

Jule Bryson
Cumberland County Clerk

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July 6, 2018

TO: Cumberland County Commission, County Mayor, County Attorney, Sheriff and News Media

FROM: Jule Bryson, Cumberland County Clerk

SUBJECT: July 16, 2018 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 16, 2018 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.

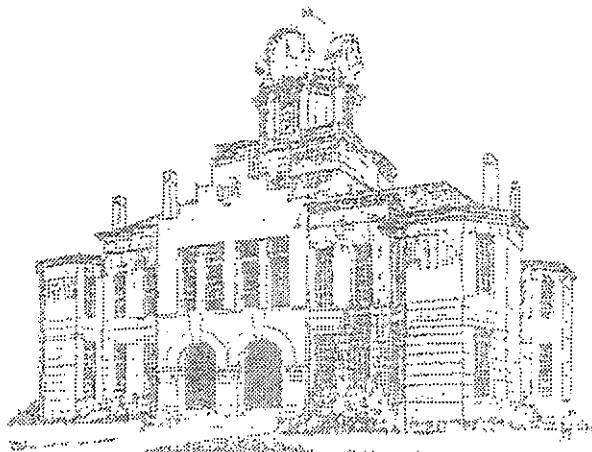
Sincerely,



Jule Bryson,
Cumberland County Clerk

JB/dc

Enclosures



**CUMBERLAND COUNTY COMMISSION
QUARTERLY MONTHLY MEETING AGENDA**

JULY 16, 2018

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 18, 2018 Monthly Cumberland County Commission Meeting
6. Special recognitions, memorials, etc.
7. Comments by the General Public
8. Unfinished Business
9. New Business:

RESOLUTION 07-2018-1-Accepting the Cumberland County Hazard Mitigation Plan (Carter)

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 18, 2018**

Be it remembered that the Cumberland County Commission met in monthly session on Monday, June 18, 2018 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 Commissioner Nancy Hyder 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, Director of Schools Janet Graham and the following County Commissioners:

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

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 21, 2018 MONTHLY CUMBERLAND COUNTY COMMISSION MEETING:

On motion of Commissioner Rimmer, second by Commissioner Gibson, moved the minutes of the May 21, 2018 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 15 ayes from the Commission present with Commissioner Scarbrough passing on the vote.

COMMENTS FROM THE PUBLIC:

The one gentleman wishing to make a comment was John Dennis of Crab Orchard, Tennessee, who expressed his concerns about school security and protection. Mr. Dennis suggested that responsible, able and willing teachers should be allowed to be armed to order to guard and defend the school children of our county from harm or risk.

2. UNFINISHED BUSINESS: ANIMAL SHELTER:

Commissioner Rimmer noted the construction of the Cumberland County Animal Shelter was basically completed and she explained the shelter needed funds for furnishings. Since there were surplus monies from the building project, Commissioner Rimmer moved to allow the Animal Shelter to use leftover construction funds to furnish the building in an amount not to exceed seven thousand dollars (\$7,000.00). The motion was seconded by Commissioner Hassler.

The motion allowing \$7,000.00 or less of unused Animal Shelter construction funds be redirected to supply the necessary furnishings for the new facility carried by a roll call vote of 16 ayes from the Commission present.

3. RESOLUTION 06-2018-1-TO EXTEND THE DOWNTOWN CROSSVILLE INCORPORATED (DCI) LEASE AND AGREEMENT FOR AN ADDITIONAL YEAR TO EXPIRE JUNE 30, 2019:

On motion of Commissioner Carter, second by Commissioner Hyder, moved to adopt resolution 06-2018-1.

Before the vote, Commissioner Scarbrough noted that she would be voting against approving the lease agreement with DCI and tenant Meteorologist Steve Norris due to her belief that the county should not extend an offer to a private individual without extending the offer to every other private citizen. Commissioner Stone offered that Mr. Norris would be keeping the building open, performing volunteer services and holding meteorological discussion during the annual Fourth Grader Walking Tours sponsored by DCI.

The motion to adopt resolution 06-2018-1, to renew the agreement between Cumberland County and DCI and their tenant Steve Norris to lease the Native Stone Museum located on Main Street in Crossville, Tennessee, for an additional year through June 30, 2019, carried by a roll call vote of 15 ayes from the Commission present with Commissioner Scarbrough voting no.

4. RESOLUTION 06-2018-2-TO APPROVE LICENSE 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 30, 2019:

On motion of Commissioner Hyder, second by Commissioner Hassler, moved to adopt resolution 06-2018-2.

