The Bradley County Commission meets in **Regular Session on March 6, 2023** at the Bradley County Courthouse in Cleveland, Tennessee at 7:00 P.M. EDST. Bradley County Mayor, D. Gary Davis and Bradley County Clerk, Donna A. Simpson are present. Chairman Thomas L. Crye calls the meeting to order.

The invocation is given by Pastor Larry Cockerham followed by the Pledge of Allegiance lead by Commissioner Milan M. Blake.

On roll call the following Commissioners are present: **DANIEL BEATY; MIKE HUGHES; LOUIE ALFORD; THOMAS L. CRYE; MILAN M. BLAKE; DENNY COLLINS; SCOTT GILBERT; HOWARD LEWIS THOMPSON; BOBBY GOINS; CINDY SLATER; TIM MASON; TOMMY LEDFORD; JOSH ROGERS; and BILL WINTERS. TOTAL PRESENT: 14; ABSENT: NONE.** There is a quorum present and Chairman T. Crye calls for the first item of business.

Commissioner M. Hughes makes a **Motion To Approve The Minutes For February 21, 2023 Regular Session;** Commissioner H. Thompson seconds the motion. On roll call the Commission votes as follows: D. Beaty, aye; M. Hughes, aye; L. Alford, aye; T. Crye, aye; M. Blake, aye; D. Collins, aye; S. Gilbert, aye; H. Thompson, aye; B. Goins, aye; C. Slater, aye; T. Mason, aye; T. Ledford, aye; J. Rogers, aye; and B. Winters, aye. **TOTAL FOR: 14; OPPOSED: NONE.** ***The motion carries.***

Commissioner B. Goins makes a **Motion To Approve The Consent Agenda For March 6, 2023 Regular Session;** Commissioner S. Gilbert seconds the motion. On roll call the Commission votes as follows: D. Beaty, aye; M. Hughes, aye; L. Alford, aye; T. Crye, aye; M. Blake, aye; D. Collins, aye; S. Gilbert, aye; H. Thompson, aye; B. Goins, aye; C. Slater, aye; T. Mason, aye; T. Ledford, aye; J. Rogers, aye; and B. Winters, aye. **TOTAL FOR: 14; OPPOSED: NONE.** ***The motion carries.***

CONSENT AGENDA 3-6-2023 RECORDED AS AN ATTACHMENT

Commissioner M. Blake makes a **Motion To Approve The Finance Committee Recommendation To Fund The Pleasant Grove Lane Water Project With ARPA Funds Earmarked For Water In The Amount Of $18,750.00 And Also To Refund The Property Owner The Cost Of The Water Test In The Amount Of $75.00;** Commissioner C. Slater seconds the motion. On roll call the Commission votes as follows: D. Beaty, aye; M. Hughes, aye; L. Alford, aye; T. Crye, aye; M. Blake, aye; D. Collins, aye; S. Gilbert, aye; H. Thompson, aye; B. Goins, aye; C. Slater, aye; T. Mason, aye; T. Ledford, aye; J. Rogers, aye; and B. Winters, aye. **TOTAL FOR: 14; OPPOSED: NONE.** ***The motion carries.***

Commissioner M. Blake makes a **Motion To Approve The Finance Committee Recommendation To Request The Mayor Allocate Up To $500,000 Dollars To Stripe Many Of The County Roads And To Install Reflectors;** Commissioner H. Thompson seconds the motion. On roll call the Commission votes as follows: D. Beaty, aye; M. Hughes, aye; L. Alford, aye; T. Crye, aye; M. Blake, aye; D. Collins, aye; S. Gilbert, aye; H. Thompson, aye; B. Goins, aye; C. Slater, aye; T. Mason, aye; T. Ledford, aye; J. Rogers, aye; and B. Winters, aye. **TOTAL FOR: 14; OPPOSED: NONE.** ***The motion carries.***

Commissioner L. Alford pulls (Item A) from the Voting Session (Meeting) Agenda for March 6, 2023.

Commissioner L. Alford makes a **Motion To Approve The Voting Session (Meeting) Agenda (Item A Pulled) March 6, 2023;** Commissioner B. Goins seconds the motion. On roll call the Commission votes as follows: D. Beaty, aye; M. Hughes, aye; L. Alford, aye; T. Crye, aye; M. Blake, aye; D. Collins, aye; S. Gilbert, aye; H. Thompson, aye; B. Goins, aye; C. Slater, aye; T. Mason, aye; T. Ledford, aye; J. Rogers, aye; and B. Winters, aye. **TOTAL FOR: 14; OPPOSED: NONE.** ***The motion carries.***

VOTING SESSION (MEETING) AGENDA 3-6-2023 RECORDED AS AN ATTACHMENT (ITEM A PULLED)

Commissioner B. Winters makes a **Motion To Approve (Item B) The Legal And Legislative Committee Recommendation To Authorize The Legislative Administrator To Continue Distributing Agenda Packets In Advance Of Meetings Via Email To Citizens Requesting The Documents;** Commissioner M. Hughes seconds the motion. On roll call the Commission votes as follows: D. Beaty, aye; M. Hughes, aye; L. Alford, aye; T. Crye, aye; M. Blake, aye; D. Collins, aye; S. Gilbert, aye; H. Thompson, aye; B. Goins, aye; C. Slater, aye; T. Mason, aye; T. Ledford, aye; J. Rogers, aye; and B. Winters, aye. **TOTAL FOR: 14; OPPOSED: NONE.** ***The motion carries.***

Commissioner B. Winters makes a **Motion To Approve (Item C) The Legal And Legislative Committee Recommendation To Adopt The Fiscal Note Form As Presented;** Commissioner H. Thompson seconds the motion. On roll call the Commission votes as follows: D. Beaty, aye; M. Hughes, aye; L. Alford, aye; T. Crye, aye; M. Blake, aye; D. Collins, aye; S. Gilbert, aye; H. Thompson, aye; B. Goins, aye; C. Slater, aye; T. Mason, aye; T. Ledford, aye; J. Rogers, aye; and B. Winters, aye. **TOTAL FOR: 14; OPPOSED: NONE.** ***The motion carries.***

BRADLEY COUNTY FISCAL NOTE RECORDED AS AN ATTACHMENT

Commissioner B. Winters makes a **Motion To Approve (Item D) The Legal And Legislative Committee Recommendation To Approve The Rules Of Procedure As Presented;** Commissioner B. Goins seconds the motion. On roll call the Commission votes as follows: D. Beaty, aye; M. Hughes, aye; L. Alford, aye; T. Crye, aye; M. Blake, aye; D. Collins, aye; S. Gilbert, aye; H. Thompson, aye; B. Goins, aye; C. Slater, aye; T. Mason, aye; T. Ledford, aye; J. Rogers, aye; and B. Winters, aye. **TOTAL FOR: 14; OPPOSED: NONE.** ***The motion carries.***

RULES OF PROCEDURE, RECOMMENDED AMENDMENTS, FEBRUARY 27, 2023 RECORDED AS AN ATTACHMENT

There is no more business to come before the Commission and Chairman T. Crye motions to adjourn the meeting at 7:25 P.M. EDST.

