REGULAR SESSION **JANUARY 22nd, 2019**

The Bradley County Commission meets in REGULAR SESSION at the Courthouse in Cleveland, Tennessee, on January 22nd, 2019, at 12:00 noon EST. 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, MILAN M. BLAKE, JOHNNY MULL, CHARLOTTE PEAK, BOBBY GOINS, TIM MASON, ERICA DAVIS, KEVIN RAPER and BILL WINTERS. Commissioners THOMAS L. CRYE, HOWARD LEWIS THOMPSON and JEFF YARBER are absent. TOTAL PRESENT: 11; ABSENT: 3. There is a quorum present and Chairman Johnny Mull calls the meeting to order.

Following the Pledge of Allegiance to the Flag, Commissioner Kevin Raper leads in the invocation.

Commissioner Bobby Goins moves that the Minutes of the January 7th, 2019, REGULAR SESSION be approved; Commissioner Louie Alford seconds the motion. On roll call the Commissioners vote as follows: Epperson, aye; Hughes, aye; Alford, aye; Blake, aye; Mull, aye; Peak, aye; Goins, aye; Mason, aye; Davis, aye; Raper, aye; and Winters, aye. TOTAL FOR: 11; OPPOSES: NONE; ABSENT: 3. The motion passes.

Commissioner Bill Winters moves to approve the Change of Vehicle Status Form [In Re: fire damaged ambulance] in order to be able to move forward with insurance; Commissioner Kevin Raper seconds the motion. On roll call the Commissioners vote as follows: Epperson, aye; Hughes, aye; Alford, aye; Blake, aye; Mull, aye; Peak, aye; Goins, aye; Mason, aye; Davis, aye; Raper, aye; and Winters, aye. TOTAL FOR: 11; OPPOSES: NONE; ABSENT: 3. The motion passes.

CHANGE OF VEHICLE STATUS FORM RECORDED AS AN ATTACHMENT

Commissioner Charlotte Peak moves to confirm the County Mayor's reappointments of Commissioners Dennis Epperson and Bill Winters to the Economic Development Council [EDC]; terms expire (01/2020); Commissioner Bobby Goins seconds the motion. On roll call the Commissioners vote as follows: Epperson, aye; Hughes, aye; Alford, aye; Blake, aye; Mull, aye; Peak, aye; Goins, aye; Mason, aye; Davis, aye; Raper, aye; and Winters, aye. TOTAL FOR: 11; OPPOSES: NONE; ABSENT: 3. The motion passes

Commissioner Milan Blake pulls BUDGET AMENDMENTS Item Nos. 1, 27 and 33 from the Consent Agenda to be voted on separately.

Item No. 1 MAYOR'S OFFICE BUDGET AMENDMENT

DECREASE			$287,433.00
Liability Account	101 28620	Health Insurance Payments	
INCREASE			$287,433.00
Fund Balance Account	101 39000	Undesignated Fund Balance	

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Item No. 1 continues

DECREASE			$287,433.00
Fund Balance			
Account	101 39000	Undesignated Fund Balance	
INCREASE			$287,433.00
Expense			
Account	101 51800	County Building	
Line Item	790	Other Construction	

Per the auditors recommendation this money will be moved from the liability account and placed into the General Fund Balance. Then moved to the County Building budget to pay for the locks at the Sheriff's Department.

This Budget Amendment from Item No. 1, Page 7 [Consent Agenda] Commissioner Milan Blake puts in the form of a motion; Commissioner Bill Winters seconds the motion. On roll call the Commissioners vote as follows: Epperson, aye; Hughes, aye; Alford, aye; Blake, aye; Mull, aye; Peak, aye; Goins, aye; Mason, aye; Davis, aye; Raper, aye; and Winters, aye. TOTAL FOR: 11; OPPOSES: NONE; ABSENT: 3. The motion passes.

Item No. 27 ROAD DEPARTMENT BUDGET AMENDMENT

INCREASE			$370,416.52
Revenue			
Account	131 46420	State Aid Program	
INCREASE			$370,416.52
Expense			
Account	131 62000	Highway Maintenance	
Line Item	404	Asphalt Hot Mix	$200,000.00
	405	Asphalt Liquid	50,000.00
Fund Balance			
Account	131 34550	Fund Balance	$120,416.52

State Aid Project for Frontage Road expenses with exception of wages had to be in last year's budget and revenue was not received until November, 2018 . Increasing Fund Balance and paving materials to be used this year.