The motion to adopt resolution 06-2018-2, 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 16 ayes from the Commission present.

5. RESOLUTION 06-2018-3-TO AMEND THE CONTRACT BETWEEN THE STATE OF TENNESSEE, DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES AND CUMBERLAND COUNTY, TENNESSEE THROUGH JUNE 30, 2019:

On motion of Commissioner Rimmer, second by Commissioner Foster, moved to adopt resolution 06-2018-3.

The motion to adopt resolution 06-2018-3, 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 16 ayes from the Commission present.

6. RESOLUTION 06-2018-4-TO ADOPT A SPEED LIMIT ON WEST CREEK DRIVE:

On motion of Commissioner Farley, second by Commissioner Foster, moved to adopt resolution 06-2018-4.

The motion to adopt resolution 06-2018-4, setting the speed limit on West Creek Drive at thirty (30) miles per hour, carried by a roll call vote of 15 ayes from the Commission present. Commissioner Geisler voted against the adoption of resolution 06-2018-4.

7. RESOLUTION 06-2018-5-BUDGET AMENDMENT, CENTRAL CAFETERIA FUND, \$7,567.00:

On motion of Commissioner Hyder, second by Commissioner Gibson, moved to adopt resolution 06-2018-5.

The motion to adopt resolution 06-2018-5, a budget amendment for reallocation of funds to balance specific lines in the Board of Education budget, carried by a roll call vote of 16 ayes from the Commission present.

8. RESOLUTION 06-2018-6-BUDGET AMENDMENT, GENERAL PURPOSE SCHOOL FUND, COMMUNITY DONATIONS, \$436.00:

On motion of Commissioner Foster, second by Commissioner Rimmer, moved to adopt resolution 06-2018-6.

The motion to adopt resolution 06-2018-6, a budget amendment for donated monies from the St. Raphael Episcopal Church to assist with the Shoe Fund in Cumberland County Schools, carried by a roll call vote of 16 ayes from the Commission present.

9. RESOLUTION 06-2018-7-BUDGET AMENDMENT, GENERAL PURPOSE SCHOOL FUND, EARLY CHILDHOOD EDUCATION, \$1,200.00:

On motion of Commissioner Rimmer, second by Commissioner Foster, moved to adopt resolution 06-2018-7.

The motion to adopt resolution 06-2018-7, a budget amendment for Early Childhood Education, carried by a roll call vote of 16 ayes from the Commission present.

10. RESOLUTION 06-2018-8-BUDGET AMENDMENT, GENERAL PURPOSE SCHOOL FUND, RETURNING ADDITIONAL FEDERAL RESERVES, \$200,000.00:

On motion of Commissioner Foster, second by Commissioner Gibson, moved to adopt resolution 06-2018-8.

The motion to adopt resolution 06-2018-8, a budget amendment to transfer Federal Project Funds back to the General Purpose School Fund, carried by a roll call vote of 16 ayes from the Commission present.

11. RESOLUTION 06-2018-9-BUDGET AMENDMENT, GENERAL PURPOSE SCHOOL FUND, YEAR END REALLOCATIONS, MULTIPLE BOARD OF EDUCATION (BOE) DEPARTMENTS:

On motion of Commissioner Stone, second by Commissioner Rimmer, moved to adopt resolution 06-2018-9.

The motion to adopt resolution 06-2018-9, a budget amendment to balance specific lines of the BOE Budget, carried by a roll call vote of 16 ayes from the Commission present.

12. RESOLUTION 06-2018-10-BUDGET AMENDMENT, GENERAL PURPOSE SCHOOL FUND, YEAR END REALLOCATIONS, MULTIPLE BOARD OF EDUCATION (BOE) DEPARTMENTS:

On motion of Commissioner Foster, second by Commissioner Rimmer, moved to adopt resolution 06-2018-10.

The motion to adopt resolution 06-2018-10, a budget amendment to balance specific lines of the BOE Budget, carried by a roll call vote of 16 ayes from the Commission present.

13. RESOLUTION 06-2018-11-BUDGET AMENDMENT, HIGHWAY FUND, HIGHWAY AND BRIDGE MAINTENANCE, \$38,827.00:

On motion of Commissioner Gibson, second by Commissioner Rimmer, moved to adopt resolution 06-2018-11.

The motion to adopt resolution 06-2018-11, a budget amendment for budget overruns in various department expenditures in the Highway Fund operations, carried by a roll call vote of 16 ayes from the Commission present.