THOMAS L. CRYE, CHAIRMAN

DONNA A. SIMPSON, COUNTY CLERK

3-6-2023

Bradley County Commission
Thomas Crye, Chairperson
CONSENT AGENDA
March 6, 2023, at 7:00p.m.
Bradley County Courthouse

APPOINTMENTS

1. Reappoint Steve Anderson to the Nursing Home Board term expiring March 2027
2. Appoint John Stanbery to the Nursing Home Board term expiring March 2027
3. Reappoint Bobby Goins to the Agriculture Committee term expiring March 2025
4. Appoint Tommy Ledford to the Agriculture Committee term expiring March 2025
5. Reappoint Drew Robinson to the Southeast Tennessee Community Corrections Advisory Board
6. Reappoint Ed Cartwright to the Southeast Tennessee Community Corrections Advisory Board
7. Reappoint Ed Lewis to the Southeast Tennessee Community Corrections Advisory Board
8. Reappoint Randy Fox to the Southeast Tennessee Community Corrections Advisory Board
9. Reappoint County Mayor D. Gary Davis to the Southeast Tennessee Community Corrections Advisory Board
10. Reappoint Sheriff Steve Lawson to the Southeast Tennessee Community Corrections Advisory Board
11. Reappoint District Attorney Steve Crump to the Southeast Tennessee Community Corrections Advisory Board
12. Reappoint Public Defender Leon Shahan to the Southeast Tennessee Community Corrections Advisory Board
13. Reappoint Rich Keinlen to the Southeast Tennessee Community Corrections Advisory Board
14. Reappoint Circuit Court Judge Andrew Freiberg to the Southeast Tennessee Community Corrections Advisory Board
15. Reappoint Criminal Court Judge Sandra Donaghy to the Southeast Tennessee Community Corrections Advisory Board

NOTARIES PUBLIC

16. Bradley County Clerk will bring a listing of notary public (County Clerk will bring listing to the meeting)

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 March 06,2023

DONNA BOWMAN
SHERRY D. BRYANT
TAMARA CASTILLO
CURTIS W. CLARK
AMY J COCHRAN
PIPER NICHOLE DAVIS
SCOTT DULANEY
ERIN C. FENNELL
MEREDITH L. FREEMAN
CATHY D HARWOOD
CLIFTON MYLES HOWARD
MIA L JACOBS
CINDY S LEDFORD
DONNA J PAYTON
ANGELA PERRY
SHEENA POSEY
SUSANA RUIZ
WAYNE SHERLIN
TINA M TURNER
AMANDA N WADDELL
ANNE WAGNER

PERSONAL SURETY

Bradley County Commission
Thomas Crye, Chairperson
VOTING SESSION AGENDA
March 6, 2023, at 7:00p.m.
Bradley County Courthouse

1. Call to order
2. Invocation – Pastor Larry Cockerham
3. Pledge of Allegiance – Commissioner Milan Blake
4. Roll Call
5. Approval of Minutes
6. Report from County Mayor
7. Consent Agenda (see page 3)
8. Reports from Committees and/or Districts
9. Unfinished Business
10. Approval of Agenda
11. Agenda Items

   (A) Motion to ask Bradley County Schools to create a procedure and to establish a vehicle for honoring our greats in the future – Commissioner Louie Alford (pulled)

   B. Motion to approve the Legal and Legislative Committee recommendation to authorize the legislative administrator to continue distributing agenda packets in advance of meetings via email to citizens requesting the documents – Vice Chairperson Bill Winters

   C. Motion to approve the Legal and Legislative Committee recommendation to adopt the fiscal note form as presented (see page 4) – Vice Chairperson Bill Winters

   D. Motion to approve the Legal and Legislative Committee recommendation to approve the Rules of Procedure as presented (see pages 5-18) – Vice Chairperson Bill Winters

12. Communication from the audience

13. Announcements

14. Adjourn

Next meeting: Work Session, March 13, at 12:00p.m., Bradley County Courthouse

Upcoming Events
*Cleveland Utilities public forum, March 8, at 6:00p.m., Tom Wheeler Training Facility
*Law Enforcement Committee, March 13, at 10:00a.m., Commission room

Bradley County Fiscal Note

Resolution Title _____

Resolution Sponsor _____

Impact (circle one) Cost Savings Revenue Loss Revenue Gain Fiscal Year Impact _____

Account Type (circle one) Revenue Expense Fund Balance Reserve

Fund _____ **Account** _____

Line _____ **Amount** _____

Line _____ **Amount** _____

Comments _____

Committee _____

Recommendation _____ **Date** _____

4

Approved

Rules of Procedure
Recommended Amendments
February 27, 2023

1. Rule 1
   A. Change Board to county commission or commission as appropriate
   B. Change second Monday meeting location to County Courthouse

2. Rule 2
   A. Change Board to county commission or commission as appropriate
   B. Change in the motions requiring a majority vote box – third item Scheduled Board Appointments to Scheduled Board or Committee Appointments

3. Rule 3
   A. Change chairperson pro tempore to vice chairperson
   B. Correct numbering and ordering of agenda to reflect our current agendas

4. Rule 4
   A. Change Board to county commission or commission as appropriate

5. Rule 5
   A. Change Board to county commission or commission as appropriate
   B. Delete "Motions in writing: When a motion is made and seconded, it shall be reduced to writing by the clerk, and read by the chairperson prior to any debate or vote."

Rule 6
   A. Change Board to county commission or commission as appropriate
   B. Change county executive to county mayor
   C. Added language confirming the county mayor may introduce a resolution
   D. Amend 6A to delete language requiring resolutions to be "signed by at least two members of the Board of County Commission".
   E. Added "6B Fiscal Note: All resolutions presented to the county commission must include a fiscal note unless such resolution is regarding the use of American Rescue Plan Act funds."

Rule 7
   A. Change board to county commission or commission as appropriate
   B. Change county executive to county mayor
   C. Deleted from 7B "These applicants shall be requested to submit a resume providing some background and qualifications. Each board/committee opening shall be advertised by the county mayor's office and are due 5 days before the voting session where the appointment shall be made."
   D. Amended 7B to require a majority vote by the commission to confirm district appointments and appointments by the county mayor.

Rule 8
   A. Change Board to county commission or commission where appropriate
   B. Amended ad hoc committee language to state the commission chairperson names the chairperson.

C. Added "Ad hoc committees shall expire one year after creation unless extended by a majority vote of the commission."
D. Added procedure for resignation from an ad hoc committee
E. Added procedure for resignation from an external committee

Rule 9

A. Change board to county commission or commission as appropriate
B. Amended 9A to deleting the requirement for appropriations request in addition to those within the annual budget be submitted in writing and attached to a resolution.
C. Deleted "All requests for appropriations falling in this area shall be summarized and submitted in writing to each member of the county commission at least seven days prior to the regular or called meeting such request is to be submitted."
D. Deleted "The resolution requesting such appropriations shall be voted upon by membership of the County Commission as provided by Rule 6 of these rules."

