REGULAR SESSION **MARCH 5th, 2018**

The Bradley County Commission meets in REGULAR SESSION on March 5th, 2018, at 7:00 P.M. EST in the Board Room of the Bradley County Schools Central Office. 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: TERRY CAYWOOD, LOUIE ALFORD, THOMAS L. CRYE, MILAN M. BLAKE, JOHNNY MULL, CHARLOTTE PEAK, HOWARD LEWIS THOMPSON, BOBBY GOINS, JEFF YARBER, DAN RAWLS, ROBERT ROMINGER, MARK HALL and BILL WINTERS. Commissioner MIKE HUGHES is absent. TOTAL PRESENT: 13; ABSENT: 1. There is a quorum present and Chairman Louie Alford calls the meeting to order.

Following the Pledge of Allegiance to the Flag, Larry Cockerham with Living Word Church leads in the invocation.

Commissioner Jeff Yarber moves that the Minutes of the February 20th, 2018, REGULAR SESSION be approved; Commissioner Johnny Mull seconds the motion. On roll call the Commissioners vote as follows: Caywood, aye; Alford, aye; Crye, aye; Blake, aye; Mull, aye; Peak, aye; Thompson, aye; Goins, aye; Yarber, aye; Rawls, aye; Rominger, aye; Hall, aye; and Winters, aye. TOTAL FOR: 13; OPPOSES: NONE; ABSENT: 1. The motion passes.

COMMISSIONER MIKE HUGHES ENTERS THE MEETING

RESOLUTION 2018-09
RESOLUTION OPPOSING SENATE BILL 896/HOUSE BILL 1380 REGARDING CHANGES TO THE COMPENSATION OF THE COUNTY TRUSTEE FOR RECEIVING AND PAYING OVER TO THE RIGHTFUL AUTHORITIES ALL MONEYS RECEIVED

WHEREAS, on February 9, 2017, Senate Bill 896/House Bill 1380 was filed for introduction regarding amendments to Tennessee Code Annotated 8-11-110(a); and

WHEREAS, on February 15, 2017, Senate Bill 896/House Bill 1380 was assigned to the Senate State and Local Government Committee; and

WHEREAS, Senate Bill 896/House Bill 1380 amends Tennessee Code Annotated 8-11-110(a) to add that "once the County Trustee has collected an amount equal to one hundred ten percent (110%) of the estimated cost of operation of the trustee's office for the fiscal year as supported by the County's approved budget document, the trustee shall cease collecting further compensation for the remainder of the fiscal year"; and

WHEREAS, the Bradley County Finance Committee met on March 5, 2018, and voted to recommend to the full Commission that a Resolution opposing Senate Bill 896/House Bill 1380 be approved by the Commission.

NOW, THEREFORE, BE IT RESOLVED by the Bradley County Legislative Body meeting in regular session at Cleveland, Tennessee, on the 5th day of March, 2018, that the Bradley County Commission requests that Governor Bill Haslam, the Bradley County Legislative Delegation and the Tennessee General Assembly oppose Senate Bill 896/House Bill 1380 regarding changes to the compensation of the county trustee for receiving and paying over to the rightful authorities all moneys received.

Commissioner Milan Blake puts this in the form of a motion the adoption of Resolution 2018-09; Commissioner Mike Hughes seconds the motion. On roll call the Commissioners vote as follows: Caywood, aye; Hughes, aye; Alford, aye; Crye, aye; Blake, aye; Mull, aye; Peak, aye; Thompson, aye; Goins, aye; Yarber, aye; Rawls, aye; Rominger, aye; Hall, aye; and Winters, aye. TOTAL FOR: 14; OPPOSES; NONE. The motion passes.

Commissioner Robert Rominger makes a motion to accept these roads [HIDDEN RIDGES DRIVE SW; VILLAGE LANE SW; RIDGECREST COURT SW] on recommendation from the Road Committee; Commissioner Bill Winters seconds the motion. On roll call the Commissioners vote as follows: Caywood, aye; Hughes, aye; Alford, aye; Crye, aye; Blake, aye; Mull, aye; Peak, aye; Thompson, aye; Goins, aye; Yarber, aye; Rawls, aye; Rominger, aye; Hall, aye; and Winters, aye. TOTAL FOR: 14; OPPOSES: NONE. The motion passes.

THE PETITIONS FOR ACCEPTANCE AND/OR APPROVAL FOR THESE ROADS ARE RECORDED AS ATTACHMENTS

Commissioner Johnny Mull moves that the Consent Agenda be approved; Commissioner Robert Rominger seconds the motion. On roll call the Commissioners vote as follows: Caywood, aye; Hughes, aye; Alford, aye; Crye, aye; Blake, aye; Mull, aye; Peak, aye; Thompson, aye; Goins, aye; Yarber, aye; Rawls, aye; Rominger, aye; Hall, aye; and Winters, aye. TOTAL FOR: 14; OPPOSES: NONE. The motion passes.

