



*Bradley County Commission*  
**Thomas Crye, Chairperson**  
**VOTING SESSION AGENDA**  
July 17, 2023, at 12:00p.m.  
Bradley County Courthouse

1. Call to order
2. Invocation – Westwood Baptist Associate Pastor Paul Davis
3. Pledge of allegiance – Commissioner Bobby Goins
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. Resolution authorizing the Bradley County Mayor to negotiate and enter into a communications agreement with the Bradley County Emergency Communications District regarding the management and funding of the 911 Center for a total amount required from Bradley County of seven hundred thousand dollars (\$700,000) for each fiscal year for a term of four (4) years (see pages 4-5) – Commissioner Mike Hughes
  - B. Resolution authorizing Bradley County Mayor to enter into a four (4) year lease and operating agreement with SPCA of Bradley County Tennessee to provide animal sheltering services and lease the facilities located at 1655 Washington Avenue and 1570 Johnson Boulevard in Bradley County for the purpose of using

said facilities for animal sheltering for an amount of two hundred twenty-six thousand dollars (\$226,000) per year for the first year of the agreement and two hundred forty-six thousand three hundred dollars (\$246,300) for the second year of the agreement and two hundred sixty-eight thousand five hundred dollars (\$268,500) for the third year of the agreement and two hundred ninety-two thousand six hundred dollars (\$292,600) for the fourth year of the agreement (see pages 6-7) – Commissioner Mike Hughes

C. Resolution authorizing Bradley County Mayor to negotiate and enter into a one (1) year lease agreement with three additional optional one year (1) renewal periods between Bradley County and Blended Recovery Counseling Services regarding the lease of office space at the Bradley County Juvenile Justice Center for an amount of fourteen thousand four hundred dollars (\$14,400) per year payable in monthly installments (see pages 8-9) – Commissioner Mike Hughes

D. Resolution approving a payment-in-lieu-of-taxes (PILOT) schedule and delegating authority to enter into a PILOT agreement (see pages 10-11) – Commissioner Louie Alford

E. Amended resolution 2023-25 to rezone from I-1 Industrial General district to R-1 Rural Residential district property located at the corner of Old Chattanooga Pike SW and Lead Mine Valley Road SW and identified by tax map 065 parcels 057.06, 057.07 and 057.05 (see pages 12) – Commissioner Mike Hughes

12. Communication from the audience (Chairperson will recognize and allow five minutes to anyone wishing to speak)
13. Announcements
14. Adjourn

Next meeting: Work Session - July 24, at 7:00p.m., Bradley County Courthouse

Upcoming Events

\*Law Enforcement Committee, tomorrow, 10:00a.m., Bradley County Sheriff's Office



*Bradley County Commission*  
**Thomas Crye, Chairperson**  
**CONSENT AGENDA**  
July 17, 2023, at 12:00p.m.  
Bradley County Courthouse

NOTARIES PUBLIC

1. Notaries public (will be presented at the meeting)



**RESOLUTION 2023-\_\_\_\_\_**

**RESOLUTION AUTHORIZING THE BRADLEY COUNTY MAYOR TO NEGOTIATE AND ENTER INTO A COMMUNICATIONS AGREEMENT WITH THE BRADLEY COUNTY EMERGENCY COMMUNICATIONS DISTRICT REGARDING THE MANAGEMENT AND FUNDING OF THE 911 CENTER FOR A TOTAL AMOUNT REQUIRED FROM BRADLEY COUNTY OF SEVEN HUNDRED THOUSAND DOLLARS (\$700,000.00) FOR EACH FISCAL YEAR FOR A TERM OF FOUR (4) YEARS**

*WHEREAS*, Bradley County, City of Cleveland and City of Charleston previously created the Bradley County Emergency Communications District pursuant to the Emergency Communications District Act set forth in Tennessee Code Ann. § 7-86-101 *et seq.*; and