Rule 12

A. Change board to county commission or commission as appropriate
B. Change vice chairperson pro tempore to vice chairperson
C. Change county executive to county mayor
D. Amended Rule 12H which now simply states, "Any member may ask for clarification of any vote until the vote is announced" by deleting "The chairperson shall rise to state or put a question and shall clearly state the question before the county commission before the vote on the question is taken. A member may ask for clarification of the question up until the result of the vote is announced."

Rule 13

A. Change county executive to county mayor
B. Amended Rule 13B to state, "A copy of the minutes of the last meeting shall be forwarded to each board member" and deleted "with the prepared agenda or meeting notice".

Rule 14

A. Change board to county commission or commission as appropriate

Rule 15

A. Amended the language to allow any member of the commission to request guidance from our county attorney, after proper recognition by the chairperson, during meetings.

Rule 16

A. Deleted "All committees, standing and temporary, shall meet and elect from its membership a chairperson. The election of a secretary shall be optional in the absence of a specific mandate of the county commission."
B. Deleted the requirement for committee chairs to confer with the chairperson on all matters to be presented at the next meeting. The change now requires the chairperson to report on all pertinent matters at the next meeting of the commission.
C. Amended Rule 16D4 by eliminating the requirement that minutes be taken on the standard form included in the rules of procedure.

Bradley County Commission
Rules of Procedure

RULE 1 - CONVENING THE COUNTY COMMISSION

The county commission 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 PM	Voting
Second Monday of the Month	County Courthouse	12:00 PM	Work Session
Third Monday of the Month	County Courthouse	12:00 PM	Voting
Fourth Monday of the Month	County Courthouse	7:00 PM	Work Session

If any prescribed meeting date should fall on a legal holiday or if an emergency should arise, the county commission 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 county clerk.

The county commission shall not meet on the fifth Monday of the month nor shall any commission committees convene during the week of the fifth Monday.

RULE 2 – QUORUM

A quorum for the transaction of business shall be a majority of the duly qualified and acting members of the of the county commissioners. Vacancies shall not be included in determining the membership of the county commission. One issue which comes up occasionally concerns the number of county commission members needed to pass a particular measure. A majority of the members of the county legislative body constitutes a quorum, that is, a sufficient number to hold a meeting. (Tenn. Code Ann. § 5-5-108). However, Tenn. Code Ann. § 5-5-109 states that a "majority of the members constituting the county legislative body, and not merely a majority of the quorum" is, in general, required to transact business. And, even though a majority vote is normally needed, certain statutes require a two-thirds vote before a specific action can be taken. Again, this language refers to the percentage of the entire membership, not merely of those present, although vacancies in office should not be counted when figuring either a two-thirds or a majority. The following chart illustrates these principles:

Number of Members:	9	10	11	12	13	**14**	15	16	17	18	19	20	21	22	23	24	25
Majority:	5	6	6	7	7	**8**	8	9	9	10	10	11	11	12	12	13	13
Two-Thirds:	6	7	8	8	9	**10**	10	11	12	12	13	14	14	15	16	16	17

For example, if a county legislative body has 14 members, ten of whom are present for a meeting, all ten of those would have to vote in the affirmative in order to pass a measure requiring a two-thirds vote; eight of the ten present would constitute a majority.

Motions Requiring a Majority Vote	Motions requiring a Two/Thirds Majority
Business Discussed at the Previous Work Session and Requested to be Placed on the Agenda	Business Not Discussed at the previous Work Session and placed on the agenda
Unfinished Business Discussed at Work Session or previous regular meeting if there was no intervening Work Session	Motions to Rescind or Amend Matters Previously Decided Without Prior Notice
Scheduled Committee or Board Appointments	Private Acts and other business requiring 2/3 majority vote by statute
Motions from a Standing Internal Committee (see Rule16E.4)	Suspending the Rules
Motions to Rescind or Amend Matters Previously Decided With Prior Notice	

Bradley County Commission
Rules of Procedure

RULE 3 - ORDER OF BUSINESS

1. Call to order by chairperson. In the absence of the chairperson, the vice chairperson shall preside.
2. Prayer
3. Pledge of allegiance
4. Roll call
5. Approval of minutes
6. Report from county mayor
7. Consent agenda
8. Reports from committees and/or districts
9. Unfinished Business
10. Approval of agenda
11. Agenda items
12. Communication from the audience
13. Announcements
14. Adjourn

RULE 4 - GENERAL

4A. WHO MAY ADDRESS THE COUNTY COMMISSION: It is a commissioner's right to address the chairperson and the commission at any appropriate time after proper recognition by the chairperson. It may be allowable for non-commission members to address the county commission if there is no objection by the county commission or if a majority of the membership votes to allow such participation. The chairperson may set a limit on the time a non-commission member may be allowed to speak. The Bradley County commission has set the following rules:

A non-commission member may only address the county commission following an affirmative vote by a majority of the commission, if there is an objection. The time limit is five minutes. The non-member may be allowed more time following a majority vote of the county commission granting more time. Non-commission members addressing the county commission shall remain civil at all times and all comments shall be respectful in nature. Any person who makes offensive, insulting, threatening, insolent, slanderous or obscene remarks or becomes boisterous or who makes threats against any person or against public order shall not be allowed to continue addressing the county commission and may be removed from the meeting at the direction of the chairperson.

4B. GAINING THE FLOOR: In all cases, the member who shall first address the chairperson shall be entitled to speak first; but when two or more members shall address the chairperson at the same time, the chairperson shall name the member who shall speak first.

4C. SPEAKING: When any member is about to speak in debate, discussion or deliver any address on any matter whatsoever to the county commission, the member shall respectfully address the chairperson and shall, after being recognized by the chairperson proceed with the intended remarks, confining such remarks strictly to the question under debate and avoiding all personalities.

4D. CONSENT TO YIELD: While a member is speaking he or she is not to be interrupted, except for a question by another member. If the speaker declines to yield the floor for a question, then he or she shall not be interrupted, but shall yield to questions at the end of the presentation.

4E. POINTS OF ORDER: If any member, speaking or otherwise, transgresses the rules of the county commission, the chairperson shall, or any member may, call to order, in which case the member so called to order shall immediately stop speaking. When the point of order has been decided by the chairperson, the member having the floor can proceed, subject to the decision made.

4F. APPEAL ON RULING: Any member of the county commission may appeal to the county commission from the ruling of the chairperson and a majority vote of the members present shall decide the appeal.

Bradley County Commission
Rules of Procedure

4G. UNFINISHED BUSINESS: The phrase "old business" is to be avoided since it incorrectly suggests consideration of matters that have been previously and finally disposed of (*see* Robert's Rules of Order, 10th Edition, p.346).

"Unfinished business" is the proper phrase and is defined as considering questions that have come over from the immediate preceding work session or regular meeting if there was no intervening work session as a result of the following:

1. The question that was pending when the previous meeting adjourned, if that meeting adjourned while a question other than a special order was pending.
2. Any questions that were unfinished business at the previous meeting but were not reached before it adjourned – taken in the order in which they were due to come up at that meeting.
3. Any questions which, by postponement or otherwise, were set as general orders for the previous meeting, or for a particular hour during that meeting, but were not reached before it adjourned – taken in the order in which the general orders were made.
4. Matters that were postponed to, or otherwise made general orders for the present meeting – taken in the order in which they were made.

