

Bradley County Commission
Louie Alford, Chairman
VOTING SESSION AGENDA
August 6, 2018 at 7:00p.m.
Bradley County Schools Central Office

1. Call to order
2. Pledge of Allegiance
3. Invocation – North Cleveland Church of God Associate Pastor Dr. Hubert Seals
4. Roll Call
5. Approval of Minutes
6. Report from County Mayor
7. Consent Agenda (pages 3-8)
8. Reports from Committees and/or Districts
9. Unfinished Business
10. Approval of Agenda
11. Agenda Items

A. Resolution authorizing the County Mayor to enter into a legal representation agreement with attorney Robert T. Lee to provide legal representation to the Bradley County Assessor of Property regarding the State Board of Equalization appeal of assessments by Colonial Pipeline Company for a rate of two hundred twenty-five dollars (\$225.00) per hour not to exceed four thousand dollars (\$4,000.00) (see pages 10-12) – Commissioner Thomas Crye

B. Resolution authorizing the County Mayor to enter into a legal representation agreement with attorney Robert T. Lee to provide legal representation to the Bradley County Assessor of Property regarding the State Board of Equalization appeal of assessments by Wacker Polysilicon North America, LLC for a rate of two hundred

twenty five dollars (\$225.00) per hour not to exceed four thousand dollars (\$4,000.00) (see pages 13-15)– Commissioner Thomas Crye

C. Resolution amending the Bradley County Commission Rules of Procedure Rule 12 regarding the Chairperson (see page 16) – Commissioner Milan Blake

12. Communication from the audience
13. Announcements
14. Adjourn

Next meeting: Work Session – Monday, August 13 at noon, Central Office

Upcoming Events



Bradley County Commission
Louie Alford, Chairman
CONSENT AGENDA
August 6, 2018 at 7:00p.m.
Bradley County Schools Central Office

REQUEST TO DISPOSE OF ASSETS

1. EMS request to dispose of 2005 Ford Expedition asset #9860 (see page 4)
2. County Clerk request to dispose of 4050 N Laser jet printer asset #11285 (see page 5)
3. County Clerk request to dispose of HP4525N laser printer asset #11829 (see page 6)
4. County Clerk request to dispose of Fujitsu F613 scanner asset #14824 (see page 7)
5. County Clerk request to dispose of Intel Zeon Server asset #15419 (see page 8)
6. County Clerk request to dispose of Dell Poweredge Server asset #13733 (see page 9)

APPOINTMENTS

7. Appoint Bill Winters to the Cleveland State Community College project advisory committee.

NOTARY PUBLICS

8. Notary publics (Clerk Simpson will bring to meeting)

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: EMS/Ambulance
DATE: 7-12-18

CONTACT PERSON: Eric J. Black
PHONE NUMBER: 728-7010

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

Ford Expedition, wrecked

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

2005 Ford Expedition

Brown engine

Serial Number: 1FMPU145156A14358

Please Circle: Surplus or scrap

Asset Number: 9868

Original Price: \$ Unknown transferred from EMA to EMS 6/5/15

Current Value: \$ 300.00

Item Location (Building and/or Office): Behind City Garage. Will be used for parts.

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: [Signature] 7-12-18
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.

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: County Clerk CONTACT PERSON: Donna Simpson
DATE: 5-11-18 PHONE NUMBER: 423-728-7226

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.

4050 N Laser jet Printer - Damaged by fire

Serial Number: 49236

Please Circle: Surplus or Scrap

Asset Number: 11285

Original Price: \$

1000.00 4-16-04

Current Value: \$ 0

Item Location (Building and/or Office):

Bradley Co Clerks Office

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:

Donna A Simpson

Department head/Elected official

5-11-18

Date

SUBMIT THIS FORM TO: FINANCE OFFICE/PURCHASING

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DATE: 5-11-18 PHONE NUMBER: 423-728-7226

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.

HP 4525N Laser Printer - Damaged by fire

Serial Number: 85041 Please Circle: Surplus or Scrap
Asset Number: 11829 Original Price: \$ 1450.00 2-24-06
Current Value: \$ 0
Item Location (Building and/or Office): Bradley Co Clerk's Office
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: Donna A Simpson 5-11-18
Department head/Elected official Date

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DATE: 5-11-18 PHONE NUMBER: 423-728-7226

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. _____

Fujitsu FL13 Scanner - Damaged by fire

Serial Number: 71020 Please Circle: Surplus or Scrap
Asset Number: 14824 Original Price: \$ 1100.00 7-1-12

Current Value: \$ 0
Item Location (Building and/or Office): Bradley Co Clerks Office
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: Donna A Simpson 5-11-18
Department head/Elected official Date

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DEPARTMENT: County Clerk CONTACT PERSON: Donna Simpson
DATE: 5-11-18 PHONE NUMBER: 423-728-7226

