scraped by:

Approved by: 7-23-19
Department head/Elected official Date

SUBMIT THIS FORM TO: FINANCE OFFICE/PURCHASING

Must submit form to Finance Office/Purchasing one week prior to voting session.

Completed form must accompany budget amendment request.

4.27.2016

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SCRAP AND SURPLUS PROPERTY DISPOSAL AUTHORIZATION FORM

Note: For Vehicle Disposition Use "Change of Vehicle Status Form"

This form is to be completed in accordance with Bradley County general fixed assets policies and procedures for declaring property surplus or scrap and to make the property available for redeployment, sale or disposal.

DEPARTMENT: ROAD CONTACT PERSON: JORDAN HAYES

DATE: 7/23/19 PHONE NUMBER: 423-728-7006

List and describe each item to be declared scrap/surplus – List only one item per form except for matching items.

Complete Description – Include color, materials, measurements, condition, etc.

Swenson steel tailgate salt spreader (2000 model)

condition: used, but in good condition

Serial Number: 921640 Please Circle: (Surplus) or Scrap

Asset Number: 9142 Original Price: $3,400.00

Current Value: $500

Item Location (Building and/or Office): Shop - Pleasant Grove Rd

Does the item include memory? NO If memory, date cleaned by department:

Disposition of Property Described Above

Price: $ Disposal Date:

Auctioned/Scraped by:

Approved by: 7-23-19

Department head/Elected official Date

SUBMIT THIS FORM TO: FINANCE OFFICE/PURCHASING

Must submit form to Finance Office/Purchasing one week prior to voting session.

Completed form must accompany budget amendment request.

4.27.2016

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SCRAP AND SURPLUS PROPERTY DISPOSAL AUTHORIZATION FORM

Note: For Vehicle Disposition Use "Change of Vehicle Status Form"

This form is to be completed in accordance with Bradley County general fixed assets policies and procedures for declaring property surplus or scrap and to make the property available for redeployment, sale or disposal.

DEPARTMENT: ROAD

CONTACT PERSON: JORDAN HAYES

DATE: 7/23/19

PHONE NUMBER: 423-728-7006

List and describe each item to be declared scrap/surplus – List only one item per form except for matching items.

Complete Description – Include color, materials, measurements, condition, etc.

Swenson Steel tailgate salt spreader (2000 model)
condition: poor

Serial Number: 92634

Please Circle: (Surplus) or Scrap

Asset Number: 8929

Original Price: $3,400.00

Current Value: $500

Item Location (Building and/or Office): Shop - Pleasant Grove Rd

Does the item include memory? NO

If memory, date cleaned by department: _____

Disposition of Property Described Above

Price: $_____

Disposal Date: _____

Auctioned/Scraped by: _____

Approved by: _____ 7-23-19

Department head/Elected official — Date

SUBMIT THIS FORM TO: FINANCE OFFICE/PURCHASING

Must submit form to Finance Office/Purchasing one week prior to voting session.

Completed form must accompany budget amendment request.

4.27.2016

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SCRAP AND SURPLUS PROPERTY DISPOSAL AUTHORIZATION FORM

Note: For Vehicle Disposition Use "Change of Vehicle Status Form"

This form is to be completed in accordance with Bradley County general fixed assets policies and procedures for declaring property surplus or scrap and to make the property available for redeployment, sale or disposal.

DEPARTMENT: ROAD CONTACT PERSON: JORDAN HAYES

DATE: 7/23/19 PHONE NUMBER: 423-728-7006

List and describe each item to be declared scrap/surplus – List only one item per form except for matching items.

Complete Description – Include color, materials, measurements, condition, etc.

Swenson steel tailgate salt spreader (2000 model)

condition: poor

Serial Number: 89154 Please Circle: Surplus or Scrap

Asset Number: 8925 Original Price: $3,400.00

Current Value: $500

Item Location (Building and/or Office): Shop - Pleasant Grove Rd

Does the item include memory? No If memory, date cleaned by department:

Disposition of Property Described Above

Price: $ Disposal Date:

Auctioned/Scraped by:

Approved by: 7-23-19

Department head/Elected official Date

SUBMIT THIS FORM TO: FINANCE OFFICE/PURCHASING

Must submit form to Finance Office/Purchasing one week prior to voting session.

Completed form must accompany budget amendment request.

4.27.2016

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BRADLEY COUNTY CLERK
DONNA A. SIMPSON COUNTY CLERK
PO BOX 46
CLEVELAND TN 37364
Telephone 423-728-7226
Fax 423-478-8845

Notaries to be elected August 05,2019

JORDAN S ALLEN
PAULA KAYE ARENDALE
LYNETTE D BERGER
DANIELLE FARRELL
KRISTY MARIE KING
TENIELLE LAMBERT
JENNAE LAWSON
HANNAH M LONG
AMY MCGOWAN
JAIME MERRITT
MADISON PIERCE
LACEY NICOLE RHOADES
SAVANNAH ROBERTS RIVERA
JESSICA R. SALAICES
COREY SAMPLES
SAVANNAH SHELL
GEORGE J SMITH
KELLI SUITS
JENELL WILLIAMS

PERSONAL SURETY