4H. PREVIOUS NOTICE: Previous notice means announcement at the immediate previous work session or regular meeting if there was no intervening work session that the motion will be introduced. Motions that have the effect of changing or nullifying previous actions of the county commission require previous notice if to be adopted by a majority vote. Without previous notice, such motions require a two-thirds majority.

Previous notice can be oral or in writing and in either event must state the substance of the motion announced with sufficient particularity to be accurate and complete. Amendments, including substitute motions as amendments, to motions requiring previous notice will invalidate the notice if its effect amends the motion beyond the scope of the notice. Previous notice should be recorded in the minutes of the meeting in which it is announced.

4I. MATTERS PREVIOUSLY DECIDED: Any member of the county commission may bring up a matter previously decided at the next work session or the next voting meeting subject to the requirements of votes set forth in Rule 2 above.

RULE 5 - MOTIONS

5A. INTRODUCTION AND DEBATE: Members may only make motions. No motion shall be debated until the same is seconded and stated by the chairperson.

5B. REQUIRING ROLL CALL: Motions shall be put to the county commission for a roll call.

5C. AMENDMENTS TO A MOTION: Amendments require a second. Debate may follow an amended motion. No action shall be taken on the original motion until the amended motion has been voted upon.

5D. MOTIONS TO RESCIND OR AMEND MATTERS PREVIOUSLY DECIDED: Motions to rescind or amend matters previously decided require "previous notice" at the immediate preceding work session or regular meeting if there was no intervening work session and a majority vote. Without notice at the previous work session or regular meeting if there was no intervening work session, motions to rescind or amend matters previously decided require a two-thirds majority vote.

RULE 6 - RESOLUTIONS

6A. INTRODUCTION: Any proposed resolution may be introduced only by a member of the county commission or county mayor.

Bradley County Commission
Rules of Procedure

Internal Committees
Internal committees are formed annually. Each commission member is asked to put in writing on which committee he/she would like to serve. The commission chairperson shall name the internal committee chairperson and place the members on committees based upon these requests in conjunction with individual commission member expertise and experience. All standing committees shall be elected annually at the last voting meeting in September. All meetings of internal standing committees shall occur in the Bradley County commission room of the Bradley County Courthouse, unless the chairperson of said committee articulates the necessity of a meeting to occur at another designated location. To the extent possible, the county commission shall provide live stream of internal committee meetings that occur in the commission room on the Bradley County Government Facebook page.

Resignation from an Internal Committee
Any member who wishes to resign from an internal committee should inform the commission chairperson in writing. The chairperson then appoints another commission member to fill the committee at his/her discretion.

Ad Hoc Committees
Ad hoc committees are formed as temporary committees set up to solve a specific problem or work towards a specific goal. These committees are created by a majority vote of the full commission. The commission chairperson names the chairperson and then places the members on ad hoc committees based upon individual commission member expertise and experience. Ad hoc committees shall expire one year after creation unless extended by a majority vote of the commission.

Resignation from an Ad Hoc Committee
Any member who wishes to resign from an ad hoc committee should inform the commission chairperson in writing. The chairperson then appoints another member to fill the committee at his/her discretion.

External Committees
On the other hand, a county may have many boards and committees that have their basis in either general state law or private acts. These statutory boards and committees have to be dealt with according to the terms of the laws that created them or authorized their creation. These boards and committees may exercise the powers granted to them by law, but no other powers may be exercised. Some statutory boards or committees may exercise some limited powers directly and in other matters they may merely make recommendations, as would an internal study committee. This Handbook will discuss several of the most important statutory boards and committees authorized by general law according to the subject matter of the chapter. The nature and authority of any particular committee or board in a county must be examined individually on county-by-county and committee-by-committee basis.

Resignation from an External Committee
Any member who wishes to resign from an external committee should inform the commission chairperson in writing. The chairperson shall proceed with filling the vacancy based upon the appointment method of the committee.

RULE 9 - APPROPRIATION REQUESTS

REQUESTS FOR APPROPRIATION: Requests for appropriations in addition to those within the annual budget shall be submitted in the following manner:

9A. The request shall be submitted to the appropriate committee of the county commission and shall reflect the estimated cost.

9B. The committee to which the request has been referred shall in open meeting of the county commission assume one of the following positions: (1) Adoption recommended (2) Rejection recommended or (3) Submitted to the county commission without recommendation.

6B. FISCAL NOTE: All resolutions presented to the county commission must include a fiscal note unless such resolution is regarding the use of American Rescue Plan Act funds.

6C. ROLL CALL VOTE: Resolutions shall be put to the county commission for a roll call vote by the clerk. Each member shall vote "yes" or "no" on its passage when the clerk calls his/her name.

6D. CHANGING VOTE: Any member of the county commission may change his/her vote before the clerk announces the results of a roll call. It shall be the duty of the clerk, at the end of each roll call, to inquire of those who passed or were absent when the roll was called if they desire to vote; also, if anyone who has voted wishes to change his/her vote. Then, the clerk shall announce the results.

6E. SUCCESSFUL RESOLUTIONS: All successful resolutions shall be submitted to the chairperson for his/her signature and attested by the signature of the clerk. The resolution along with the vote of the members shall then be submitted to the county mayor, within five days of its passage, for his/her consideration.

6F. RESOLUTION PREPARATION: All resolutions placed on the agenda of a voting session shall be available for distribution to county commission members no later than 4:00PM on the Friday before the meeting.

RULE 7 - ELECTIONS AND APPOINTMENTS

7A. ELECTIONS AND NOMINATIONS FROM THE FLOOR: When the chairperson is to receive nominations from the floor; a member may nominate only one person. The floor will be kept open until every member has had an opportunity to make nominations or until a motion has been made and seconded that nominations cease and a majority of those present so vote.

7B. APPOINTMENTS AND CONFIRMATIONS: All board or committee appointments and confirmations made by the full county commission shall be selected from a pool of qualified applicants.

All board appointments made by individual districts require confirmation by a majority vote of the commission.

Confirmation of county mayor appointments requires confirmation by a majority vote of the commission.

7C. ELECTION OR CONFIRMATION: All ballots for election or confirmation shall be cast by voice vote as the clerk calls each member's name. If the vote is on confirmation of an appointee each member will vote either "yes" or "no" on the confirmation. A majority of the membership of the full commission is required for election or confirmation.

7D. SECOND BALLOT: If no one is elected on a given ballot, the nominee receiving the smallest number of votes will be dropped and the vote will be taken again until a nominee is elected by the required majority of the membership.

RULE 8 - COMMITTEE MEMBERSHIP

There are many committees, boards and commissions in county government. The laws that apply can be very confusing. It is important to distinguish between internal committees of the county legislative body and committees or boards established or made optional by general law or private acts.

