

HEALTH AND SAFETY STANDARDS BOARD

May 19, 2021

Room 310, Cumberland County Courthouse

Members:

Nancy Hyder, Chair
Tom Isham
Craig Clark
Joe Koester
Sheryl Webb (ABSENT)

Others Present:

Philip Burnett, County Attorney
Emmalee Cole, Burnett Law
Heather Mullinix, *Crossville Chronicle*
Rebecca Stone, 3rd District
Darrell Threet, 3rd District
Colleen Mall, 9th District
Torey LaMontagne, minutes
10 members of the general public

CALL TO ORDER:

Commissioner Hyder called the meeting to order at 2:00 pm on May 19, 2021 in room 310 of the Cumberland County courthouse. One committee member is absent.

APPROVAL OF MINUTES:

Clark makes a motion to approve the minutes from the previous meeting as presented; motion seconded by Koester, no opposed, motion carries. Last meeting's minutes are approved as presented.

OSWEGO RD UPDATE:

Roxanne Smith is the wife of owner of Oswego Rd property, Cecil Smith, and she is present for this complaint. She explains that they are in the process of having the lot cleaned up. They have received quotes from various companies for clean-up and they will be choosing one and moving forward in the process. Nancy and Tom thank her for coming, and reiterate that this is all that we are usually asking for—a swift and compliant clean up with updates along the way. A motion is made by Clark to delay action and include this property on the next agenda for update. Isham seconds the motion, no opposed, motion carries.

WABASH LN UPDATE:

Torey gives an update on the delivery of the letter to Wabash Ln. It is still showing as in transit to the next destination. One member of the public mentions that Tansi POA had tried to send letters to this address for the property owner as well, but they had always been returned. This letter has yet to be returned to the mayor's office by USPS. Rebecca Stone asks if it is possible to send a corresponding letter to local POA offices letting them know when a property in the association has received a letter from the HSSB. Burnett agrees that it isn't a bad idea. Koester voices that Tansi POA should be receiving a letter regarding each complaint under its authority. A motion is made by Clark to create a standard procedure notifying any local POA or HOA by letter letting them know that there has been a complaint lodged in the jurisdiction where their covenants apply. These notices are to go out in conjunction with first letters of complaint. Motion is seconded by Koester. No opposed, motion carries.

Burnett states to the board that he can have a Sheriff's deputy serve copies of the letter to Wabash to the property owner's address and the physical Wabash address. A motion is made by Koester to have Burnett send copies of the letter via Sheriff's deputy to addresses on Howard Springs Rd and Wabash Ln. Clark seconds the motion. No opposed, motion carries. Tom Isham asks Burnett if a POA can take these cases to court and get a judgement against the property owner—just as the board had done. Burnett answers by explaining that although Tansi has varying levels of POA, it should be able to go to court based on its restrictions and covenants.

JADA DR UPDATE:

According to the latest update from an heir to the property, it has been sold. It was also recently mowed. Nancy suggests moving this property to the next agenda for update. Clark states that he would like to credit the

community for getting this one moving along rather quickly. This property is tabled until June meeting for update.

BENT TREE DR UPDATE:

Burnett: My office has tried and failed to find a living heir. We have tried 12-15 out of state phone numbers and they are all non-working or disconnected. Contacted TennCare and found out a lot of information. The home has a TennCare lien for \$108,000 currently on the property. Recently, legislation was passed through the state not allowing TennCare to collect on any cases older than four (4) years old. The TennCare rep stated that they would simply send the board an affidavit releasing the lien on the property, as they have no interest in it any longer. A motion is made by Isham to have the County receive bids to clean this lot, and have the county attorney open an estate (not to exceed \$500) as a "creditor" to this property, in hopes that an heir will come forward. Clark seconds the motion. No opposed, motion carries.

HIGHLAND LN:

There is chatter about a property on this road but no complaint to the board yet. Nancy states that you can't see junk cars from Highland Ln either way. Burnett explains that the person with the State of TN that is in charge of that branch of beautification has been contacted numerous times with many messages left, and no returned phone calls as of yet.

NEW BUSINESS:

Yuork Dr:

The mayor's office received a formal complaint to the board after the agenda had been set. Nancy says that it looks to be an old Tansi cabin. The constituents present for this complaint state that the property was undergoing a renovation from the residents, caught fire, and was abandoned. Residents seem to have abandoned everything that was not salvageable. Nearby neighbors have been killing rodents over and over again but had not had prior rodent issues. Complainants had originally gone to Tansi POA and were told about the HSSB. A motion is made by Joe Koester to send a certified first letter of complaint to the property owners of the Yuork Dr property via USPS. Motion is seconded by Isham, no opposed, motion carries.

Open Range Rd:

Constituents on Open Range Rd are present with concerns about a neighbor that is living out of a camper on a nearby property with no running water, plumbing, septic, or electrical. Constituents share details regarding their concerns for the pond that they all share being contaminated. Burnett lets them know that the Tennessee Department of Environment and Conservation (TDEC) would look into the clean ground water issue for them. Nancy explains to them how the complaint to the board works, and the constituents thank the board for its help and guidance. Burnett suggests that the complainants try for some high-resolution photos of the property in question.

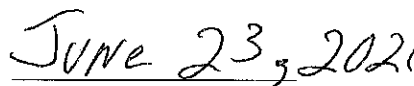
Regarding suspected dumping of septic in Pleasant Hill:

Nancy learned through TDEC that these persons who do this kind of work have permits to dump on open parcels of property in certain areas. This way, TDEC is aware of who, where, and how much is being dumped at a time. Rebecca Stone asks Burnett if you have to have a permit in the state of Tennessee for an 'outhouse' type structure and he is unsure.

ADJOURNMENT:

The next meeting is set for Wednesday, June 23rd at 2 pm in room 310 of the courthouse. With no further business, a motion is made to adjourn by Clark. Motion is seconded by Isham. No opposed, motion carries. Meeting is adjourned at 4:05 pm on Wednesday, May 19, 2021 in room 310 of the Cumberland County courthouse.


Nancy Hyder, Chair


Date