REGULAR SESSION **NOVEMBER 19th, 2018**

The Bradley County Commission meets in REGULAR SESSION on November 19th, 2018, at 12:00 noon EST in the Board Room of the Bradley County Schools Central Office. D. Gary Davis, County Mayor and Donna A. Simpson, County Clerk are present. Crystal Freiberg, County Attorney 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 and KEVIN RAPER. Commissioner BILL WINTERS 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, Candies Creek Baptist Church Pastor Stan Gibson leads in the invocation.

Commissioner Jeff Yarber moves that the Minutes of the November 5th, 2018, REGULAR SESSION be approved; 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; and Raper, aye. TOTAL FOR: 13; OPPOSES: NONE; ABSENT: 1. The motion passes.

Commissioner Jeff Yarber moves that the Resolution Authorizing Bradley County Mayor To Negotiate And Enter Into An Agreement With Douglas Food Stores, Inc. D/B/A Douglas Equipment For The Purchase And Installation Of Two Convection Ovens And One Electric Tilting Skillet Braising Pan For The Bradley County Jail For An Amount Of Thirty Thousand One Hundred Thirty-Three Dollars And Thirty Cents be moved to the Meeting Agenda [Item I]; 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; and Raper, aye. TOTAL FOR: 13; OPPOSES: NONE; ABSENT: 1. The motion passes.

Commissioner Milan Blake pulls School Department's Budget Amendment from the Consent Agenda and moves that the Commission approve Item I. Schools Department [page 6 on the Consent Agenda - - $337,500.00 FY 21st Century/Big City University per ePlan Original Budget]; 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; and Raper, aye. TOTAL FOR: 13; OPPOSES: NONE; ABSENT: 1. The motion passes.

Commissioner Milan Blake pulls the Register of Deeds Budget Amendment from the Consent Agenda and puts in the form of a motion that the Register of Deeds Budget Amendment be approved [page 9 - - $52,124.50 State Statute Reserved Data Processing for Register of Deeds]; 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; and Raper, aye TOTAL FOR: 13; OPPOSES: NONE; ABSENT: 1. The motion passes.

Commissioner Milan Blake pulls the Sheriff's Department Budget Amendment from the Consent Agenda and puts this Budget Amendment in the form of a motion [page 22 - - $16,560.00 Monies donated to purchase cameras for Patrol Vehicles]; 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; and Raper, aye. TOTAL FOR: 13; OPPOSES: NONE; ABSENT: 1. The motion passes.

Commissioner Milan Blake pulls the Sheriff's Department Budget Amendment from the Consent Agenda and puts this Budget Amendment in the form of a motion [page 32- - $40,000.00 Monies to help cover overtime. Overtime overage due to turn over and training]; 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; and Raper, aye. TOTAL FOR: 13; OPPOSES; NONE; ABSENT: 1 The motion passes.

Commissioner Milan Blake pulls the County Mayor's Budget Amendment from the Consent Agenda [page 30 - - $606,939.00 Increasing Revenue received from State correcting Budget amount for VA home balance to match what is due on commitment; adding the additional expense commitments] and puts in the form of a motion to approve this Budget Amendment; 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; and Raper, aye. TOTAL FOR: 13; OPPOSES: NONE; ABSENT: 1. The motion passes.

Commissioner Jeff Yarber moves that the Consent Agenda be approved less Item No. 1 - School Department Budget Amendment; Item No. 4 Register of Deeds Budget Amendment; Item No. 16 Sheriff's Department Budget Amendment; Item No. 26 Sheriff's Department Budget Amendment and Item No. 24 County Mayor's Budget Amendment; Commissioner Dennis Epperson 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; and Raper, aye. TOTAL FOR: 13; OPPOSES: NONE; ABSENT: 1. The motion passes.

