

CUMBERLAND COUNTY BOARD OF COMMISSIONERS MEETING

July 19, 2021 Monthly Meeting Minutes

Be it remembered that the Cumberland County Commission met in monthly session on Monday, July 19, 2021 at the courthouse in Crossville, Tennessee. Deputy Mitchell Ward called the meeting to order at 6:00 o'clock P.M. Present and presiding was Commission Chairman, County Mayor Allen Foster who invited Commissioner Jerry Cooper to deliver the invocation. The Young Marines led the Pledge of Allegiance to the Flag of the United States of America. Also present at this meeting were County Clerk Jule Bryson, Finance Director Nathan Brock and the following County Commissioners:

Chad Norris	Sue Ann York
Kyle Davis	Nancy Hyder
Rebecca Stone	Darrell Threet
David Gibson	Charles Seiber
Jack Davis	Terry Lowe
Wendell Wilson	Joseph Sherrill
Mark Baldwin	Jerry Cooper
Jim Blalock	Deborah Hollbrook (ABSENT)
Colleen Mall	John Patterson

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

1. APPROVAL OF THE JULY 19, 2021 COMMISSION MEETING AGENDA:

On motion of Commissioner Hyder to accept the agenda, second by Commissioner York moved the minutes of the July 19, 2021 Commission Meeting be approved. The motion to approve the agenda as presented carried by voice vote from the Commissioners present.

2. MINUTES OF JUNE 21, 2021 CUMBERLAND COUNTY COMMISSION MEETING:

On motion of Commissioner Gibson second by Commissioner Seiber, moved to approve June 21, 2021 Commission Meeting Minutes as presented at the July 19, 2021 meeting made a matter of record and filed as presented. The motion to approve the minutes carried by voice vote from the Commissioners present.

3. APPOINTMENT OF CUMBERLAND COUNTY ASSESSOR OF PROPERTY VACANCY:

Mayor Allen Foster reminded the Commission of the vacancy of the Cumberland County Assessor Property to be filled until August of 2020. He gave the list of the following thirteen (13) prospective Assessor of Property candidates: Chad Norris, Kelli G. Tipton, Stephen Andrew Powell, Duard Mark Madden, Tory King, Sandy Gilbert, Aaron Pedigo, Chad Garrett, Stacie Reed, Gail Vinson, Donald F. Johnson, Tom Howard and Sheila Drake. James C. Cook asked to be removed from the list of candidates. These candidates were checked and verified by the County Clerk and the Election Commission as eligible candidates. No additional candidates from the public or Commissioners were added. Each candidate was chosen by random drawing to address the commission for up to ten (10) minutes in the following order: Aaron Pedigo, Mark Madden, Kelli Tipton, Sheila Drake, Gail Vinson, Staci Reed, Tory King, Donald Johnson, Tom Howard, Andrew Powell, Chad Norris, Sandra Gilbert and Chad Garrett. Candidates for the vacancy must be nominated by a Cumberland County Commissioner. Commissioner Sherrill nominated Tom Howard, Commissioner York nominated Gail Vinson, Commissioner Gibson nominated Sandra

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Gilbert, Commissioner Hyder nominated Andrew Powell and Tory King, Commissioner Mall nominated Sheila Drake and Commissioner Stone nominated Kelli Tipton. Chad Garrett chose to not speak before the commission. Commission Parliamentarian Nancy Hyder asked Cumberland County Attorney Philip Burnett if Commissioner Chad Norris received a nomination, would he be voting in this selection. Attorney Burnett stated that he would not be permitted to vote should he be nominated. County Clerk Jule Bryson called on each Commissioner to cast their roll call vote for the candidate of their choice. Sandra Gilbert received twelve (12) votes from Commissioners Kyle Davis, Stone, Threet, Gibson, Seiber, Jack Davis, Lowe, Wilson, Baldwin, Cooper, Blalock and Mall. Gail Vinson received one (1) vote from Commissioner York. Andrew Powell received one (1) vote from Commissioner Hyder. Tom Howard received one (1) vote from Commissioner Sherrill. Sheila Drake received one (1) from Commissioner Patterson. Sandra Gilbert signed the oath and was sworn in as the Cumberland County Assessor of Property by Mayor Foster.