Internal committees of the county legislative body have no statutory requirements associated with them, they can be created or not according to the will of the county legislative body, they have no independent power to act, and may only make recommendations to the full county legislative body. Therefore, the number, title, composition, method of appointment and other matters pertaining to these committees are determined by resolution of the county legislative body, either directly or through the adopted rules of procedure. *See e.g.*, Op. Tenn. Att'y Gen. U91-48 (March 25, 1991). These internal committees may vary greatly from county to county and may change easily within a county. They exist simply to provide advice to the full county legislative body.

9C. The budget committee chairperson or a member designated by him/her shall advise the county commission as to fund availability before a vote is taken on appropriations in any amount which are in addition to those of the annual budget.

9D. The budget committee chairperson or a member designated by him/her shall advise the county commission as to fund availability before a vote is taken on appropriations in any amount which are in addition to those in the annual budget.

RULE 10 - SUSPENDING THE RULES

Any rule or rules may be suspended by a two-thirds (2/3) majority vote of the members present.

RULE 11 - ROBERT'S RULES OF ORDER

All matters not covered herein shall be governed by Robert's Rules of Order Revised, as contained in the latest copyrighted edition.

RULE 12 - THE CHAIRPERSON

12A. ELECTION: Annually, at its first meeting in September, the county commission shall elect a chairperson and a vice chairperson. The chairperson may be one of the memberships of the county commission or the county mayor. If the county commission elects as its chairperson the county mayor, and s/he accepts the position, then the county mayor shall relinquish his/her veto power.

12B. VOTING BY THE CHAIRPERSON: The county mayor chairperson may vote only in the case of a tie. A member chairperson may vote on all issues coming before the body, just as any other member.

12C. CALL TO ORDER: The county commission shall be called to order by the chairperson. In the absence of the chairperson, the vice chairperson shall preside. In the absence of the vice chairperson, the county commission shall be called to order by the county clerk, and shall elect one of its members to preside over the deliberations.

12D. SPEAKING: Should the chairperson desire to speak upon any subject either in the negative or the affirmative, s/he may do so, provided s/he vacates the chair. Whereupon the vice chairperson shall preside until the commission disposes of the matter under consideration. However, the chairperson may answer questions, provide information, and give explanations from the chair, the commission not objecting.

12E. PRESERVE ORDER: The chairperson shall preserve order and decorum. S/he may speak to points of order in preference to other members, rising from his/her seat for that purpose. The chairperson shall decide questions of order, subject to an appeal to the county commission of any member.

12F. ORDER OF RECOGNITION: Before a member is allowed to speak twice on the same subject, the chairperson shall inquire if there is another member who has not spoken on that subject and who wishes to speak.

12G. MOTIONS: Once a motion has been made and duly seconded, the chairperson shall allow debate on the motion.

12H. CLARIFICATION: A member may ask for clarification of any vote until the vote is announced.

12I. AGENDA: The chairperson will forward to each member of the county commission the tentative agenda of the next commission meeting not less than three days prior to meeting date.

12J. The chairperson may forward to each member of the county commission a consent agenda not less than three days prior to the meeting date. Items such as committee appointments, budget amendment requests, notaries public, 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 a resolution or items involving the approval of any contract 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.

RULE 13 - THE CLERK

13A. NOTICE: The clerk shall notify each member of the county commission of any special or called meetings not less than five days in advance thereof. Notification of regular meetings shall be within the discretion of the clerk and the chairperson.

13B. MINUTES: The clerk shall reduce the minutes of each county commission meeting to writing and attach a copy of each resolution considered and the vote thereon. The minutes shall be prepared within five days after said meeting and placed in a well-bound book for public inspection. A copy of the minutes of the last meeting shall be forwarded to each board member.

13C. RESOLUTIONS: A copy of all resolutions approved by the county commission shall be submitted to the county mayor, within five days after such approval, for his/her consideration and signature.

13D. ROLL CALL: In all instances involving authorization to expend public funds, the clerk shall call the roll for "yes" and "no" votes. In all instances where the roll is called for any vote, the clerk shall make such roll call and the vote of each member a part of the record of the meeting and include it in the official minutes.

13E. CHANGE OF VOTE: It shall be the duty of the clerk, at the end of each roll call, to inquire of those who passed or were absent when the roll was called if they desire to vote; also, if any member who has voted wishes to change his vote. Subsequently, the clerk shall announce the results.

RULE 14 - SHERIFF

The sheriff or a designated deputy shall attend each session of the county commission. That officer shall preserve order and carry out orders of the presiding officer of the commission. The attending officer shall be paid for these services, unless such officer is performing this duty during regular working hours, paid by the county, and is not working overtime.

RULE 15 - COUNTY ATTORNEY

The county attorney shall, as legal consultant, attend all voting meetings of the county commission and any other meetings as requested. It shall be the duty of the county attorney to voice his/her negative opinion when, in his/her opinion, the county commission is in the process of taking action outside of its jurisdiction, or in any manner proceeding illegally, and to give his/her legal opinion on any subject where such guidance is requested by any member upon recognition by the chairperson during meetings.

RULE 16 – COMMITTEES

16A. Standing committee chairpersons shall report on all pertinent matters to be presented at the next meeting of the county commission.

16B. All committee chairpersons shall contact the county attorney on matters appearing to warrant legal evaluation prior to presentation to the county commission.

16C. Should questions arise as to jurisdiction of any committee it shall be referred to the chairperson and/or to the county attorney for determination, subject to an appeal to the county commission at its next regular meeting.

16D. The following procedure shall be followed pertinent to committee reports and related action:

1. The committee chairperson or a committee member designated by the chairperson shall make a committee report and shall bring all recommendations voted upon by a committee to the next available full commission meeting. No committee recommendations shall become effective until approved by the full commission.

2. Upon completion of a report the speaker shall yield to questions.

3. There shall be a vote on the proposition when discussion is complete and when there is a call for the question by the county commission.

4. The chairperson of each committee is required to submit minutes to the county commission following each committee meeting. These minutes should be available before the next voting meeting for review by the entire commission. Any committee recommendation that is not covered in the committee minutes shall be treated as new business and will require two/thirds majority for passage.

16E. If for any reason the chairperson of a committee fails or refuses to call a meeting, the chairperson of the county commission, or a majority of the committee membership may do so.

RULE 17 - CONFLICT WITH LAW

In the event any of the foregoing rules are determined to be in conflict with statutory provisions, then that part in conflict shall be null and void.

RULE 18 – VACANCIES IN COUNTY OFFICES

Vacancies in county offices are to be filled by the county legislative body, and any person so appointed serves until a successor is elected at the next election after the vacancy. The Tennessee Supreme Court has determined that the term "next election" means the next general election or other countywide election in the county. McPherson v. Everett, 594 S.W.2d 677 (Tenn. 1980).

RULE 19 – CONFLICT OF INTEREST

A conflict of interest exists if a county officer or employee is required to supervise or vote on a contract in which he or she has some kind of investment or concern. Most of the time a conflict of interest involves a financial relationship, but the interest may also be one of supervisory control: is the official in the position of supervising himself or herself? Under general state law a "direct" conflict of interest is prohibited, while an "indirect" conflict may be allowed if it is disclosed. The statutory definitions of these terms read as follows:

"Directly interested means any contract with the official personally or with any business in which the official is the sole proprietor, a partner, or the person having the controlling interest. "Controlling interest" includes the individual with the ownership or control of the largest number of outstanding shares owned by any single individual or corporation.