CONSENT AGENDA RECORDED AS AN ATTACHMENT

Commissioner Thomas Crye pulls Item A Resolution appointing Mark Hall as the interim successor of Kevin Brooks for State of Tennessee House of Representatives District 24 beginning on December 1, 2018 from the Meeting Agenda

Commissioner Mike Hughes moves that the Meeting Agenda be approved less Item A and the addition of Item I Resolution Authorizing Bradley County Mayor To Negotiate And Enter Into An Agreement With Douglas Food Stores, Inc. D/B/A/ Douglas Equipment For The Purchase And Installation Of Two Convection Ovens And One Electric Tilting Skillet Braising Pan For The Bradley County Jail For An Amount Of Thirty Thousand One Hundred Thirty-Three Dollars And Thirty Cents; Commissioner Jeff Yarber 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; and Raper, aye. TOTAL FOR: 13; OPPOSES: NONE; ABSENT: 1. The motion passes.

MEETING AGENDA RECORDED AS AN ATTACHMENT

Commissioner Charlotte Peak moves to approve the Building and Land Committee recommendations to solicit estimates on the roof and any moisture issue with Building 7 (Lake Forest Middle School) and to turn power back on; 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; and Raper, aye. TOTAL FOR: 13; OPPOSES: NONE; ABSENT: 1. The motion passes.

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Commissioner Charlotte Peak moves to approve the Building and Land Committee recommendation to tear down Buildings 4 and 8 (Lake Forest Middle School) and (to) do the bid process next year closer to budget time; Commissioner Milan Blake 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; and Raper, aye. TOTAL FOR: 13; OPPOSES: NONE; ABSENT: 1. The motion passes.

RESOLUTION 2018-45
RESOLUTION AMENDING THE BRADLEY COUNTY COMMISSION RULES OF PROCEDURE RULE 1 REGARDING CONVENING THE BOARD

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 Rules of Procedure Rule 1 states:

"The Board shall meet at the date, time and location as set forth in the following chart:

DATE	LOCATION	TIME	VOTING/WORK SESSION
First Monday of the Month	County Courthouse	7:00 p.m.	Voting
Second Monday of the Month	TBA (By Commission Chair)	12:00 p.m.	Work
Third Monday of the Month	County Courthouse	12:00 p.m.	Voting
Fourth Monday of the Month	County Courthouse	7:00 p.m.	Work

If any prescribed meeting date should fall on a legal holiday or if an emergency should arise, the Board shall meet the following day at the prescribed time. Notification of the members for regular meetings shall be left to the discretion of the Chairperson and Clerk (County Clerk)"; and

WHEREAS, the Bradley County Commission seeks to amend Rule 1.

NOW, THEREFORE, BE IT RESOLVED by the Bradley County Legislative Body meeting in regular session at Cleveland, Tennessee, on this 19th day of November, 2018, that Rule 1 of the Bradley County Rules and Procedures shall be amended by adding the following language:

"The Board shall not meet on the fifth Monday of the month nor shall any Commission committees convene during the week of the fifth Monday."

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MOTION AND ROLL CALL FOR RESOLUTION 2018-45

Commissioner Milan Blake puts in the form of a motion the adoption of Resolution 2018-45; Commissioner Charlotte Peak 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; and Raper, aye. TOTAL FOR: 13; OPPOSES: NONE; ABSENT: 1. The motion passes.

RESOLUTION 2018-46
RESOLUTION AMENDING THE BRADLEY COUNTY COMMISSION RULES OF PROCEDURE RULE 12J REGARDING THE CONSENT AGENDA

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

WHEREAS, on February 9, 2009, the Bradley County Commission amended the language of Rule 12J of the Bradley County Commission Rules of Procedure to state as follows:

> **"The Chairperson may forward to each member of the Board a Consent Agenda not less than five days prior to the meeting date. Items such as committee reports and committee appointments may be placed on the Consent Agenda at the discretion of the Chairperson. Items may be removed from the Consent Agenda on the request of any one member. Items not removed may be adopted by general consent without debate. Removed items may be taken up either immediately after the Consent Agenda or placed later on the Agenda at the discretion of the Chairperson"; and**

WHEREAS, on May 2, 2016, the Bradley County Commission again amended the language of Rule 12J of the Bradley County Commission Rules of Procedure to state as follows:

"The Chairperson may forward to each member of the Board a Consent Agenda not less than three days prior to the meeting date. Items such as committee appointments, budget amendment requests, notary publics and requests to dispose of assets may be placed on the Consent Agenda at the discretion of the Chairperson. Items placed in the form of Resolution, items involving the approval of any contract, or items obligating County funds over $10,000 should not be placed on the Consent Agenda. Items may be removed from the Consent Agenda by the request of any Commissioner. Items not removed may be adopted by general consent without debate. Removed items may be taken up either immediately after the Consent Agenda or placed later on the Agenda at the discretion of the Chairperson"; and

