

**Jule Bryson**  
Cumberland County Clerk

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July 7, 2017

**TO:** Cumberland County Commission, County Mayor, and News Media

**FROM:** Jule Bryson, Cumberland County Clerk

**SUBJECT:** July 17, 2017 Quarterly Monthly Cumberland County Commission Meeting

Take notice, pursuant to TCA 8-44-103, the Cumberland County Commission, the governing body of said county, will convene and meet in regular session on Monday, July 17, 2017 at 6:00 o'clock P.M. in the large meeting room on the third floor of the Cumberland County Courthouse, where and at which time and place the said Cumberland County Commissioners will transact such public business as may lawfully come before it.

Attached is a copy of the agenda as of this date. I am looking forward to seeing you there.

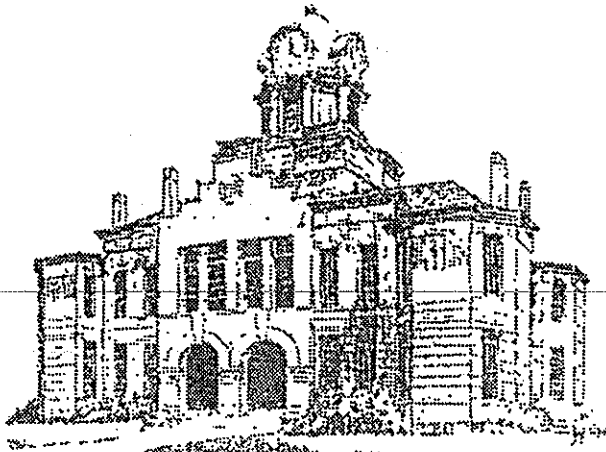
Sincerely,



Jule Bryson,  
Cumberland County Clerk

JB/dc

Enclosures



**CUMBERLAND COUNTY COMMISSION  
QUARTERLY MONTHLY MEETING AGENDA**

**JULY 17, 2017**

**6:00 O'CLOCK P.M.**

1. Call to order: Chairperson or Cumberland County Sheriff
2. Invocation
3. Pledge to the Flag of the United States of America
4. Roll Call, Cumberland County Clerk, Jule Bryson
5. Minutes of June 19, 2017 Monthly Cumberland County Commission Meeting
6. Special recognitions, memorials, etc.
7. Comments by the General Public
8. Unfinished Business
9. New Business:

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RESOLUTION 07-2017-1-To purchase property from Norfolk Southern Railroad (Stone)

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RESOLUTION 07-2017-2-To approve funding for Fair Park Senior Center (Gibson)

10. County Official Reports
11. County Attorney Report
12. Standing Committee Reports
13. Statutory Committee Reports
14. Election of Notaries, Appointments, and Confirmations
15. Announcements and Statements
16. Adjournment

**CUMBERLAND COUNTY COMMISSION  
MONTHLY MEETING MINUTES  
JUNE 19, 2017**

Be it remembered that the Cumberland County Commission met in monthly session on Monday, June 19, 2017 at the courthouse in Crossville, Tennessee. Deputy Sheriff Shawn Mullikin called the meeting to order at 6:00 o'clock P.M. Present and presiding was Commission Chairman, County Mayor Kenneth Carey, Jr. who invited Commissioner Wendell Wilson to give the Invocation and a representative from the Young Marines was asked by the Mayor to lead the Pledge of Allegiance to the Flag of the United States of America. Also present at the meeting were County Clerk Jule Bryson, County Attorney Randal Boston, Finance Director Nathan Brock, Emergency Management Director Keith Garrison and the following County Commissioners:

Tracey Scarbrough (absent)	Sue Ann York
Nancy Hyder	Tom Isham
David Hassler	Rebecca Stone
Allen Foster	David Gibson
Jack Davis (absent)	Terry Lowe
Terry Carter	Wendell Wilson
Elbert Farley	Roy Turner
Tim Claffin	Sonya Rimmer (absent)
Woody Geisler	John Patterson (absent)

A quorum being present, the Cumberland County Commission was opened in due form of law and the following proceedings were had to wit:

1. MINUTES OF MAY 15, 2017 MONTHLY CUMBERLAND COUNTY COMMISSION MEETING:

On motion of Commissioner Gibson, second by Commissioner Isham, moved the minutes of the May 15, 2017 Monthly Commission Meeting be approved, treat same as read, made a matter of record and filed.