"Indirectly interested," means any contract in which the officer is interested but not directly so . . . .
Tenn. Code Ann. § 12-4-101.

In other words, a direct interest exists any time the county enters into an agreement with a county official personally, or with any business in which the official is a sole proprietor, a partner, or the person owning the largest number of corporate shares. Basically, an indirect interest is anything else: it exists in a contract which could result in some type of benefit for a county official, but which does not meet the definition for a direct interest.

The general rule is that a direct conflict is prohibited, while an indirect conflict is permitted if it is publicly disclosed; after disclosure the official is not required to abstain from voting on the matter, but may do so. Tenn. Code Ann. § 12-4-101. Although 1998 Public Chapter 774 amending the conflict of interest law appeared to reverse the rule

that a person not voting because of a conflict of interest would not be counted in determining a majority on the county commission, this 1998 act did not amend Tenn. Code Ann. § 5-5-102 which continues to specifically state that any member of county legislative body who abstains for cause on any issue coming to a vote before the body shall not be counted for the purpose of determining a majority vote.

A special rule exists in the case of a county commissioner who is also an employee of the county. A conflict of interest can come up in this situation any time the county commission votes on appropriations or budgets. A statutory exception allows a member of the county legislative body to vote on these matters if the county employed that member before becoming a member of the county commission. But, immediately before the vote the commissioner must read the following disclaimer that is set out in the Tennessee Code:

Because I am an employee of (name of governmental unit), I have a conflict of interest in the proposal about to be voted. However, I declare that my argument and my vote answer only to my conscience and to my obligation to my constituents and the citizens this body represents. Tenn. Code Ann. § 12-4-101.

The vote of any member who is required to make this disclosure and does not do so is void if it is challenged in a timely manner (during the same meeting at which the vote was cast and prior to the transaction of any further business). Tenn. Code Ann. § 12-4-101. A legislative body member who is also a county employee and whose employment began on or after the date on which the member was initially selected as a member of the governing body may not vote on matters in which the member has a conflict of interest. Tenn. Code Ann. § 12-4-101.

RULE 20 - OPEN MEETINGS ACT ("SUNSHINE LAW")

In enacting the Tennessee Open Meetings Act, the General Assembly declared it to be "the public policy of the state that the formation of public policy and decisions is public business and shall not be conducted in secret." Tenn. Code Ann. § 8-44-101. As recognized by the Tennessee Court of Appeals, "Our Open Meetings Law is perhaps one of the most comprehensive and extensive in the nation. There are no exceptions except those situations which may be in conflict with the constitution." Lakeway Publishers, Inc. v. Civil Service Board, 1994 WL 315919 (Tenn. Ct. App.). Ironically, the General Assembly itself is not subject to this law. See Mayhew v. Wilder, 46 S.W.3d 760 (Tenn. Ct. App. 2001).

Penalties and Remedies for Non-Compliance

Any action taken at a meeting in violation of the Sunshine Law is void. Tenn. Code Ann. § 8-44-105. While this provision does not forever bar a public body from subsequently ratifying an action taken in violation of the act, it does not allow a public body to ratify an action in a subsequent meeting by perfunctory affirmation of its earlier action. In order to remedy a violation of the Sunshine Law, however, the ultimate decision must be made at a meeting that satisfies the Sunshine Law and there must be new and substantial reconsideration of the issues involved. Neese v. Paris Special School District, 813 S.W.2d 432 (Tenn. Ct. App. 1990). Even if a subsequent meeting is held in compliance with the Sunshine Law, the ratification and confirmation of an action will not remedy a prior violation of the Sunshine Law if it is merely a "perfunctory rubber stamp." Souder v. Health Partners, Inc., 997 S.W.2d 140 (Tenn. Ct. App. 1998).

Under the act, any citizen may bring an action in circuit court, chancery court, or any court of equity to enforce the Sunshine Law. These courts are given broad authority to issue injunctions, impose penalties, and otherwise enforce the purposes of the act. Tenn. Code Ann. § 8-44-106.

Requirements of the Act

The Open Meetings Act, commonly referred to as the "Sunshine Law," is found in Tenn. Code Ann. § 8-44-101 et seq. The requirements of this law are as follows:

1. All meetings of any governing body are declared to be public meetings and must be open to the public at all times. Tenn. Code Ann. § 8-44-102.

2. Adequate public notice of all regular and special meetings must be given. Tenn. Code Ann. § 8-44-103.

3. The minutes of the meetings must be recorded and open to public inspection, and at a minimum must contain a record of the persons present, all motions, proposals and resolutions offered, the results of any votes taken, and a record of individual votes in the event of a roll call. Tenn. Code Ann. § 8-44-104(a).

4. All votes must be by public vote, public ballot, or public roll call; secret votes are prohibited. Tenn. Code Ann. § 8-44-104(b).

The statute declares that a meeting occurs whenever a public body convenes for one of two purposes: (1) to make a decision or (2) to deliberate toward a decision. Tenn. Code Ann. § 8-44-102(b)(2). Therefore, it is not necessary that a decision be reached before the Sunshine Law applies. The statute does state that a chance meeting between two or more members of a public body should not be considered a public meeting subject to the terms of the act. However, the same statute goes on to warn that chance meetings shall not be used to deliberate public business in circumvention of the spirit of the act. Tenn. Code Ann. § 8-44-102. Courts have held that informal assemblages of a governing body at which public business is discussed and deliberated, including informal telephone discussions between members of a governing body, fall under the Sunshine Law. *See, e.g.,* Littleton v. City of Kingston, 1990 WL 198240 (Tenn. Ct. App. 1990). Because of the broad interpretation with which both the courts and the legislature have applied this act, the attorney general's office offers the following advice:

"Two or more members of a governing body should not deliberate toward a decision or make a decision on public business without complying with the Open Meetings Act." Op. Tenn. Atty. Gen. 88-169 (Sept. 19, 1988).

RULE 21 – DUTIES OF COUNTY LEGISLATIVE BODY

Under the Tennessee Constitution, counties are an extension of the state and are deemed political subdivisions of the state created in the exercise of its sovereign power to carry out the policy of the state. Counties, as the creation of the state, are subject to control by Tennessee's legislature, known as the General Assembly. Although the General Assembly has very broad powers to deal with county government, the state's constitution places some limitation on its discretion regarding counties.

A long line of Tennessee Supreme Court case law has held that counties have no authority except that expressly given them by statute or necessarily implied from it. *Bayless v. Knox County*, 286 S.W.2d 579 (Tenn. 1955). Although statutes are the primary source of county authority, the Tennessee Constitution does contain a few provisions specifically addressed to county government.