14. RESOLUTION 06-2018-12-BUDGET AMENDMENT, SANITATION FUND, WASTE PICKUP/RECYCLE/ OTHER CHARGES/POST CLOSURE/LITTER AND TRASH, \$84,812.00:

On motion of Commissioner Rimmer, second by Commissioner Hassler, moved to adopt resolution 06-2018-12.

The motion to adopt resolution 06-2018-12, a budget amendment for budget overruns in various department expenditures in the Solid Waste operations, carried by a roll call vote of 16 ayes from the Commission present.

15. RESOLUTION 06-2018-13-BUDGET AMENDMENT, GENERAL FUND, BUDGET OVERRUNS \$445,462.00 (AMENDED AMOUNT \$446,962.00):

On motion of Commissioner Foster, second by Commissioner Rimmer, moved to adopt resolution 06-2018-13.

Budget Chairman Commissioner Foster announced a slight revision needed to be made to resolution 06-2018-13 before approval. He advised an additional fifteen hundred dollars (\$1,500.00) should be added to line item 101-54490-187 for Dispatch Overtime in order to cover their final payroll for the 2017-2018 fiscal year.

The motion to adopt resolution 06-2018-13, a budget amendment for overruns in various department expenditures in the General Government operations in the amount of \$446,962.00, carried by a roll call vote of 16 ayes from the Commission present.

16. RESOLUTION 06-2018-14-BUDGET AMENDMENT, DEBT SERVICE FUND, \$835,831.00:

On motion of Commissioner Rimmer, second by Commissioner Wilson, moved to adopt resolution 06-2018-14.

The motion to adopt resolution 06-2018-14, a budget amendment to adjust expenditures related to principal and interest payments for bonds and additional Trustee's Commission, carried by a roll call vote of 16 ayes from the Commission present.

17. RESOLUTION 06-2018-15-AUTHORIZING A DONATION TO THE CUMBERLAND COUNTY VETERANS ASSISTANCE COUNCIL, GENERAL FUND, \$46,660.50:

On motion of Commissioner Hyder, second by Commissioner Carter, moved to adopt resolution 06-2018-15.

The motion to adopt resolution 06-2018-15, a budget amendment approving restitution proceeds are contributed to the Cumberland County Veterans Assistance Council, carried by a roll call vote of 16 ayes from the Commission present.

18. RESOLUTION 06-2018-16-BUDGET AMENDMENT, GENERAL PURPOSE SCHOOL FUND, CONTRIBUTION TO CAPITAL PROJECTS OVERRAGES, \$750,000.00:

On motion of Commissioner Rimmer, second by Commissioner Foster, moved to adopt resolution 06-2018-16.

The motion to adopt resolution 06-2018-16, a budget amendment for contributions from the Board of Education to Capital Project Overages, carried by a roll call vote of 16 ayes from the Commission present.

19. RESOLUTION 06-2018-17-BUDGET AMENDMENT, EDUCATION CAPITAL PROJECTS FUND, CRAB ORCHARD ELEMENTARY SCHOOL AND CUMBERLAND COUNTY HIGH SCHOOL, \$1,375,273.00:

On motion of Commissioner Rimmer, second by Commissioner Patterson, moved to adopt resolution 06-2018-17.

When asked by Commissioner Hyder if the sewer issues were resolved for Crab Orchard Elementary School, Director of Schools Graham responded they were awaiting a proposal from the engineering firm TARE, Inc. who is evaluating the existing sewage disposal system.

The motion to adopt resolution 06-2018-17, a budget amendment for additional funding by the County Commission for the construction and renovation projects with Crab Orchard Elementary School and Cumberland County High School contingent upon all monies provided by the Board of Education being spent first, all remaining contract contingency monies being spent next; and the addition funding provided by the Commission as last dollars spent, carried by a roll call vote of 16 ayes from the Commission present.

20. RESOLUTION 06-2018-18-TO APPROVE LEASE AND AGREEMENT WITH DANIEL BENSON:

On motion of Commissioner Farley, second by Commissioner Gibson, moved to adopt resolution 06-2018-18.

The motion to adopt resolution 06-2018-18, to agree to lease a small portion of county owned property to Homestead Market owner Daniel Benson for five (5) years for an annual payment of five hundred dollars (\$500.00), carried by a roll call vote of 16 ayes from the Commission present.

FINANCE DIRECTOR REPORT; NATHAN BROCK:

Finance Director Brock summarized the funds received by the county in May 2018 from collections of Emergency Medical Service fees, local option sales taxes, property taxes, hotel/motel taxes and prisoner boarding.