CONSENT AGENDA RECORDED AS AN ATTACHMENT

Commissioner Mike Hughes moves that the Meeting Agenda be approved; Commissioner Howard Thompson seconds the motion. On roll call the Commissioners vote as follows: Caywood, aye; Hughes, aye; Alford, aye; Crye, aye; Blake, aye; Mull, aye; Peak, aye; Thompson, aye; Goins, aye; Yarber, aye; Rawls, aye; Rominger, aye; Hall, aye; and Winters, aye. TOTAL FOR: 14; OPPOSES: NONE. The motion passes.

MEETING AGENDA RECORDED AS AN ATTACHMENT

03/05/2018

BUDGET AMENDMENT

BRADLEY COUNTY SHERIFF'S OFFICE

DECREASE **$237,354.05**
FUND BALANCE

Account 101 39000 FUND BALANCE

INCREASE **$237,354.05**
EXPENSE

Account 101 54210 Jail
Line Item 340 Medical and Dental Services

Description
MEDICAL COST POOL OVERAGE FOR BUDGET YEAR 2016-2017
MEDICAL COST TO COVER NEW MEDICAL CONTRACT

Commissioner Milan Blake puts in the form of a motion the adoption of this Budget Amendment; Commissioner Thomas Crye seconds the motion. On roll call the Commissioners vote as follows: Caywood, aye; Hughes, aye; Alford, aye; Crye, aye; Blake, aye; Mull, aye; Peak, aye; Thompson, aye; Goins, aye; Yarber, aye; Rawls, aye; Rominger, aye; Hall, aye; and Winters, aye. TOTAL FOR: 14; OPPOSES: NONE. The motion passes.

RESOLUTION 2018-07
RESOLUTION AUTHORIZING BRADLEY COUNTY MAYOR TO ENTER INTO AN ANNEXATION INTERLOCAL AGREEMENT BETWEEN THE CITY OF CLEVELAND AND BRADLEY COUNTY REGARDING THE NON-CONTIGUOUS ANNEXATION OF THE PROPERTY CURRENTLY OWNED BY STEVE WILLIAMS, TAX MAP 65 PARCEL 1.00

WHEREAS, Tennessee Code Annotated 6-51-104(d) allows for a municipality to annex by Resolution territory that does not adjoin the boundary of the municipality provided that the area is within the Urban Growth Boundary of the municipality, and

WHEREAS, Tennessee Code Annotated 6-51-104(d) (4) provides that the plan of services for said annexation include a plan of services adopted under Tennessee Code Annotated 6-51-102, and that the plan be prepared by the municipality in cooperation with the county in which the territory is located; and

WHEREAS, Tennessee Code Annotated 6-51-104(d)(4) further provides that the municipality and the county shall enter into an interlocal agreement pursuant to Tennessee Code Annotated 5-1-113 to address emergency services for any interceding properties and to provide for maintenance of county roads and bridges comprising the primary route to the area annexed; and

WHEREAS, the property to be annexed and as described in the Annexation Interlocal Agreement attached hereto is not contiguous to the existing City boundary, but is within the City's Urban Growth Boundary; and

WHEREAS, the owner of this property, Steve Williams, has petitioned the City for annexation and desires to obtain city services necessary to support the proposed development of his property; and

WHEREAS, the City and the County desire to cooperate with one another and to address the issues contemplated by Tennessee Code Annotated 6-51-104 (d)(4) which include the provision of emergency services for any interceding properties, if any, and to assign responsibility for the maintenance of county roads and bridges comprising the primary route between the current City boundary to the area to be annexed into the City.

NOW, THEREFORE, BE IT RESOLVED by the Bradley County Legislative Body meeting in regular session at Cleveland, Tennessee, on this 5th day of March, 2018, that the Bradley County Mayor is hereby authorized to enter into the attached Annexation Interlocal Agreement between the City of Cleveland and Bradley County regarding the non-contiguous annexation of the property currently owned by Steve Williams, Tax Map 65 Parcel 1.00

03/05/2018

Commissioner Jeff Yarber moves that we [the Commission] authorize the County Mayor to enter into an Annexation Interlocal Agreement between the City of Cleveland and Bradley County regarding the non-contiguous annexation of the property currently owned by Steve Williams Tax Map 65 Parcel 1.00; Commissioner Charlotte Peak seconds the motion.