NOW, THEREFORE, BE IT RESOLVED by the Bradley County Legislative Body meeting in regular session at Cleveland, Tennessee, on this 19th day of November, 2018, that Rule 12J of the Bradley County Rules of Procedure shall be modified and replaced with the following language:

"12J. The Chairperson may forward to each member of the Board a Consent Agenda not less than three days prior to the meeting date. Items such as committee appointments, budget amendment requests, notary publics and requests to dispose of assets may be placed on the Consent Agenda at the discretion of the Chairperson. Items placed in the form of Resolution, items involving the approval of any contract, or items obligating County funds of over $100,000 should not be placed on the Consent Agenda. Items may be removed from the Consent Agenda by the request of any Commissioner. Items not removed may be adopted by general consent without debate. Removed items may be taken up immediately after the Consent Agenda or placed later on the Agenda at the discretion of the Chairperson."

Commissioner Milan Blake puts in the form of a motion the adoption of Resolution 2018-46; 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; and Raper, aye. TOTAL FOR: 13; OPPOSES; NONE; ABSENT: 1. The motion passes.

RESOLUTION 2018-47
RESOLUTION TO REMOVE THE REQUIREMENT FOR THE SUBMISSION OF PLATS ON PERMANENT REPRODUCIBLE MATERIAL (MYLAR) FOR RECORDING

WHEREAS, on February 2, 1960, the Bradley County Commission adopted "Requirements for Registration of Plats in Bradley County, Tennessee"; and

WHEREAS, the requirements for registration of plats required that "the plat submitted for registration shall be the original drawing in black ink upon tracing cloth"; and

WHEREAS, the Bradley County Subdivision Regulations require "permanent ink on permanent reproducible material" for the recording of final plats; and

WHEREAS, on September 20, 2018, the Bradley County Planning Commission voted to remove the mylar requirement from the Bradley County Subdivision Regulations; and

WHEREAS, the Bradley County Planning and Inspections Office and the Bradley County Register of Deeds no longer see the need for the submission of plats on material for reproduction purposes.

NOW, THEREFORE, BE IT RESOLVED by the County Legislative Body of Bradley County meeting in session at Bradley County, Tennessee, on the 19th day of November, 2018, that the plat requirements adopted on February 20, 1960, be amended to no longer require a mylar (plastic) copy for tracing or reproducing of a plat for recording purposes with the Bradley County Register of Deeds and establishing that paper copies of plats will be sufficient for recording purposes from this day forward.

Commissioner Thomas Crye makes the motion to adopt Resolution 2018-47; Commissioner Charlotte Peak 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; and Raper, aye. TOTAL FOR: 13; OPPOSES: NONE; ABSENT: 1. The motion passes.

PUBLIC HEARING

RESOLUTION 2018-48
RESOLUTION TO REZONE FROM FAR FORESTRY/AGRICULTURAL/RESIDENTIAL DISTRICT TO I-1 GENERAL INDUSTRIAL DISTRICT PROPERTY LOCATED AT GLENDALE LANE AND IDENTIFIED BY TAX MAP: 010 PARCEL: 034.01 & TAX MAP: 015 PARCEL: 005.00

WHEREAS, Warehouse Concepts petitioned the Bradley County Planning Commission to rezone from FAR Forestry/Agricultural/Residential to I-1 General Industrial property located at Glendale Lane and identified by Tax Map: 010 Parcel: 034.01 & Tax Map: 015 Parcel: 005.00 and said Planning Commission on October 18, 2018, recommended that this petition be approved;

WHEREAS, Warehouse Concepts 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 November 19, 2018, 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 19th day of November, 2018, that the zoning map of Bradley County, Tennessee, be amended to rezone from FAR Forestry/Agricultural/Residential to I-1 General Industrial property located at Glendale Lane and described in Deed Book: 2553 Page: 600, Bradley County Register of Deed's Office and identified by Tax Map: 010 Parcel: 034.01 & Tax Map: 015 Parcel: 005.00 as shown on the *attached map.