*WHEREAS*, Bradley County, City of Cleveland and City of Charleston are local governmental entities of the State of Tennessee and, as such, are authorized to enter into interlocal agreements pursuant to Tennessee Code Annotated § 12-9-104 and Tennessee Code Annotated § 5-1-113 and are authorized pursuant to the Emergency Communications Act to create the Bradley County Emergency Communications District; and

*WHEREAS*, Bradley County, City of Cleveland and City of Charleston previously entered into agreements with the Bradley County Emergency Communications District in 1995, 2001, 2007 and 2016 relating to the management of the Communications Center ("911 Center") and the transfer of authority and property to the Bradley County Emergency Communications District to enhance public safety; and

*WHEREAS*, Bradley County, City of Cleveland, City of Charleston and the Bradley County Emergency Communications District desire to continue to provide for communications services for the citizens of the aforementioned political subdivisions and municipalities of the State of Tennessee.

*NOW, THEREFORE, BE IT RESOLVED* by the Bradley County Legislative Body meeting in regular session at Cleveland, Tennessee, on this 17<sup>th</sup> day of July, 2023, that the Bradley County Mayor is authorized to negotiate and enter into a communications agreement with the Bradley County Emergency Communications District regarding the management and funding of the 911 Center for a total amount required from Bradley County of seven hundred thousand dollars (\$700,000.00) for each fiscal year for a term of four (4) years.

*BE IT FURTHER RESOLVED* that this Resolution shall take effect upon passage, having been properly signed, certified and meeting all other legal requirements of the Bradley County Commission, and as otherwise provided by law, the public welfare requiring it.

Adopted this 17<sup>th</sup> day of July, 2023.

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Thomas Crye, Chairman

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Donna A. Simpson, County Clerk

Ratified or VETO:

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D. Gary Davis, County Mayor



**RESOLUTION 2023-\_\_\_\_\_**

**RESOLUTION AUTHORIZING BRADLEY COUNTY MAYOR TO ENTER INTO A FOUR (4) YEAR LEASE AND OPERATING AGREEMENT WITH SPCA OF BRADLEY COUNTY TN TO PROVIDE ANIMAL SHELTERING SERVICES AND LEASE THE FACILITIES LOCATED AT 1655 WASHINGTON AVENUE AND 1570 JOHNSON BOULEVARD IN BRADLEY COUNTY FOR THE PURPOSE OF USING SAID FACILITIES FOR ANIMAL SHELTERING FOR AN AMOUNT OF TWO HUNDRED TWENTY SIX THOUSAND DOLLARS (\$226,000) PER YEAR FOR THE FIRST YEAR OF THE AGREEMENT AND TWO HUNDRED FORTY SIX THOUSAND THREE HUNDRED DOLLARS (\$246,300) FOR THE SECOND YEAR OF THE AGREEMENT AND TWO HUNDRED SIXTY EIGHT THOUSAND FIVE HUNDRED DOLLARS (\$268,500) FOR THE THIRD YEAR OF THE AGREEMENT AND TWO HUNDRED NINETY TWO THOUSAND SIX HUNDRED DOLLARS (\$292,600) FOR THE FOURTH YEAR OF THE AGREEMENT**

**WHEREAS**, Bradley County has a need for animal sheltering services to be provided to the citizens of Bradley County that live outside the corporate limits of the City of Cleveland; and

**WHEREAS**, SPCA of Bradley County TN (hereinafter "SPCA") is a non-profit corporation organized and existing under the laws of the State of Tennessee for the purpose of providing humane rescue and sheltering of animals in Bradley County; and

**WHEREAS**, SPCA has provided animal sheltering services to Bradley County under a current contract to provide animal sheltering services in the facilities owned by Bradley County and leased to SPCA for the purpose of using said facilities for animal sheltering for the benefit of Bradley County residents; and

**WHEREAS**, the current lease and operating agreement between Bradley County and SPCA will terminate on June 30, 2023 unless the Agreement is renegotiated by SPCA and Bradley County; and

**WHEREAS**, the Bradley County Mayor and SPCA have re-negotiated the proposed terms of an additional four (4) year Lease and Operating Agreement.

