

Jule Bryson
CUMBERLAND COUNTY CLERK

2 North Main Street, Suite 206 • Crossville, TN 38555 • (931) 484-6442 • Fax (931) 484-6440

July 7, 2023

TO: Cumberland County Commission, County Mayor, and News Media
FROM: Jule Bryson, Cumberland County Clerk
SUBJECT: Tuesday, July 17, 2023
Regular Monthly Meeting of Cumberland County Commission

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, 2023 at 6:00 o'clock P.M.

The meeting will be in the **Art Circle Public Library Cumberland Room** located at **3 East Street, Crossville, TN.** 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/cwt

Enclosures



CUMBERLAND COUNTY COMMISSION MONTHLY MEETING AGENDA

Tuesday, July 17, 2023

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. Approval of July 17, 2023 Cumberland County Commission Meeting Agenda
6. Approval of June 20, 2023 Cumberland County Commission Meeting Minutes
7. Special recognitions, memorials, etc.
8. Comments by the General Public
9. Unfinished Business
10. New Business:

RESOLUTION 07-2023-1 – TO ACCEPT OFFERS(S) TO PURCHASE DELINQUENT TAX PROPERTY OWNED BY CUMBERLAND COUNTY (HOLBROOK)

RESOLUTION 07-2023-2 – TO RELEASE BROADBAND GRANT FUNDING (FOSTER)

RESOLUTION 07-2023-3 – APPROVING CHANGES TO THE EQUIPMENT USE POLICY OF CUMBERLAND COUNTY PARKS AND RECREATION (MALL)

RESOLUTION 07-2023-4 – TO APPOINT MEMBERS TO THE CUMBERLAND COUNTY LIBRARY BOARD (FOSTER)

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

CUMBERLAND COUNTY BOARD OF COMMISSIONERS MEETING

June 20, 2023 Monthly Meeting Minutes

Be it remembered that the Cumberland County Commission met in monthly session on Tuesday, June 20, 2023 at the Art Circle Public Library in Crossville, Tennessee. Mayor Allen Foster called the meeting to order at 6:00 o'clock P.M. Present and presiding was Mayor Allen Foster who invited Ralph Reagan from Bread of Life Ministries 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 Director of Schools William Stepp, County Clerk Jule Bryson, Finance Director Nathan Brock, County Attorney Philip Burnett, Library Director James Houston and the following County Commissioners:

Dewey Walker	Sue Ann York
Tom Isham	Nancy Hyder
Rebecca Stone	Darrell Threet
David Gibson	Charles Seiber
Jack Davis	Terry Lowe
Wendell Wilson	Joseph Sherrill
Mark Baldwin	Jerry Cooper
Greg Maxwell	Deborah Holbrook
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 JUNE 20, 2023 COMMISSION MEETING AGENDA:

On motion of Commissioner Hyder, second by Commissioner Seiber, moved to approve the amended agenda, pull resolution 06-2023-3, add resolution 06-2023-21, bundle resolutions 06-2023-8, 06-2023-9, 06-2023-10, 06-2023-12, 06-2023-13, 06-2023-14, 06-2023-15, 06-2023-16, 06-2023-17, 06-2023-18, 06-2023-19 & 03-2023-20 of the June 20, 2023 Cumberland County Commission meeting agenda.

The motion to approve the agenda with changes carried by voice vote from the commissioners present.

2. MINUTES OF MAY 15, 2023 CUMBERLAND COUNTY COMMISSION MEETING:

On motion of Commissioner Seiber, second by Commissioner Gibson, moved to approve the May 15, 2023 Commission meeting minutes, make a matter of record, and file. The motion to approve the minutes carried by voice vote.

SPECIAL RECOGNITIONS: Mayor Foster read a letter from Sergeant Gary Howard expressing his gratitude to Andrea Gaskins at the Cumberland County animal shelter for her eagerness to go beyond the call of duty whenever called upon. Mayor Foster and the County Commissioners congratulated CCHS Track and Field student athlete Jacob Atkinson on earning the TSSAA State Championship in Pole Vault.

CUMBERLAND COUNTY BOARD OF COMMISSIONERS MEETING

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COMMENTS BY THE GENERAL PUBLIC: Jerry Brownstead the District Chaplain of the American Legion of Tennessee asked the commission to support making September 29 annually Milo Lemert Day in Cumberland County. Milo Lemert was a Medal of Honor recipient. The Medal of Honor is our nation's highest military award for bravery. Mr. Lemert died September 29, 1918 and was buried in the Crossville City cemetery in 1921.