Commissioner Milan Blake puts this Budget Amendment in the form of a motion; Commissioner Mike Hughes seconds the motion. On roll call the Commissioners vote as follows: Epperson, aye; Hughes, aye; Alford, aye; Blake, aye; Mull, aye; Peak, aye; Goins, aye; Mason, aye; Davis, aye; Raper, aye; and Winters, aye. TOTAL FOR: 11; OPPOSES: NONE; ABSENT: 3. The motion passes.

Item No. 33 ROAD DEPARTMENT BUDGET AMENDMENT

INCREASE			$200,000.00
Revenue			
Account	131 46420	State Aid Program	
INCREASE			$200,000.00
Expense			
Account	131 68000	Capital Projects	
Line Item	707	Building Improvements	$200,000.00

Planning to relocate offices to the area where Garage/Shop is located. More convenience for office as well as other employees. Will have better lighting, wiring for computers, etc. Citizens and vendors will have only one stop. No more issues with vendors delivering to wrong location with no place to turn around.

Commissioner Milan Blake puts this Budget Amendment in the form of a motion; Commissioner Mike Hughes seconds the motion. On roll call the Commissioners vote as follows: Epperson, aye; Hughes, aye; Alford, aye; Blake, aye; Mull, aye; Peak, aye; Goins, aye; Mason, aye; Davis, aye; Raper, aye; and Winters, aye. TOTAL FOR: 11; OPPOSES: NONE; ABSENT: 3. The motion passes.

Commissioner Charlotte Peak moves that the Consent Agenda be approved less Item Nos. 1, 27 and 33 which are voted on separately; Commissioner Bobby Goins seconds the motion. On roll call the Commissioners vote as follows: Epperson, aye; Hughes, aye; Alford, aye; Blake, aye; Mull, aye; Peak, aye; Goins, aye; Mason, aye; Davis, aye; Raper, aye; and Winters, aye. TOTAL FOR: 11; OPPOSES: NONE; ABSENT: 3. The motion passes

CONSENT AGENDA RECORDED AS AN ATTACHMENT

Commissioner Charlotte Peak moves that the Meeting Agenda be approved; Commissioner Bobby Goins seconds the motion. On roll call the Commissioners vote as follows: Epperson, aye; Hughes, aye; Alford, aye; Blake, aye; Mull, aye; Peak, aye; Goins, aye; Mason, aye; Davis, aye; Raper, aye; and Winters, aye. TOTAL FOR: 11; OPPOSES: NONE; ABSENT: 3. The motion passes.

MEETING AGENDA RECORDED AS AN ATTACHMENT

RESOLUTION 2019-01
RESOLUTION AUTHORIZING BRADLEY COUNTY MAYOR TO EXECUTE A NON-EXCLUSIVE RAILROAD SPUR TRACK EASEMENT TO JLK PROPERTIES, LLC REGARDING A RAILROAD LINE SPUR LEAD-IN TRACK LOCATED ON MAP AND PARCEL 042 017.00 OWNED BY BRADLEY COUNTY

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 from Effie Cleo 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;

WHEREAS, JLK Properties, LLC (hereinafter "JLK") is the fee simple owner of certain real property located in Bradley County, Tennessee, consisting of 26.65 acres, being the same property conveyed to it in Book 2444, page 623 ROBCT and further identified as Parcel 17.03 on Tax Map 042 in the Tax Assessor's Office for Bradley County, Tennessee;

WHEREAS, JLK's predecessor in title was granted the right to use the spur track as set forth in Deed Book 205, page 193 ROBCT, however, this right was not included in JLK's deed;

WHEREAS, JLK desires a non-exclusive easement for the purpose of using, operating and maintaining the railroad lead-in track for the movement of railroad traffic, including cars and engines over and across the Easement Area.

NOW, THEREFORE, BE IT RESOLVED by the Bradley County Legislative Body meeting in regular session at Cleveland, Tennessee, on this 22nd day of January, 2019, that the Bradley County Mayor be and is hereby authorized to execute a non-exclusive railroad spur track easement to JLK Properties, LLC regarding a railroad line spur lead-in track located on Map and Parcel 042 017.00 owned by Bradley County.

Commissioner Milan Blake puts Resolution 2019-01 in the form of a motion; Commissioner Mike Hughes seconds the motion. On roll call the Commissioners vote as follows: Epperson, aye; Hughes, aye; Alford, aye; Blake, aye; Mull, aye; Peak, aye; Goins, aye; Mason, aye; Davis, aye; Raper, aye; and Winters, aye. TOTAL FOR: 11; OPPOSES: NONE; ABSENT: 3. The motion passes.