**NOW, THEREFORE, BE IT RESOLVED** by the Bradley County Legislative Body meeting in regular session at Cleveland, Tennessee on this 17<sup>th</sup> day of July, 2023, that the Bradley County Mayor be and is hereby authorized to enter into the re-negotiated four (4) year Lease and Operating Agreement with SPCA to provide animal sheltering services and lease the facilities located at 1655 Washington Avenue and 1570 Johnson Boulevard for the purpose of using said facilities for animal sheltering for an amount of two hundred twenty six thousand dollars (\$226,000) per year for the first year of the Agreement and two hundred six thousand dollars (\$246,300) for the second year of the Agreement and two hundred sixty eight thousand five hundred dollars (\$268,500) for the third year of the Agreement and two hundred ninety two thousand six hundred dollars (\$292,600) for the fourth year of the Agreement.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect from and after its passage, the public welfare requiring it.

ADOPTED this 17<sup>th</sup> day of July, 2023.

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Thomas Crye, Chairman

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Donna A. Simpson, County Clerk

APPROVE/VETO:

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D. Gary Davis, County Mayor



**RESOLUTION 2023-\_\_\_\_**

**RESOLUTION AUTHORIZING BRADLEY COUNTY MAYOR TO NEGOTIATE AND ENTER INTO A ONE (1) YEAR LEASE AGREEMENT WITH THREE ADDITIONAL OPTIONAL ONE YEAR (1) RENEWAL PERIODS BETWEEN BRADLEY COUNTY AND BLENDED RECOVERY COUNSELING SERVICES REGARDING THE LEASE OF OFFICE SPACE AT THE BRADLEY COUNTY JUVENILE JUSTICE CENTER FOR AN AMOUNT OF FOURTEEN THOUSAND FOUR HUNDRED DOLLARS (\$14,400.00) PER YEAR PAYABLE IN MONTHLY INSTALLMENTS**

**WHEREAS**, the Bradley County Juvenile Court has a need for counseling services to be provided at the Bradley County Juvenile Justice Center; and

**WHEREAS**, Blended Recovery Counseling Services (hereinafter "Blended Recovery") has agreed to provide these counseling services and is in need of office space to provide these facilities; and

**WHEREAS**, the Bradley County Juvenile Court Director has recommended entering into a Lease Agreement with Blended Recovery.

**NOW, THEREFORE, BE IT RESOLVED** by the Bradley County Legislative Body meeting in regular session at Cleveland, Tennessee, on this 17<sup>th</sup> day of July, 2023, that:

**SECTION 1.** Bradley County Mayor be and is hereby authorized to negotiate a one (1) year lease agreement with three additional optional one (1) year renewal periods between Bradley County and Blended Recovery Counseling Services for office space at the Bradley County Juvenile Justice Center for an amount of fourteen thousand four hundred dollars (\$14,400.00) per year payable in monthly installments.

**SECTION 2.** Bradley County Mayor be and is hereby authorized following successful negotiation to enter into a one (1) year lease agreement with three additional optional one (1) year renewal periods between Bradley County and Blended Recovery Counseling Services for office space at the Bradley County Juvenile Justice Center for an amount of fourteen thousand four hundred dollars (\$14,400.00) per year payable in monthly installments.

ADOPTED this 17<sup>th</sup> day of July, 2023.

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Thomas Crye, Chairman







**A RESOLUTION APPROVING A  
PAYMENT-IN-LIEU-OF TAXES (PILOT) SCHEDULE AND DELEGATING AUTHORITY TO  
ENTER INTO A PILOT AGREEMENT**

WHEREAS, the Industrial Development Board of the County of Bradley and the City of Cleveland, Tennessee (the "Board") has recommended a Payment-In-Lieu-Of-Taxes ("PILOT") schedule for Project Baxter (the "Company") which has a planned lease of an existing 50,000 square foot building within the City of Cleveland, Bradley County, Tennessee, where the Company will make certain leasehold improvements to the real property in addition to the acquisition and installation of certain machinery, equipment and other personal property for use as a fulfillment center and related facilities in the City of Cleveland and Bradley County, Tennessee with a total capital investment in personal property/equipment of (but not limited to) \$40,000,000.00 (the "Project"), and

WHEREAS, the Project is anticipated to result in the creation of 140 full-time positions with an average annual starting wage of \$56,835.71 for positions in the plant.