The motion to approve the Meeting Minutes carried by a roll vote of 13 ayes from the Commission present with Commissioner Farley passing on the vote.

SPECIAL RECOGNITION; KEITH GARRISON, EMERGENCY MANAGEMENT DIRECTOR:

Mayor Carey presented a Certificate of Recognition to Keith Garrison commending him for his dedicated service to the citizens of Cumberland County through his work and leadership as the Cumberland County Emergency Management Director for over thirty-two (32) years.

COMMENTS:

Millstone Mountain Road resident Jim Martin was the only individual requesting to appear before the Board and he began by taking issue with the author of an article lamenting the fact that the Apex Clean Energy had stopped their plans to build an industrial wind farm in Cumberland County. He stated that those sad for the loss of the project should be grateful instead that the county still retains all it's beautiful scenery as well as the people who have come from all walks of life to live and retire in Cumberland County. Mr. Martin went on to express his appreciation for the Commissioners efforts to help regulate future wind energy facilities in Tennessee and he hoped that the Board appreciated the efforts of the Cumberland Mountain Preservation Coalition for their dedication to presenting well documented facts pertaining to the negative sides of industrial wind turbines.

2. RESOLUTION 06-2017-1-APPOINTING LARRY ALLEN AS A MEMBER OF THE TRI-COUNTY INDUSTRIAL DEVELOPMENT BOARD OF CUMBERLAND, MORGAN, AND ROANE COUNTIES FOR A TERM TO EXPIRE SEPTEMBER 30, 2018:

On motion of Commissioner Carter, second by Commissioner Hassler, moved to adopt resolution 06-2017-1.

The motion to adopt resolution 06-2017-1, appointing Larry Allen to fill an unexpired vacancy on the Tri-County Industrial Development Board of Cumberland, Morgan, and Roane Counties for a term to expire September 30, 2018, carried by a roll call vote of 14 ayes from the Commission present.

3. RESOLUTION 06-2017-2-TO APPROVE FRANCHISE AGREEMENT BETWEEN VOLUNTEER WIRELESS, LLC, KNOWN LOCALLY AS BLTV, AND CUMBERLAND COUNTY, TENNESSEE:

On motion of Commissioner Hyder, second by Commissioner Gibson, moved to adopt resolution 06-2017-2.

The motion to adopt resolution 06-2017-2, approving the franchise agreement made between Cumberland County, Tennessee and Volunteer Wireless, LLC, known locally as BLTV for a term of ten (10) years commencing on the date of execution and ending ten (10) years from that date, or is lawfully terminated in accordance with the terms of the Franchise Agreement and the Cable Act, carried by a roll call vote of 14 ayes from the Commission present.

4. RESOLUTION 06-2017-3-TO AMEND THE CONTRACT BETWEEN THE STATE OF TENNESSEE, DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES AND CUMBERLAND COUNTY, TENNESSEE THROUGH JUNE 30, 2018:

On motion of Commissioner Gibson, second by Commissioner Claffin, moved to adopt resolution 06-2017-3.

The motion to adopt resolution 06-2017-3, amending the terms of the contract between Cumberland County and the State of Tennessee, Department of Mental Health and Substance Abuse Services in reference to the cost of mental health evaluations and treatment services for criminal defendants charged only with misdemeanors, carried by a roll call vote of 14 ayes from the Commission present.

5. RESOLUTION 06-2017-4-TO APPROVE LEASE AGREEMENT BETWEEN STATE OF TENNESSEE, DEPARTMENT OF ENVIRONMENT AND CONSERVATION AND CUMBERLAND COUNTY, TENNESSEE TO PROVIDE OFFICE SPACE FOR GROUND WATER PROTECTION STAFF THROUGH JUNE 20, 2018:

On motion of Commissioner Carter, second by Commissioner York, moved to adopt resolution 06-2017-4.