Nature of the Body . The county legislative body may exercise the powers of a legislative nature granted to it by the General Assembly in public acts (laws of general application or local option application which may be found in codified form in the *Tennessee Code Annotated*) or in private acts that apply to a particular county (that do not conflict with the general law). The General Assembly has given the county legislative body a considerable array of powers, including the power to levy property taxes without limitation regarding rates, the power to expend funds for any lawful purpose, zoning powers for the unincorporated areas of the county and some regulatory powers, yet the General Assembly has not seen fit to grant to the county legislative body all of the powers that have been granted to Tennessee's incorporated municipalities (cities and towns). Therefore, counties must always look for the source of authority for any action taken, as counties have no authority to act outside the scope of the powers granted by the General Assembly.

Budgeting and Levying Taxes . The county legislative body assembled in session is authorized to act for the county. Tenn. Code Ann. § 5-1-103. All funds to be used in the operation of the county must be appropriated for that use by the county legislative body, which can appropriate money only for expenditures sanctioned by state law. Tenn. Code Ann. § 5-9-401. The county legislative body may appropriate funds for any lawful purpose. Tenn. Code Ann. § 5-5-118 incorporating certain municipal powers in Tenn. Code Ann. § 6-2-201. It is the duty of the county legislative body to adopt a budget and to appropriate funds for the ensuing fiscal year for all county departments and agencies. Tenn. Code Ann. § 5-9-404. The county executive who does not chair the county

legislative body may veto the entire county budget, but may not veto portions of it. Tenn. Code Ann. § 5-6-107.

The budget adopted by the county legislative body must be balanced, meaning that estimated revenues must at least equal the amounts appropriated plus any reserves required by state law. The county legislative body must levy taxes sufficient to meet appropriations (with other revenues such as state shared taxes included in the determination) and to meet all debt retirement and interest obligations. Tenn. Code Ann. § 9-11-115. The county budget must meet all state law requirements. The failure to meet these requirements can cause the loss or withholding of state shared funds, such as education funds. Besides the requirements of balance and meeting debt obligations, the budget must also meet several other requirements such as the maintenance of effort requirement for education funding, the five-year average requirement for highway funding, the requirement not to lower the funds available to the sheriff for personnel costs without the consent of the sheriff, the mandatory minimum salaries of county officials, any court decrees providing the number and salaries of deputies and assistants of county officials, the requirement to have adequate correctional facilities (alone or in conjunction with one or more other counties) and any of the other mandates that state law places on the county.

RULE 21 – DUTIES OF COUNTY LEGISLATIVE BODY CONTINUED

The county property tax is the only significant source of revenue that the county legislative body can levy without limitation as to rate and without being subject to referendum (directly or if an adequate petition if filed) or requiring the passage of a private act.

Private Act Approvals . Private acts of the General Assembly are a source of authority for counties in areas not covered by the general law. Examples of private acts include those levying hotel/motel taxes and development taxes (there is no general law authority for counties to levy these particular taxes). Under Article XI, Section 9 of the Tennessee Constitution, private acts are not effective until approved locally by the county (or city) to which they apply by the terms of the private act. Local approval of a private act for a particular county can occur by a majority vote in a referendum by the qualified voters of the county who vote in the referendum, or by a two-thirds majority vote of the county legislative body. The method of local approval must be specified in the private act. Sometimes private acts provide that they must be approved by a certain date or they will not become effective. However, if there is not a deadline for local approval in the private act, general law requires that approval take place by December 1 in the year that the private act passed the General Assembly. The approval or rejection of a private act that requires approval by two-thirds vote of the county legislative body is certified by the chair of the county legislative body to the secretary of state of Tennessee.

The county legislative body may request that members of the General Assembly representing the people of the county introduce and work for the passage of a particular private act. Such a resolution has no legal effect, but members of the General Assembly prefer to see such a resolution, particularly if passed by the number of votes necessary to approve the private act if passed, before they introduce the private act bill. However, members of the General Assembly are under no legal obligation to introduce the requested private act bill. Further, although this rarely occurs, they may introduce and work for the passage of a private act bill that provides for referendum approval against the wishes of the county legislative body.

Other Duties . The county legislative body has duties with respect to the acceptance of county roads, the annual updating and approval of the county road list, and the closing of roads not deemed worthy of inclusion on the county road list. The county legislative body may adopt optional general laws in the areas of financial management, budgeting and purchasing. The county legislative body has important duties with respect to approval of the issuance of county debt instruments such as bonds or notes. The county legislative body has a duty to provide courthouse space for the state courts and jail facilities (alone or in conjunction with one or more counties) as well as for certain county officials. The county legislative body may adopt comprehensive zoning for the area of the county outside the corporate limits of the municipalities. The county legislative body has a duty to have a countywide personnel policy (although several offices may have their own policy separate from the general county policy). The county legislative body may provide medical and life insurance benefits to county employees and county officials through insurance or self-insurance. The county legislative body has the authority to regulate dogs, cats and stray animals. The county legislative body in those counties without zoning, may, by two-thirds vote of the county legislative body, adopt regulations to prevent public nuisances. Also, the county

legislative body may determine whether or not to adopt a distance rule regarding the sale of beer at retail. The county legislative body must determine how to deal with its liability risks, either through insurance or self-insurance, or joint self-insurance through an insurance pool. Many of the records of the county are very valuable and the county legislative body has an important role with the county public records commission and other county officials to preserve records of permanent value and to manage the county's records efficiently.

The county legislative body has a role in either electing or approving the appointment of many county officials and department heads. Also, the county legislative body may decide to limit the duties of constables to process serving and take away law enforcement powers, or to abolish the office at the end of the terms of the incumbent constables.

Bradley County Farmers Market North Committee
Louie Alford, Chairman
MINUTES
February 14, 2022, at 10:30a.m.
Bradley County Commission Conference Room

Members present: Louie Alford, Thomas Crye, Jose Gonzalez, Gloria Hayes

Members absent: None

Others present: Nancy Alford, D. Gary Davis, Kattia Gonzalez, Melanie McCarley, Allen Mincey, Lorri Moultrie

Chairman Louie Alford called the meeting to order and welcomed committee members and guests.

Melanie McCarley, New Terra Compost, proposed to the committee placing a 2' x 8' kiosk at the farmers market to collect food waste from commercial and residential members. The waste is collected weekly and taken to Wildwood, Georgia to be spread upon twenty (20) plus acres where it will be tended and oxygenated to provide a rich mixture that is made available to members in the spring and fall of each year. County Mayor D. Gary Davis suggested placing the kiosk outside the market for easy accessibility. Gloria Hayes seconded a motion by Thomas Crye to move forward with the project subject to legal. Motion passed 4-0.

Crye seconded a motion by Hayes to establish the 2022 market dates April 9, 2022, through November 19, 2022. Motion passed 4-0.

The committee reviewed the rules and regulations and the vendor application, but suggested no changes to the documents.

Chairman Alford suggested the committee pursue funding for a fence to secure the market.

Chairman Alford asked Lorri Moultrie to submit a letter on behalf of the committee to Parks and Recreation Director Andy Lockhart requesting assistance to deter barn swallows from occupying the pavilion this season.

Chairman Alford asked Hayes to obtain the cost for one load of gravel.

There being no further business, the meeting was adjourned.