Discussion: Commissioner Threet stated that he felt that several of the applicants would have been a good choice. Several Commissioners thanked all the employees of the Assessor of Property's office for stepping up to serve during this difficult time.

UNFINISHED BUSINESS:

Commissioner Stone ask for an update on the Homestead Tower. Cumberland County Attorney Philip Burnett stated that the Quit Claim Deed stating that the Tower is now a county owned property, has been delivered to his office today, July 19, 2021. The deed will be registered with the Register of Deeds.

Commissioner Sherrill commented that the Westel Community would like to have a discussion with the Plateau Industrial Park and the developer of Flatrock Motorsport Park regarding the development of the Motorsport Park.

3. RESOLUTION 07-2021-1 – TO APPOINT MEMBER TO THE CUMBERLAND COUNTY REGIONAL PLANNING COMMISSION:

On motion of Commissioner Kyle Davis, second by Commissioner Threet moved to adopt resolution 07-2021-1.

Discussion: Commissioner Wilson stated that he knew Ms. Katie Hardt personally and that she was an excellent selection for the Cumberland County Regional Planning Commission. Mr. Wilson highly recommended her.

The motion to adopt resolution 07-2021-1, appointing Katie Hardt to serve the remaining unexpired term and appoint to serve a four (4) year term expiring on August 31, 2025 on the Cumberland County Regional Planning Commission, carried by a voice vote from the Commissioners present.

4. RESOLUTION 07-2021-2 – TO APPOINT ONE (1) JUDICIAL COMMISSIONER FOR CUMBERLAND COUNTY, TENNESSEE:

On motion of Commissioner Gibson, second by Commissioner Norris moved to adopt resolution 07-2021-2.

The motion to adopt resolution 07-2021-2, approving the appointment of Darren Brock to serve as a Judicial Commissioner for a one (1) year term, carried by a voice vote from the Commissioners present.

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5. RESOLUTION 07-2021-3 – TO APPROVE THE ADDITION OF WAR MEMORABILIA TO THE DISPLAY OUTSIDE THE MILITARY MEMORIAL MUSEUM:

On motion of Commissioner Patterson, second by Commissioner Norris moved to adopt resolution 07-2021-3.

The motion to adopt resolution 07-2021-3, to approve the addition of a 16-inch projectile for a Navy cannon display in front of the Military Memorial Museum, carried by a voice vote from the Commissioners present.

6. RESOLUTION 07-2021-4 – TO ADOPT A SPEED LIMIT ON CUMBERLAND LAKES DRIVE:

On motion of Commissioner Cooper, second by Commissioner Hyder moved to adopt resolution 07-2021-4.

The motion to adopt resolution 07-2021-4, approving a safe speed limit of 30 MPH on Cumberland Lakes Drive, carried by a voice vote from the Commissioners present.

7. RESOLUTION 07-2021-5 – TO REMOVE A ROAD FROM THE CUMBERLAND COUNTY ROAD LIST:

On motion of Commissioner Gibson, second by Commissioner Seiber moved to adopt resolution 07-2021-5.

Discussion: Commissioner Hyder commented that in her experience, when the commission makes changes to the Cumberland County Road List it seemed to always cause an issue years down the road. This resolution is to give the easement back to the owners. Commissioner Gibson stated that the Planning Commission and Environmental Committee had both reviewed this issue and approved this resolution. This will not cause any issue for getting to the Tanner Cemetery road. Commissioner Wilson stated that his constituents were not happy because the families of the persons buried in this cemetery were not contacted regarding this change. They chose not to contest this easement change. County Attorney Philip Burnett showed the map of the property showing that there will still be access to cemetery.

The motion to adopt resolution 07-2021-5, approving the removal of Tanner Trail located in the Claysville area from the Cumberland County Road List, carried by a roll call vote of 14 ayes from Commissioners Norris, York, Kyle Davis, Stone, Threet, Gibson, Seiber, Lowe, Sherrill, Baldwin, Cooper, Blalock, Mall and Patterson and 3 nays from Commissioners Hyder, Jack Davis and Wilson.

8. RESOLUTION 07-2021-6 – TO GRANT BEN LOMAND COMMUNICATIONS, LLC AN EASEMENT - WEST CRESTON ROAD:

On motion of Commissioner Seiber, second by Commissioner Hyder moved to adopt resolution 07-2021-6.