The motion to adopt resolution 06-2017-4, approving the lease agreement between Cumberland County and the State of Tennessee, Department of Environment and Conservation to furnish office space in the courthouse for Ground Water Protection Staff for a monthly fee of three hundred fifty dollars (\$350.00), carried by a roll call vote of 14 ayes from the Commission present.

6. RESOLUTION 06-2017-5-BUDGET AMENDMENT, GENERAL PURPOSE SCHOOL FUND, YEAR END REALLOCATIONS, MULTIPLE BOE DEPARTMENTS:

On motion of Commissioner Foster, second by Commissioner Hassler, moved to adopt resolution 06-2017-5.

The motion to adopt resolution 06-2017-5, a budget amendment to balance specific lines of the Board of Education Budget, carried by a roll call vote of 14 ayes from the Commission present.

7. RESOLUTION 06-2017-6-BUDGET AMENDMENT, HIGHWAY FUND, ADMINISTRATION, \$563.00:

On motion of Commissioner Hyder, second by Commissioner Stone, moved to adopt resolution 06-2017-6.

The motion to adopt resolution 06-2017-6, a budget amendment for budget overruns in various department expenditures in the Highway Fund operations, carried by a roll call vote of 14 ayes from the Commission present.

8. RESOLUTION 06-2017-7-BUDGET AMENDMENT, GENERAL FUND, OTHER PUBLIC HEALTH AND WELFARE-ANIMAL SHELTER, \$2,581.00:

On motion of Commissioner Stone, second by Commissioner Hassler, moved to adopt resolution 06-2017-7.

The motion to adopt resolution 06-2017-7, a budget amendment for donated monies from various organizations and private citizens to fund part of the cost associated with the operation of the Cumberland County Animal Shelter, carried by a roll call vote of 14 ayes from the Commission present.

9. RESOLUTION 06-2017-8-BUDGET AMENDMENT, GENERAL FUND, REGISTER OF DEEDS, \$3,230.00:

On motion of Commissioner Gibson, second by Commissioner Hyder, moved to adopt resolution 06-2017-8.

The motion to adopt resolution 06-2017-8, a budget amendment for additional funding for part-time staff and benefits for the Register of Deeds, carried by a roll call vote of 14 ayes from the Commission present.

10. RESOLUTION 06-2017-9-BUDGET AMENDMENT, SANITATION FUND, WASTE PICKUP/RECYCLE/ OTHER CHARGES/POST CLOSURE/LITTER AND TRASH, \$3,571.00:

On motion of Commissioner Farley, second by Commissioner Carter, moved to adopt resolution 06-2017-9.

The motion to adopt resolution 06-2017-9, a budget amendment for budget overruns in various department expenditures in the Solid Waste operations, carried by a roll call vote of 14 ayes from the Commission present.

11. RESOLUTION 06-2017-10-BUDGET AMENDMENT, GENERAL FUND, SHERIFF-JAIL, \$6,617.00:

On motion of Commissioner Foster, second by Commissioner Stone, moved to adopt resolution 06-2017-10.

The motion to adopt resolution 06-2017-10, a budget amendment for a litter removal contract between the Cumberland County Sheriff and the State of Tennessee, carried by a roll call vote of 14 ayes from the Commission present.

12. RESOLUTION 06-2017-11-BUDGET AMENDMENT, GENERAL FUND, DRUG ENFORCEMENT, SHERIFF'S DEPARTMENT, \$12,520.00:

On motion of Commissioner Hassler, second by Commissioner Hyder, moved to adopt resolution 06-2017-11.

The motion to adopt resolution 06-2017-11, a budget amendment for the Sheriff's Department to use a federally funded grant from the United States Office of National Drug Control Policy-Appalachia High Intensity Drug Trafficking Area (HIDTA) to offset overtime pay costs for personnel assisting in drug related investigations, carried by a roll call vote of 14 ayes from the Commission present.

13. RESOLUTION 06-2017-12-BUDGET AMENDMENT, GENERAL FUND, SHERIFF'S DEPARTMENT, \$16,475.00:

On motion of Commissioner Hassler, second by Commissioner Foster, moved to adopt resolution 06-2017-12.