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.
Intel Zeon Server - Damaged by Fire

Serial Number: 83579 Please Circle: Surplus or Scrap 2-22-17
Asset Number: 15419 Original Price: \$ 3900.00
Current Value: \$ 0
Item Location (Building and/or Office): Bradley Co Clerks Office
Does the item include memory? Yes If memory, date cleaned by department: BIS-Cleans (Vendor) Memory

Disposition of Property Described Above

Price: \$ _____ Disposal Date: _____
Auctioned/Scraped by: _____

Approved by: Donna A Simpson 5-11-18
Department head/Elected official Date

SUBMIT THIS FORM TO: FINANCE OFFICE/PURCHASING

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SCRAP AND SURPLUS PROPERTY DISPOSAL AUTHORIZATION FORM

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DEPARTMENT: County Clerk CONTACT PERSON: Donna Simpson
DATE: 5-11-18 PHONE NUMBER: 423-728-7226

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.
Dell Poweredge Server - Out dated - Needed replacing

Serial Number: 64057 Please Circle: Surplus or Scrap
Asset Number: 13733 Original Price: \$ 2100.00 5.05-09
Current Value: \$ 0
Item Location (Building and/or Office): Bradley Co Clerks Office
Does the item include memory? Yes If memory, date cleaned by department: BTS - Cleans
(Vendor) Memory

Disposition of Property Described Above
Price: \$ _____ Disposal Date: _____
Auctioned/Scraped by: _____

Approved by: Donna A Simpson 5-11-18
Department head/Elected official Date

SUBMIT THIS FORM TO: FINANCE OFFICE/PURCHASING

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Completed form must accompany budget amendment request.



RESOLUTION 2018-_____

RESOLUTION AUTHORIZING BRADLEY COUNTY MAYOR TO ENTER INTO A LEGAL REPRESENTATION AGREEMENT WITH ATTORNEY ROBERT T. LEE TO PROVIDE LEGAL REPRESENTATION TO THE BRADLEY COUNTY ASSESSOR OF PROPERTY REGARDING THE STATE BOARD OF EQUALIZATION APPEAL OF ASSESSMENTS BY COLONIAL PIPELINE COMPANY FOR A RATE OF TWO HUNDRED TWENTY FIVE DOLLARS (\$225.00) PER HOUR NOT TO EXCEED FOUR THOUSAND DOLLARS (\$4,000.00) TO BE PAID FROM THE COUNTY ASSESSOR'S CURRENT BUDGETED FUNDS

WHEREAS, Colonial Pipeline Company has appealed Bradley County property assessments to the State Board of Equalization seeking to lower its tax liability previously paid to Bradley County; and

WHEREAS, Robert T. Lee is a sole practitioner attorney in Mt. Juliet and Franklin, Tennessee specializing in property tax and assessment law; and

WHEREAS, Robert T. Lee retired after thirty (30) years of service in the Office of the Tennessee Comptroller of the Treasury where he served as General Counsel the last 13 years of his state career; and

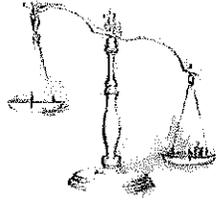
WHEREAS, the Bradley County Assessor of Property recommends employing Mr. Robert Lee to represent the Assessor's Office in the appeal matter related to Colonial Pipeline Company.

NOW, THEREFORE, BE IT RESOLVED by the Bradley County Legislative Body meeting in regular session at Cleveland, Tennessee, on this 6th day of August, 2018, that the Bradley County Mayor be and is hereby authorized to enter into a legal representation agreement with attorney Robert T. Lee to provide legal representation to the Bradley County Assessor of Property regarding the State Board of Equalization appeal of property assessments by Colonial Pipeline Company for a rate of two hundred twenty five dollars (\$225.00) per hour not to exceed four thousand dollars (\$4,000.00) to be paid from the County Assessor's current budgeted funds.

ADOPTED this 6th day of August, 2018.

Louie Alford, Chairman

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ROBERT T. LEE
~ Lee Law Firm ~
P.O. Box 1297
Mt. Juliet, TN 37121
(615) 415-9482
rtlee.law@comcast.net

July 17, 2018

Honorable Stanley Thompson
Bradley County Assessor of Property
PO Box 1412
Cleveland, TN 37364-1412

IN RE: Colonial Pipeline Company
State Board of Equalization – Administrative Law Judge

Dear Mr. Thompson:

Thank you for considering retaining me to represent Bradley County in the above referenced matter. This letter is a proposal for legal representation in that matter. If after reviewing this information you have no further questions about the terms of my representation, please sign where indicated and return a fully executed letter to my office by mail or in a PDF file attached to an e-mail message. My email address is rtlee.law@comcast.net.