Commissioner Thomas Crye moves to approve this rezoning request; Commissioner Louie Alford 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; and Raper, aye. TOTAL FOR: 13; OPPOSES: NONE; ABSENT 1. The motion passes

*MAP RECORDED AS AN ATTACHMENT

PUBLIC HEARING CONTINUES
RESOLUTION 2018-49
RESOLUTION TO REZONE FROM FAR FORESTRY/AGRICULTURAL/RESIDENTIAL DISTRICT TO C-2 GENERAL COMMERCIAL DISTRICT PROPERTY LOCATED AT SPRING PLACE ROAD AND IDENTIFIED BY TAX MAP: 074 PARCEL: 054.00

WHEREAS, J. Lee Ogle petitioned the Bradley County Planning Commission to rezone from FAR Forestry/Agricultural/Residential to C-2 General Commercial property located at Spring Place Road and identified by Tax Map: 074 Parcel: 054.00 and said Planning Commission on October 18, 2018, recommended that this petition be approved;

WHEREAS, J. Lee Ogle 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 November 19, 2018, 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 19th day of November, 2018, that the zoning map of Bradley County be amended to rezone from FAR Forestry/Agricultural/Residential to C-2 General Commercial property located at Spring Place Road and described in Deed Book: 285 Page: 1013, Bradley County Register of Deed's Office and identified by Tax Map: 074 Parcel: 054.00 as shown on the *attached map.

Commissioner Thomas Crye moves to approve Resolution 2018-49; Commissioner Charlotte Peak 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; and Raper, aye. TOTAL FOR: 13; OPPOSES: NONE; ABSENT: 1. The motion passes.

* MAP RECORDED AS AN ATTACHMENT

PUBLIC HEARING CONCLUDES

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RESOLUTION 2018-50
RESOLUTION AUTHORIZING BRADLEY COUNTY MAYOR TO NEGOTIATE AND ENTER INTO AN AGREEMENT WITH DOUGLAS FOOD STORES, INC. D/B/A DOUGLAS EQUIPMENT FOR THE PURCHASE AND INSTALLATION OF TWO CONVECTION OVENS AND ONE ELECTRIC TILTING SKILLET BRAISING PAN FOR THE BRADLEY COUNTY JAIL FOR AN AMOUNT OF THIRTY THOUSAND ONE HUNDRED THIRTY-THREE DOLLARS AND THIRTY CENTS ($30,133.30)

WHEREAS, the Bradley County Sheriff's Office seeks the purchase and installation of two (2) convection ovens and one (1) electric tilting skillet braising pan for the Bradley County Jail located at 2290 Blythe Avenue, Cleveland, Tennessee 37311; and

WHEREAS, this replacement project is vital to the continued operation of the Bradley County Jail and shall be purchased from funds in the current Sheriff's Office budget located in line item 101-54210-336; and

WHEREAS, the purchase and installation services for the Sheriff's Office was the subject of competitive bidding as required by Tennessee Law; and

WHEREAS, the Bradley County Sheriff's Office has reviewed both bids submitted and has recommended proceeding with Douglas Equipment as the lowest and best bid for the project.

NOW, THEREFORE, BE IT RESOLVED by the Bradley County Legislative Body meeting in regular session at Cleveland, Tennessee, on this 19th day of November, 2018, that the Bradley County Mayor is hereby authorized to negotiate and enter into an agreement with Douglas Food Stores, Inc. d/b/a Douglas Equipment for the purchase and installation of two (2) convection ovens and one (1) electric tilting skillet braising pan for the Bradley County Jail for an amount of thirty thousand one hundred thirty-three dollars and thirty cents ($30,133.30).

Commissioner Thomas Crye moves to adopt this Resolution; Commissioner Jeff Yarber 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, pass; Mason, aye; Davis, aye; and Raper, aye. The Clerk asks if anyone would like to change their vote. TOTAL FOR: 12; OPPOSES: NONE; PASSES: 1; ABSENT: 1. The motion passes.

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There is no further business to come before the Commission and on a motion by Commissioner Jeff Yarber, the Commission adjourns at 12:41 P.M. EST.

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Johnny Mull, Chairman
Bradley County Commission

_____
Donna A. Simpson
Bradley County Clerk