The motion to adopt resolution 06-2017-12, a budget amendment for the Sheriff's Department to use State of Tennessee-Governor's Highway Safety Grant funds for impaired driving law enforcement activities, carried by a roll call vote of 14 ayes from the Commission present.

14. RESOLUTION 06-2017-13-BUDGET AMENDMENT, DEBT SERVICE FUND, \$75,000.00:

On motion of Commissioner Foster, second by Commissioner Stone, moved to adopt resolution 06-2017-13.

The motion to adopt resolution 06-2017-13, a budget amendment to optimize refinancing opportunities, carried by a roll call vote of 14 ayes from the Commission present.

15. RESOLUTION 06-2017-14-BUDGET AMENDMENT, GENERAL FUND, BUDGET OVERRUNS, \$360,103.00:

On motion of Commissioner Foster, second by Commissioner Stone, moved to adopt resolution 06-2017-14.

After Commissioner Hyder questioned the large amount allocated in the budget amendment for Emergency Medical Services (EMS) overtime pay, Budget Chairman Foster explained the amount had been discussed in Budget Committee Meetings and the higher figure for the additional hours of work was attributed to difficulty hiring qualified people and significant health issues or injuries to EMS staff.

The motion to adopt resolution 06-2017-14, a budget amendment for overruns in various department expenditures in the General Government operations, carried by a roll call vote of 14 ayes from the Commission present.

16. RESOLUTION 06-2017-15-A RESOLUTION REQUIRING DIRECT DEPOSIT OF ALL COUNTY EMPLOYEES AND AUTHORIZING THE USE OF PAPERLESS TECHNOLOGIES:

On motion of Commissioner Foster, second by Commissioner Hyder, moved to adopt resolution 06-2017-15.

Before the vote on resolution 06-2017-15, Commissioner Claflin made know he thought it was unfair to force current employees to participate in direct deposit if they chose not to however; the county could make direct deposit a condition of employment for new hires. Attorney Boston spoke up to advise that he had looked up legal measures in regard to payment of wages and after review of Tennessee Code Annotated, he maintained that the statue does not mandate the use of paper checks and the county could require direct deposit. Commissioner Farley asked the Finance Director if the direct deposit provision would save the county taxpayer money. Mr. Brock answered that by reducing labor and paper cost, the direct deposit initiative would be a cost saving measure. He went on to note that Board of Education Employees are paid by direct deposit and have been using that method of payment for many years with very few problems. Commissioner Hyder agreed that the electronic payment program has been well received by the school system.

The motion to adopt resolution 06-2017-15, mandating Direct Deposit for all Cumberland County employees effective July 1, 2017 and further authorizes the use of technologies such as paperless check stubs as they become economically feasible in an effort to continue to reduce the costs associated with payroll preparation and distribution, carried by a roll call vote of 10 ayes from the Commission present with Commissioners Gibson, Lowe, Carter and Claflin voting no.

17. RESOLUTION 06-2017-16-A RESOLUTION TO EXCLUDE RETIREMENT COVERAGE FOR FUTURE PART-TIME EMPLOYEES OF POLITICAL SUBDIVISIONS PARTICIPATING IN THE TENNESSEE CONSOLIDATED RETIREMENT SYSTEM IN ACCORDANCE WITH TITLE 8 SECTION 34 THROUGH 37 OF TENNESSEE CODE ANNOTATED:

On motion of Commissioner Foster, second by Commissioner Turner, moved to adopt resolution 06-2017-16.

The motion to adopt resolution 06-2017-16, excluding retirement coverage to future part-time Cumberland County Employees pursuant to Tennessee Code Annotated Section 8-25-219, carried by a roll call vote of 14 ayes from the Commission present.

FINANCE DIRECTOR REPORT:

In his monthly report, Finance Director Brock summarized the funds received by the county in May 2017 from collections of Emergency Medical Service fees, property taxes, hotel/motel taxes, prisoner boarding and local option sales taxes.