My hourly rate for legal services is \$225 and travel time is billed at \$75 per hour. I charge in increments of one tenth of an hour, rounded up for each activity to the nearest one tenth of an hour and a minimum of one tenth of an hour for any activity related to the matters under agreement.

In addition to the hourly rate, clients are responsible for expenses incurred due to my representation. These expenses may include cost of transcript, court reporting, photocopying, messenger and delivery service, computerized research, videotape recording, extra ordinary travel expenses not included in the billable travel hourly rate (including mileage, parking, airfare, lodging, meals, and ground transportation), word processing, court costs, filing fees, and other miscellaneous expenses associated with the matter. I will secure approval before engaging experts, investigators, or consultants and will minimize the "costs" as best possible.

Honorable Stanley Thompson
July 17, 2018
Page 2

The fees and costs will be prorated between counties which retain me on this matter. I currently have five (5) counties that have retained me and will be talking with a couple more. Charges will be prorated between counties for services rendered pertaining to the entire group (i.e. motions / filings affecting all the clients as a class). Legal fees pertaining to a specific county will be billed to the county at a discounted rate of \$150 per hour; however, I really do not foresee very much, if any, hourly billing pertaining to a specific county because the legal argument centers around a constitutional challenge.

Invoices for services rendered will be provided at the end of every month when service is provided or expenses incurred. I request payment be made within 30 days of receipt of invoice.

Invoices will not exceed \$4,000 for services and expenses provided for under this agreement unless otherwise agreed to in writing Bradley County Assessor.

I greatly appreciate the opportunity to serve Bradley County and look forward to working with you and your staff on this matter. If you have any questions about the terms of this letter, please contact me at (615) 415-9482 or rtlee.law@comcast.net.

Sincerely,



Robert T. Lee

I understand and accept the terms of this Agreement.

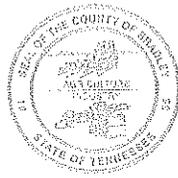
By:

Stanley Thompson
Bradley County Assessor of Property

Date

D. Gary Davis
Bradley County Mayor

Date



RESOLUTION 2018-_____

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WHEREAS, Wacker Polysilicon North America, LLC has appealed Bradley County property assessments to the State Board of Equalization seeking to lower its tax liability owed to Bradley County; and

WHEREAS, Robert T. Lee is a sole practitioner attorney in Mt. Juliet and Franklin, Tennessee specializing in property tax and assessment law; and

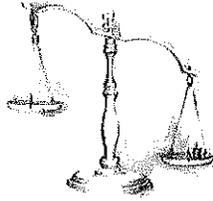
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ADOPTED this 6th day of August, 2018.

Louie Alford, Chairman



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July 17, 2018

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State Board of Equalization – Administrative Law Judge

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In addition to the hourly rate, Bradley County will be responsible for reimbursement of charges incurred due to my representation. These charges may include cost of transcript, court reporting, photocopying, messenger and delivery service, computerized research, videotape recording, extra ordinary travel expenses not included in the billable travel hourly rate (including mileage, parking, airfare, lodging, meals, and ground transportation), word processing, court costs, filing fees, and other miscellaneous expenses associated with the matter. I will secure your approval before engaging experts, investigators, or consultants and will minimize the “costs” as best possible.

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July 17, 2018
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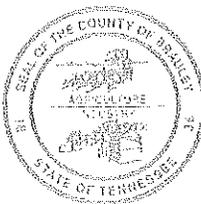
By:

Stanley Thompson
Bradley County Assessor of Property

Date

D. Gary Davis
Bradley County Mayor

Date



RESOLUTION 2018-_____
RESOLUTION AMENDING THE BRADLEY COUNTY COMMISSION RULES OF
PROCEDURE RULE 12 REGARDING THE CHAIRPERSON

WHEREAS, the Bradley County Commission follows the adopted Bradley County Commission Rules of Procedure when conducting meeting of said body; and

WHEREAS, the Bradley County Commission seeks to amend Rule 12 to add a new Section K related to the Chairman serving as an ex-officio non-voting member of all internal standing committees.

NOW, THEREFORE, BE IT RESOLVED by the Bradley County Legislative Body meeting in regular session at Cleveland, Tennessee, on this 6th day of August, 2018, that Rule 12 of the Bradley County Rules of Procedure shall be modified by adding a new Section 12K as follows:

12K. EX OFFICIO STATUS: The Chairperson shall serve as an ex-officio non-voting member of all internal standing committees. The Chairperson may attend the meetings of any internal standing committee and participate in all discussion with the members.

ADOPTED this 6th day of August, 2018.

Louie Alford, Chairman

Donna A. Simpson, County Clerk

D. Gary Davis, County Mayor