The motion to adopt resolution 07-2021-6, to grant an easement for a small portion of Cumberland County owned property located at 2089 West Creston Road – Map 072 Parcel 078.00 to Ben Lomand Communications, LLC for Broadband services, carried by a unanimous roll call vote from the Commissioners present.

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9. RESOLUTION 07-2021-7 – TO UPDATE THE RESIDENTIAL AND COMMERCIAL BUILDING CODES FOR CUMBERLAND COUNTY:

On motion of Commissioner Hyder, second by Commissioner Cooper moved to adopt resolution 07-2021-7.

Discussion: Mayor Foster state that this building code is less than the City codes. Commissioner Sherrill asked if Attorney Philip Burnett had reviewed this change. Mr. Burnett stated that he had reviewed the changes to the building codes several times.

The motion to adopt resolution 07-2021-7, approving to update the residential and commercial building codes for Cumberland County, carried by a unanimous roll call vote from the Commissioners present.

10. RESOLUTION 07-2021-8 – TO AMEND THE CONTRACT BETWEEN THE STATE OF TENNESSEE, DEPARTMENT OF MENTAL HEALTH AND CUMBERLAND COUNTY, TENNESSEE:

On motion of Commissioner Mall, second by Commissioner Stone moved to adopt resolution 07-2021-8.

The motion to adopt resolution 07-2021-8, amending a contract between the State of Tennessee, Department of Mental Health and Substance Abuse Services to establish rates and ensure payment for the cost of outpatient and inpatient evaluations and treatments necessary to the evaluations ordered by General Sessions, Criminal, or Circuit Court for defendants, carried by a unanimous roll call vote from the Commissioners present.

11. RESOLUTION 07-2021-9 – AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS:

On motion of Commissioner Kyle Davis, second by Commissioner Gibson moved to adopt resolution 07-2021-9.

The motion to adopt resolution 07-2021-9, approving the issuance of General Obligation refunding bonds or Cumberland County, carried by a unanimous roll call vote from the Commissioners present.

12. RESOLUTION 07-2021-10 – APPROVING AMENDMENTS TO LOCAL GOVERNMENT PUBLIC IMPROVEMENT BONDS:

On motion of Commissioner Kyle Davis, second by Commissioner Hyder moved to adopt resolution 07-2021-10.

The motion to adopt resolution 07-2021-10, approving amendments to the Local Government Public Improvement Bonds, carried by a unanimous roll call vote from the Commissioners present.

COUNTY OFFICIAL REPORT; FINANCE DIRECTOR NATHAN BROCK:

Commissioners received the monthly financial report from Finance Director Brock detailing the June 2021 revenue collections for the County in ambulance service, sales tax, property tax, hotel/motel tax, and prisoner boarding. Many accounts will meet or exceed the budgeted amounts for the fiscal year. A tentative date of August 10, 2021 for the Special Call for budget approval.

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COUNTY ATTORNEY REPORT; PHILIP BURNETT:

Mr. Burnett reported there is an Excessive Force case filed last month. Investigation of this case will begin soon with Attorney Robin Williams defending Cumberland County in this case. In a recent hearing, Tennessee Public Utility Commission granted our request to revoke Spirit Broadband's franchise so they will be unable to service anything in Cumberland County. Homestead Tower quit claim deed was received and gave to Mayor Foster.

STATUTORY COMMITTEE REPORTS:

Health and Safety Standards Board will be meeting Wednesday, July 21, 2021 in the small courtroom of the Courthouse.

13. ELECTION OF NOTARIES:

On motion of Commissioner Cooper, second by Commissioner Sherrill, moved be elected Pamela L. Brickle, Judi F. Caruthers, Linda M. Festing, Lee Henry, Jerry Marquez, Dana Redwine, Sherrill Rhea, Katlyn Shillings, Shalee Sojka, James E. Thompson, Kacey Tollett as Notary Publics for the State of Tennessee.

The motion to approve the notaries carried by voice vote from the Commissioners present.

14. ADJOURNMENT:


On motion of Commissioner Gibson, second by Commissioner York, moved the July 19, 2021 Commission Meeting be adjourned at 7:32 o'clock P.M.

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

MINUTES APPROVED FOR ENTRY THIS 24th DAY OF AUGUST 2021.



Allen Foster, County Mayor
Chairman, Cumberland County Commission



Jule Bryson, Cumberland County Clerk