COUNTY ATTORNEY REPORT:

County Attorney Boston began his report by sharing that he had recently learned in court that it is not now illegal in Cumberland County for a vehicle to pass a funeral procession. After researching the subject he found that in order to give law enforcement the authority to issue a ticket for that violation, the county legislative body must adopt a resolution by two-thirds (2/3) vote making it illegal to pass a funeral motorcade. Mr. Boston also noted that Road Superintendent Scott Blaylock and he were working together to technically open John Goss Road so that road could be added to the official road list as Sportsman's Club Road.

18. ELECTION OF NOTARIES:

On motion of Commissioner Gibson, second by Commissioner Claflin, moved that Ashley Brewer, Jeffery D. Dahlberg, Dianne Eller, Adeline J. Eyanson, Israel Flanders, Jeanne A. Geib, Amanda L. Godsey, Jonathan R. Hamby, Tina Marr, Matthew J. McClanahan, Catherine M. O'Rourke, Phillip Phipps, Marcy A. Proctor, Brooklyn Proffitt, Fred L. Stout, Jessica L. Stuhr, Alicia Weaver, Amanda DeEtte Wisher and Kelley L. Wood are elected as Notary Publics for the State of Tennessee.

The motion to approve the notaries carried by a roll call vote of 14 ayes from the Commission present.

ANNOUNCEMENTS:

Budget Committee Chairman Allen Foster wanted everyone to be aware the Budget Committee would hold two (2) meetings this week in an effort to complete the 2017-2018 fiscal year budget for presentation to the full Commission. And Commissioner Hyder announced there would be a Retirement Party for Emergency Management Agency Director Keith Garrison on June 20, 2017 at the Community Complex.

19. ADJOURNMENT:

On motion of Commissioner Carter, second by Commissioner Farley, moved the June 19, 2017 Monthly Commission Meeting be adjourned at 6:45 o'clock P.M.

The motion to adjourn the meeting carried by voice vote from the Commission present.

**A RESOLUTION TO PURCHASE PROPERTY FROM NORFOLK SOUTHERN  
RAILROAD**

**WHEREAS**, Cumberland County has been notified that the Art Circle Public Library parking lot and a portion of the building was built on land owned by Norfolk Southern Railroad; and

**WHEREAS**, Norfolk Southern Railroad has indicated that they would consider a sales price of \$40,000 for this property; and

**WHEREAS**, the Building and Grounds Committee has voted at their meeting on June 27, 2017 to recommend purchase of this property and reduce the fund balance by \$40,000.00; and

**NOW, THEREFORE BE IT RESOLVED**, by the Cumberland County Board of Commissioners meeting in Regular Session this 17<sup>th</sup> day of July 2017, approve the purchase of the property owned by Norfolk Southern Railroad.

Adopted this 17<sup>th</sup> day of July, 2017.

**SPONSOR:**

  
County Commissioner

**APPROVED:**

\_\_\_\_\_  
County Mayor

**ATTEST:**

\_\_\_\_\_  
County Clerk



**A RESOLUTION TO APPROVE FUNDING FOR FAIRPARK SENIOR CENTER**

**WHEREAS**, Fairpark Senior Center has three out of five HVAC units inoperable; and

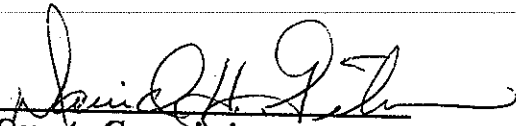
**WHEREAS**, the cost to repair the HVAC units is estimated to cost \$12,000.; and

**WHEREAS**, the Building & Grounds Committee recommended providing funds up to, but not exceeding \$6,000 and to be taken out of the County's fund balance pending approval of the City of Crossville's City Council approving funding of equal amount; and

**NOW, THEREFORE BE IT RESOLVED**, by the Cumberland County Board of Commissioners meeting in Regular Session this 17<sup>th</sup> day of July 2017, approve providing funding to the Fairpark Senior Center.

Adopted this 17<sup>th</sup> day of July, 2017.

**SPONSOR:**

  
County Commissioner

**APPROVED:**

\_\_\_\_\_  
County Mayor

**ATTEST:**

\_\_\_\_\_  
County Clerk