Bradley County Commission
Thomas Crye, Chairperson
WORK SESSION MINUTES
February 27, 2023, at 7:00p.m.
Bradley County Courthouse

Members present: Louie Alford, Daniel Beaty, Milan Blake, Denny Collins, Chairperson Thomas Crye, Scott Gilbert, Mike Hughes, Tommy Ledford, Tim Mason, Josh Rogers, Cindy Slater, Howard Thompson

Members absent: Bobby Goins, Bill Winters, and non-voting ex officio member D. Gary Davis

Chairperson Thomas Crye called the meeting to order. Following the invocation prayed by First Baptist Church International Missions and Adult Pastor Jim Gibson, Commissioner Howard Thompson led the Pledge of Allegiance.

REPORT FROM COUNTY MAYOR
Assistant to the County Mayor Adam Lewis provided the weekly septic repair program information: 113 properties in process with 6 potential sewer connections, 23 permits issued, 22 signed contracts, and 1 inspected and completed project. Lewis reported the total allocated for these projects is $161,241.00 which is roughly 21% of all funds available.

Lewis announced a Cleveland Utilities forum on March 8, 2023, at 6:00p.m. in the Tom Wheeler Training Center to learn about the potential of broadband offered by Cleveland Utilities.

REPORTS FROM COMMITTEES AND/OR DISTRICTS
1st District
Commissioner Daniel Beaty reported receiving calls supporting the county honoring the accomplishments of Bradley County Schools graduates.

Commissioner Mike Hughes had no report.

2nd District
Commissioner Louie Alford announced the Farmers Market North will open April 1, 2023, and close for the season on November 25, 2023. Commissioner Alford reported the Farmers Market North Committee voted to refer to the Building and Land Committee the matter of a structure built on market property.

Chairperson Crye thanked Commissioner Tim Mason for assistance with the clean up of Hooper Gap Road.

3rd District
Commissioner Milan Blake, in place of Legal and Legislative Committee Chair Bill Winters, placed on the March 6, 2023, voting session agenda a motion to approve the committee

recommendation to authorize the legislative administrator to continue distributing agenda packets in advance of meetings via email to citizens requesting the documents.

Commissioner Blake, in place of Legal and Legislative Committee Chairperson Winters, placed on the March 6, 2023, voting session agenda a motion to approve the committee recommendation to adopt the proposed form as the Bradley County Fiscal Note form.

Commissioner Blake, in place of Legal and Legislative Committee Chairperson Winters, placed on the March 6, 2023, voting session agenda a motion to approve the Commission Rules of Procedure as presented.

Commissioner Blake requested an update on the Republic Services tire disposal program cost analysis.

Commissioner Blake requested from Cumberland Securities a breakdown of the fees included in the termination of the interest rate swap agreement.

Commissioner Denny Collins had no report.

4th District
Commissioner Scott Gilbert requested City of Cleveland attention to the homeless site located at McGrady Drive.

Commissioner Gilbert reported a broken portion of the guard rail located at Durkee Road and Bates Pike.

Commissioner Howard Thompson thanked EMS and the Fire Department for their assistance with a recent personal issue.

Commissioner Thompson took exception with the source of an erroneous and published vote count on a matter recently voted by the commission.

Commissioner Thompson suggested a best practice for state legislators to address the commission with items they wish to have voted.

Commissioner Thompson reported a fourth district development is underway and will create five hundred (500) new homes that will impact the population at Michigan Avenue School, Parkview School, and Oak Grove School.

5th District
Commissioner Cindy Slater had no report.

6th District
Commissioner Tim Mason reported on the Tennessee Department of Transportation Litter Grant which collected litter from 558 miles of county roads, 200 miles of state roads, and 75 miles of city roads for a total of 18,400 pounds of litter. Mason reported 610 pounds of paper and 675 pounds of metal were collected for a total of 1,285 pounds of recycled material.

Commissioner Tommy Ledford asked if the landfill is still accepting cash.

Commissioner Ledford remembered his brother-in-law on what would have been his sixtieth birthday.

Commissioner Ledford reported EMS retiree Joe Blackburn is currently in critical condition.

Commissioner Ledford reported the City of Cleveland voted to install cameras along the Greenway, and noted Greenway vandalism damage costs average one thousand dollars ($1,000.00) per week.

7th District
Commissioner Josh Rogers encouraged those interested to attend the Cleveland Utilities forum on the potential broadband and phone service and noted the Cleveland Utilities website offers a wealth of information regarding this matter.

Commissioner Rogers opined our state representative followed proper procedure when submitting a recent resolution for consideration by the commission.

AGENDA ITEMS
Commissioner Alford recognized Bradley County Sheriff Steve Lawson who provided commissioners with the February 27, 2023, Jail Population Report. REPORT RECORDED AS ATTACHMENT. Sheriff Lawson reported an uptick in jail population while there remain thirty-one (31) open corrections positions. Sheriff Lawson underscored the need to consider alternatives to incarcerations for the non-violent/sexual misdemeanor offenders to alleviate jail overcrowding. Jail Administrator Christi Walls agreed and indicated there are approximately forty-seven (47) offenders that would qualify as non-violent/sexual misdemeanor offenders. Sheriff Lawson confirmed starting pay for corrections officers is sixteen dollars and ninety cents per hour ($16.90) and starting patrol pay is eighteen dollars and forty-three cents ($18.43) per hour.

Commissioner Alford placed on the March 6, 2023, voting session agenda a motion to request Bradley County Schools create a procedure and establish a vehicle for honoring our greats in the future.

COMMUNICATION FROM THE AUDIENCE
Dan Rawls urged Bradley County to honor academic achievements as well as sports achievements. Rawls advocated for the continued right to address the commission.

Lindsey Madison requested the commission maintain the opportunity for citizens to address the body.

Layelle Madison asked the commission to not decrease or remove the time allotted for citizens to address the body.

ANNOUNCEMENTS
*Next meeting – voting session, March 6, 7:00p.m., Courthouse
*Finance Committee, March 6, 11:30a.m., Courthouse
*Bradley County Schools Honor Choir, March 6, 6:30p.m., First Baptist Church
*Cleveland Utilities Forum, March 8, 11:00a.m., Tom Wheeler Training Center

There being no further business, the meeting was adjourned.

BRADLEY COUNTY JAIL POPULATION AS OF 2/27/2023 (AM)
510 TOTAL BEDS (JAIL AND WORKHOUSE)

Community Corrections Violations – Female 1
Male 3

Total: 4

Convicted Misdemeanor – Female 28
Male 67

Total: 95

Federal – Males 33

Felons (Awaiting Trial) – Female 38
Male 136

Total: 174

Serving less than one year – Female 13
Male 30

Total: 43

Misdemeanor (Awaiting hearing) – Female 18
Male 28

Misdemeanor Violation of Probation – Female 8
Male 21

State of TN Parole Violations – Male 2

State of Tn Probation Violations – Female 3
Male 24

Total: 27

TN Department of Corrections – Female 14
Male 68

Total: 82

Grand Total: Females: 123
Males: 404
Total Population: 527