On motion of Commissioner Patterson, second by Commissioner Hyder, moved to create a proclamation to make September 29 Milo Lemert Day. The motion to create a proclamation honoring Metal of Honor recipient Milo Lemert on September 29 in Cumberland County carried by voice vote from the commission present.

NEW BUSINESS: The Cumberland County Trustee and Cumberland County Assessor of Property presented updated personnel policies for record only adding the Juneteenth holiday to their policies. Circuit Court Clerk's office will join the Cumberland County Personnel Policy as of June 20, 2023.

3. RESOLUTION 06-2023-1 – ACCEPT OFFERS(S) TO PURCHASE DELINQUENT TAX PROPERTY OWNED BY CUMBERLAND COUNTY:

On motion of Commissioner Holbrook, second by Commissioner Hyder, moved to adopt resolution 06-2023-1.

The motion to adopt resolution 06-2023-1 carried by a roll call vote from the commission present.

<u>Offerors</u>	<u>Property</u>	<u>Price</u>	<u>Advertising</u>
Brenton & Shannon Wiley	79 North Hampton Ct/65E B 13.00	\$301.90	\$45.00
	26 North Hampton Ln/65E B 18.00	\$289.20	\$45.00
Donald & Misty Moore	Blackfoot Trl Lot 57/154D D 7.00	\$358.50	\$45.00
Harry Alex Davis	Chickasha Trl Lot 114/155A A 24.00	\$659.10	\$45.00
	Chickasha Trl Lot 69/155H B 43.00	\$658.50	\$45.00
	Narcissa Dr Lot 86/155H B 28.00	\$658.50	\$45.00
Talmadge Potter	3010 Niska Drive/150G B 2.00	\$473.20	\$45.00
	3012 Niska Drive/150G B 3.01	\$287.00	\$45.00
	7008 Peoto Lane/150I E 31.00	\$473.20	\$45.00
	7010 Peoto Lane/150I E 32.00	\$470.10	\$45.00
Nicholas Ross	Bear Den Trl Lot 75/199I A 1.00	\$276.00	\$45.00
	Bear Den Trl Lot 76/199I A 2.00	\$276.00	\$45.00
	Bear Den Trl Lot 97/199I A 18.00	\$276.00	\$45.00
	Bear Den Trl Lot 96/199I A 19.00	\$276.00	\$45.00
	Bear Den Trl Lot 95/199I A 20.00	\$276.00	\$45.00
Joseph & Lyudmila Sandor	208 Marmaduke Dr/90J A 49.00	\$423.40	\$45.00
Roderick Stubbs & Shirley Pattman-Stubbs	103 Manchester Rd/90C G 46.00	\$490.00	\$45.00
Donald & Misty Moore	Blackfoot Trl Lot 47/154E A 2.00	\$758.50	\$45.00
Brenton & Shannon Wiley	Narcissa Dr Lot 105/155H B 15.00	\$1,313.86	\$45.00
	Narcissa Dr Lot 106/155H B 14.00	\$1,313.86	\$45.00
	Narcissa Dr Lot 102/155H B 18.00	\$558.50	\$45.00
	Narcissa Dr Lot 101/155H B 19.00	\$558.50	\$45.00

CUMBERLAND COUNTY BOARD OF COMMISSIONERS MEETING
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<u>Offerors</u>	<u>Property</u>	<u>Price</u>	<u>Advertising</u>
James & Susanne Johnson	Bear Den Trl Lot 77/199I A 3.00	\$1,276.00	\$45.00
	Bear Den Trl Lot 78/199I A 4.00	\$1,507.00	\$45.00
	Bear Den Trl Lot 79/199I A 5.00	\$2,319.59	\$45.00
Mark & Colleen Kemp	1052 Greyeagle Dr/162A A 27.00	\$370.40	\$45.00

4. RESOLUTION 06-2023-2 – CREATE A TASK FORCE FOR THE OPIOID SETTLEMENT FUNDS FOR CUMBERLAND COUNTY, TENNESSEE:

On motion of Commissioner Mall, second by Commissioner Stone, moved to adopt resolution 06-2023-2.

The motion to adopt resolution 06-2023-2, establishing an Opioid Task Force requested by the state to create a comprehensive, community-wide approach concerning the remediation of the opioid problem in Cumberland County, carried by a voice vote from the commission present. The task force will include: County Mayor, Crossville Mayor, Sheriff (or designee), Crossville Chief of Police (or designee), County Commissioner Joe Sherrill, District Attorney General (or designee), Judge Amanda Worley (or designee), Director of Schools William Stepp, Cumberland Medical Center CAO Randy Davis (or designee) and Cumberland County Health Department Director Angela Slaven

5. RESOLUTION 06-2023-3 – APPOINT MEMBERS TO THE CUMBERLAND COUNTY LIBRARY BOARD:

On motion of Commissioner Hyder , second by Commissioner Seiber, moved to pull resolution 06-2023-3 from the agenda of this meeting.