Commissioner Bill Winters offers a substitute motion to add an addendum [to the Annexation Interlocal Agreement] as presented by the County Mayor; Commissioner Dan Rawls seconds the substitute motion.

CLERK'S NOTE:

THE PORTION IN QUESTION IN COMMISSIONER YARBER'S MOTION:
Section 2 under (b)
"The parties agree that for the particular annexation described herein, there are no interceding properties between the existing city boundary and the property to be annexed. Therefore, the parties agree that no provision for emergency services is required in this annexation."

THE PORTION IN QUESTION IN COMMISSIONER WINTER'S SUBSTITUTE MOTION
Section 2 under (b)
"The parties agree that the City will provide fire protection services to the property located in the County at 119 Holloway Road SW, Map and Parcel 065 003.01."

Voting on the substitute motion the Commissioners vote as follows: Caywood, aye; Hughes, aye; Alford, aye; Crye, aye; Blake, aye; Mull, aye; Peak, aye; Thompson, aye; Goins, aye; Yarber, aye; Rawls, aye; Rominger, aye; Hall, aye; and Winters, aye. TOTAL FOR: 14; OPPOSES: NONE. The substitute motion passes, therefore no vote taken on the original motion.

03/05/2018

ANNEXATION INTERLOCAL AGREEMENT BETWEEN THE CITY OF CLEVELAND, TENNESSEE AND BRADLEY COUNTY, TENNESSEE AS ADOPTED THROUGH THE SUBSTITUTE MOTION RECORDED AS AN ATTACHMENT

RESOLUTION 2018-08
RESOLUTION AUTHORIZING BRADLEY COUNTY MAYOR TO ENTER INTO AN ANNEXATION INTERLOCAL AGREEMENT BETWEEN THE CITY OF CLEVELAND AND BRADLEY COUNTY REGARDING THE NON-CONTIGUOUS ANNEXATION OF THE PROPERTY CURRENTLY OWNED BY DUSTIN HAWKINS TAX MAP 65J GROUP E PARCEL 16.00

WHEREAS, Tennessee Code Annotated 6-51-104(d) allows for a municipality to annex by Resolution territory that does not adjoin the boundary of the municipality provided that the area is within the Urban Growth Boundary of the municipality; and

WHEREAS, Tennessee Code Annotated 6-51-104(d)(4) provides that the plan of services for said annexation include a plan of services adopted under Tennessee Code Annotated 6-51-102, and that the plan be prepared by the municipality in cooperation with the county in which the territory is located; and

WHEREAS, Tennessee Code Annotated 6-51-104(d)(4) further provides that the municipality and the county shall enter into an interlocal agreement pursuant to Tennessee Code Annotated 5-1-113 to address emergency services for any interceding properties and to provide for maintenance of county roads and bridges comprising the primary route to the area annexed; and

WHEREAS, the property to be annexed and as described in the Annexation Interlocal Agreement attached hereto is not contiguous to the existing City boundary, but is within the City's Urban Growth Boundary; and

WHEREAS, the owner of this property, Dustin Hawkins, has petitioned the City for annexation and desires to obtain city services necessary to support the proposed development of his property; and

WHEREAS, the City and the County desire to cooperate with one another and to address the issues contemplated by Tennessee Code Annotated 6-51-104(d)(4) which include the provision of emergency services for any interceding properties, if any, and to assign responsibility for the maintenance of county roads and bridges comprising the primary route between the current City boundary to the area to be annexed into the City.

NOW, THEREFORE, BE IT RESOLVED by the Bradley County Legislative Body meeting in regular session at Cleveland, Tennessee, on the 5th day of March, 2018, that the Bradley County Mayor is hereby authorized to enter into the attached Annexation Interlocal Agreement between the City of Cleveland and Bradley County regarding the non-contiguous annexation of the property currently owned by Dustin Hawkins, Tax Map 65J Group E Parcel 16.00

Commissioner Jeff Yarber moves that Resolution 2018-08 be adopted; Commissioner Dan Rawls seconds the motion. On roll call the Commissioners vote as follows: Caywood, aye; Hughes, aye; Alford, aye; Crye, aye; Blake, aye; Mull, aye; Peak, aye; Thompson, aye; Goins, aye; Yarber, aye; Rawls, aye; Rominger, aye; Hall, aye; and Winters, aye. TOTAL FOR: 14; OPPOSES: NONE. The motion passes.

ANNEXATION INTERLOCAL AGREEMENT BETWEEN THE CITY OF CLEVELAND, TENNESSEE, AND BRADLEY COUNTY, TENNESSEE, 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 7:49 EST.

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Louie Alford, Chairman
Bradley County Commission

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Donna A. Simpson
Bradley County Clerk