COUNTY ATTORNEY REPORT; RANDAL BOSTON:

For his monthly report, County Attorney Boston chose to highlight some General Assembly Acts passed in 2018 that he inferred may be of interest to county governments. He summarized the ten (10) following acts: 1) County Commissioners-Firearms: authorizing County Commissioners to carry a handgun in a building where their meetings are held, 2) Birth Control: prohibits early release of a prisoner/defendant agreeing to any form of sterilization, 3) Subpoenaing Clergy Members: no government entity shall subpoena a clergy's sermon, 4) Fraudulent Liens: making it a criminal offense to file a fraudulent lien against public officials, 5) Open Meetings: amending the Open Meetings Act to apply to the Board of Directors of any association or nonprofit corporation who receive income from local government officials to hold meetings open to the public at all times, 6) Marriage: prohibits a county clerk from issuing a marriage license to anyone under the age of seventeen (17), or to applicants between the ages of 17 and eighteen (18) when the other partner is four (4) years or more older and further provides the county clerk the ability to issue a marriage license to individuals between 17 and 18 years of age if the minor applicant's parents or guardian submit a sworn and notarized affidavit, 7) Flag Displays: prohibits a county legislative body from adopting or enforcing a resolution that restricts property owners from displaying a flag of the United States of America (USA), the State of Tennessee, the MIA/POA or any branch of the USA armed forces, 8) Eminent Domain: if local government acquires condemned property for public use, it must be developed within twenty-four (24) months or revert back to the former owner, 9) Historical Preservation: prohibits counties to dispose of memorials without permission from the Tennessee Historical Commission or the public entities found in violation will become ineligible to receive state grants for five (5) years, and 10) Wind Energy Facilities: amending legislation to regulate the construction and operation of new wind energy facilities.

After Commissioner York asked the County Attorney about the railroad owned property located at the Art Circle Public Library, Mr. Boston advised information was being transferred back and forth with the City of Crossville and there may be some action with Norfolk Southern Railroad before the end of summer.

STATUTORY COMMITTEE REPORT: HEALTH AND SAFETY STANDARDS BOARD:

Committee Chairperson Commissioner Hyder reinitiated to the Board that the Health and Safety Standards Board was formed in 2005 for the purpose of regulation of residential and nonresidential property for the health, safety, convenience and welfare of the residents of the county or the presence of a vacant dilapidated building or structure. She also stated that board cannot take action against a residence if the owner is a member of a Property Owners Association (POA). County Attorney Boston also added that a POA was capable of conducting certain types of legal proceedings against property owners belonging to the association but the county has no ability or authority to intervene in the private action.

21. ELECTION OF NOTARIES:

On motion of Commissioner Carter, second by Commissioner Hyder, moved that Nikole Bilbrey, Tom Delk, Kimberly A. Harless, Vanessa L. Johnson, Joseph R. Long, Virginia B. Martin, Memory Tabor, Jennifer C. Tuttle, Brian Whitehurst, Nina Whitehurst and Josh Wightman are elected as Notary Publics for the State of Tennessee.

The motion to approve the notaries carried by a roll call vote of 16 ayes from the Commission present.

22. ADJOURNMENT:

On motion of Commissioner Carter, second by Commissioner Rimmer, moved the June 18, 2018 Monthly Commission Meeting be adjourned at 6:38 o'clock P.M.

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

MINUTES APPROVED FOR ENTRY THIS _____ DAY OF JULY 2018.

Kenneth Carey, County Mayor
Chairman, Cumberland County Commission

Jule Bryson, Cumberland County Clerk

RESOLUTION 07-2018-1

**A RESOLUTION ACCEPTING THE CUMBERLAND COUNTY HAZARD
MITIGATION PLAN**

WHEREAS, the Cumberland County Hazard Mitigation Plan is intended to provide a strategy for developing actions that help reduce long-term risks to people and property from natural hazard events in Cumberland County; and

WHEREAS, the Cumberland County Hazard Mitigation Plan has been approved by the Tennessee Emergency Management Agency and the Federal Emergency Management Agency for meeting the criteria stated in 44 CFR 201;

NOW, THEREFORE, BE IT RESOLVED by the Cumberland County Commission of Cumberland County, Tennessee that Cumberland County accepts and adopts the Cumberland County Hazard Mitigation Plan and assigns maintenance coordination to the Crossville/Cumberland County Emergency Management Agency.

ADOPTED this 16th day of July, 2018.

SPONSOR:



COUNTY COMMISSIONER

APPROVED:

COUNTY MAYOR

ATTEST:

COUNTY CLERK