MAP RECORDED AS AN ATTACHMENT

RESOLUTION 2019-02
BRADLEY COUNTY
2019 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

WHEREAS, the Taylor Elementary School is having major problems with the existing on-site wastewater treatment solutions, which are not meeting its wastewater discharge requirements; and

WHEREAS, the Tennessee Department of Environment and Conservation has documented numerous instances of discharge violations in the past few years; and

WHEREAS, the Ocoee Utility District has agreed to work in partnership with Bradley County and the Bradley County Board of Education to extend public sewer service to the school; and

WHEREAS, Bradley County is eligible to apply for up to $525,000 in competitive Community Development Block Grant funds to assist with critical community needs, such as Sewer Line Extensions; and

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RESOLUTION 2019-02 CONTINUES

WHEREAS, since Bradley County is a member of the Tennessee Department of Economic and Community Development's Three-Star Economic & Community Development Program, the County is eligible to apply for up to $525,000 in CDBG funds and is eligible for a 4% discount towards the required local match, which improves Bradley County's match rate to 85%;

WHEREAS, the Bradley County Board of Education has agreed to provide the required 15% in local matching funds needed (and any additional monies) needed to complete the project.

NOW, THEREFORE, BE IT RESOLVED that the Bradley County Commission authorizes the County Mayor to apply for up to $525,000 in CDBG funds to assist with the extension of sewer lines to serve the Taylor Elementary School.

BE IT FURTHER RESOLVED that the County Mayor is authorized to sign documents and enter into agreements necessary for the successful application and award of the grant, subject to its approval by the State.

BE IT EVEN FURTHER RESOLVED, if said application is approved, the County Mayor is hereby authorized to accept on behalf of Bradley County said Community Development Block Grant, execute any and all documents and enter into agreements necessary for the successful application and award of the grant and to enter into a project administration agreement with the Southeast Tennessee Development District, subject to TNECD approval.

Commissioner Charlotte Peak moves to approve Resolution 2019-02; Commissioner Bobby Goins seconds the motion. On roll call the Commissioners vote as follows: Epperson, aye; Hughes, aye; Alford, aye; Blake, aye; Mull, aye; Peak, aye; Goins, aye; Mason, aye; Davis, aye; Raper, aye; and Winters, aye. TOTAL FOR: 11; OPPOSES: NONE; ABSENT: 3. The motion passes.

Commission Kevin Raper puts in the form of a motion to adopt the 2019 Bradley County Road List; Commissioner Mike Hughes seconds the motion. On roll call the Commissioners vote as follows: Epperson, aye; Hughes, aye; Alford, aye; Blake, aye; Mull, aye; Peak, aye; Goins, aye; Mason, aye; Davis, aye; Raper, aye; and Winters, aye. TOTAL FOR: 11; OPPOSES: NONE; ABSENT: 3. The motion passes.

THE 2019 ROAD LIST INCLUDING ROAD LIST CHANGES MADE IN 2018 IS RECORDED AS AN ATTACHMENT

Commissioner Milan Blake puts in the form of a motion the adoption of the 2019-2020 Budget Preparation Calendar; Commissioner Erica Davis seconds the motion. On roll call the Commissioners vote as follows: Epperson, aye; Hughes, aye; Alford, aye; Blake, nay; Mull, nay; Peak, nay; Goins, aye; Mason, aye; Davis, aye; Raper, aye; and Winters, aye. The Clerk asks if anyone would like to change their vote. TOTAL FOR: 8; OPPOSES: 3; ABSENT: 3. The motion passes.

2019-2020 BUDGET PREPARATION CALENDAR RECORDED AS AN ATTACHMENT

Commissioner Milan Blake puts in the form of a motion to approve the Finance Committee's recommendation making County employees salaries as a priority in the 2019-2020 Budget; Commissioner Kevin Raper seconds the motion. On roll call the Commissioners vote as follows: Epperson, aye; Hughes, aye; Alford, aye; Blake, aye; Mull, aye; Peak, aye; Goins, aye; Mason, aye; Davis, aye; Raper, aye; and Winters, aye. TOTAL FOR: 11; OPPOSES: NONE; ABSENT: 3. The motion passes.

Commissioner Milan Blake puts in the form of a motion to approve the Finance Committee's recommendation to table the Chestnut Grove issue until an opinion is received from the Attorney General; Commissioner Bobby Goins seconds the motion. On roll call the Commissioners vote as follows: Epperson, aye; Hughes, aye; Alford, aye; Blake, aye; Mull, aye; Peak, aye; Goins, aye; Mason, aye; Davis, aye; Raper, aye; and Winters, aye. TOTAL FOR: 11; OPPOSES: NONE; ABSENT: 3. The motion passes.

There is no further business to come before the Commission and on a motion by Commissioner Milan Blake, the Commission adjourns at 12:28 P.M. EST.

Johnny Mull, Chairman
Bradley County Commission

Donna A. Simpson
Bradley County Clerk