WHEREAS, the Company has requested the personal property acquired in connection with the Project (collectively, the "Property") qualify for an arrangement (the "PILOT Arrangement") whereby the Property shall be exempt from all ad valorem property taxes otherwise due thereon (collectively, "property taxes"), and in lieu of the property taxes, the Company shall be required to make annual payments in lieu of taxes equal to sixty-two and one-half percent (62.5%) of the leasehold improvements to real property and personal property taxes otherwise due on the property during the six-year period commencing on January 1, 2024 and ending on December 31, 2029:

WHEREAS, the Board has determined that, notwithstanding the PILOT Arrangement, the Project will result in the payment of in lieu of tax payments to Bradley County, Tennessee in an estimated amount of \$552,517.88 over the same six-year period;

WHEREAS, the County of Bradley, Tennessee (the "County") has determined that the proposed PILOT Arrangement is fair, reasonable, and necessary for the continued economic development of Bradley County and that the payments in lieu of taxes derived from the PILOT Arrangement would be in furtherance of the Board's purposes and

NOW THEREFORE, BE IT RESOLVED by the County Commission of Bradley County, Tennessee as follows:

Section 1. The County hereby agrees to the PILOT Arrangement and hereby delegates the power and authority to the Board to negotiate a PILOT agreement with the Company to reflect the parties' respective rights and obligations in accordance with the PILOT Arrangement.

Section 2. The County hereby authorizes the Mayor to execute any and all documents necessary for the successful completion of the Project, including but not limited to, all documents related to the PILOT Arrangement.

Section 3. This Resolution shall become effective upon its adoption.

Adopted this 17<sup>TH</sup> day of July, 2023.

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Thomas Crye, Chairperson

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Donna A. Simpson, County Clerk

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D. Gary Davis, County Mayor



**AMENDED RESOLUTION 2023-25**  
**AMENDED RESOLUTION TO REZONE FROM I-1 GENERAL INDUSTRIAL DISTRICT TO R-1 RURAL RESIDENTIAL DISTRICT PROPERTY LOCATED AT THE CORNER OF OLD CHATTANOOGA PIKE SW AND LEAD MINE VALLEY ROAD SW AND IDENTIFIED BY TAX MAP 065 PARCELS 057.06, 057.07 and 057.05**

**Whereas**, Jeffrey Miller petitioned the Bradley County Planning Commission to rezone from General Industrial District (I-1) to Rural Residential District (R-1) property located at the corner of Old Chattanooga Pike SW and Lead Mine Valley Road SW and identified by tax map 065 parcels 057.06, 057.07 and 057.05 and said Planning Commission on May 25, 2023, recommended approval of the rezoning request; and

**Whereas**, Jeffrey Miller requested that the Bradley County Commission consider said petition and notice has been published in a newspaper in general circulation in Bradley County and that the County Commission did hold a public hearing on June 20, 2023, concerning the passage of this Resolution as required by law, and such hearing having been held; and

**Whereas**, this Amended Resolution is necessary to rectify a typographical error in the map and parcel information included in the original Resolution adopted on June 20, 2023.

**NOW, THEREFORE, BE IT RESOLVED** by the Bradley County Legislative Body meeting in regular session at Cleveland, Tennessee, on this 17<sup>th</sup> day of July, 2023, that the zoning map of Bradley County, Tennessee, be amended to rezone from I-1 General Industrial District to R-1 Rural Residential District property located at the corner of Old Chattanooga Pike SW and Lead Mine Valley Road SW and identified by Tax Map: 065 Parcels: 057.06, 057.07, & 057.05, as shown on the attached map.

ADOPTED this 17<sup>th</sup> day of July, 2023.

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Thomas Crye, Chairperson

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Donna Simpson, County Clerk

RATIFY/VETO

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D. Gary Davis, County Mayor