The motion to pull resolution 06-2023-3 from the agenda carried by a voice vote from the commission present.

6. RESOLUTION 06-2023-4 – QUITCLAIM THE WESTERN PORTION OF THE CURRENT BOARD OF EDUCATION CENTRAL OFFICE PROPERTY TO THE BOARD OF EDUCATION:

On motion of Commissioner Hyder, second by Commissioner Maxwell, moved to adopt resolution 06-2023-4.

The motion to adopt resolution 06-2023-4, to convey the western portion of the current Board of Education central office property from Cumberland County to the Board of Education (previously used by the State of Tennessee for an armory) via quitclaim deed, upon acceptance from the Board of Education, carried by a unanimous roll call vote from the commission present.

7. RESOLUTION 06-2023-5 – ADOPT A NEW LEASE AGREEMENT CONTRACT BETWEEN CUMBERLAND COUNTY AND THE CUMBERLAND COUNTY FAIR ASSOCIATION:

On motion of Commissioner Gibson, second by Commissioner Holbrook, moved to adopt resolution 06-2023-5.

Discussion: Commissioner Stone asked if the county paid for the paper supplies for the events at the fair ground facility. Commissioner Wilson stated these supplies had been taken out of the maintenance budget. There is not additional charge to the county for these supplies.

The motion to adopt resolution 06-2023-5, entering into the new lease and agreement between Cumberland County and Cumberland County Fair Association with an expiration date of December 7, 2026, carried by a voice vote from the commission present.

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8. RESOLUTION 06-2023-6 – RECONFIRM COUNTY COMMISSIONER’S METHOD OF COMPENSATION:

On motion of Commissioner Cooper, second by Commissioner Mall, moved to adopt resolution 06-2023-6.

The motion to adopt resolution 06-2023-6, approving the compensation plan for county commissioners in the amount of \$467.67 per month for each of the 18 commissioners, carried by a unanimous roll call vote from the commission present.

9. RESOLUTION 06-2023-7 – HIGHWAY FUND, BUDGET AMENDMENT:

On motion of Commissioner Hyder, second by Commissioner Maxwell, moved to adopt resolution 06-2023-7.

The motion to adopt resolution 06-2023-7, approving Highway Fund budget ament in the amount of \$1,337.00 for budget overruns in various department expenditures, carried by a unanimous roll call vote from the commission present.

10. RESOLUTION 06-2023-8 – GENERAL FUND, BUDGET AMENDMENT, SHERIFF’S DEPARTMENT:

On motion of Commissioner Stone, second by Commissioner Mall, moved to adopt resolution 06-2023-8.

The motion to adopt resolution 06-2023-8, approving General Fund budget amendment for the Sheriff’s Department in the amount of \$1,848.00 for improving and maintaining technology, carried by a unanimous roll call vote from the commission present.

11. RESOLUTION 06-2023-9 – COURTHOUSE MAINTENANCE FUND, BUDGET AMENDMENT:

On motion of Commissioner Stone, second by Commissioner Mall, moved to adopt resolution 06-2023-9.

The motion to adopt resolution 06-2023-9, approving Courthouse Maintenance budget amendment in the amount of \$149,820.00 for budget overruns in various department expenditures, carried by a unanimous roll call vote from the commission present.

12. RESOLUTION 06-2023-10 – SANITATION FUND, BUDGET AMENDMENT:

On motion of Commissioner Stone, second by Commissioner Mall, moved to adopt resolution 06-2023-10.

The motion to adopt resolution 06-2023-10, approving Sanitation Fund budget amendment in the amount of \$172,062.00 for budget overruns in various department expenditures, carried by a unanimous roll call vote from the commission present.

13. RESOLUTION 06-2023-11 – AMERICAN RESCUE PLAN ACT (ARPA) FUND TRANSFER TO SPECIAL REVENUE FUND, BUDGET AMENDMENT:

On motion of Commissioner Sherrill, second by Commissioner Stone, moved to adopt resolution 06-2023-11.

The motion to adopt resolution 06-2023-11, approving American Rescue Plan Act fund transfer to a new fund to provide for grant funding matches for previously approved broadband and water improvement projects and other

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further projects for the betterment of Cumberland County citizens, carried by a unanimous roll call vote from the commission present.

14. RESOLUTION 06-2023-12 – GENERAL FUND, BUDGET AMENDMENTS, VARIOUS DEPARTMENTS:

On motion of Commissioner Stone, second by Commissioner Mall, moved to adopt resolution 06-2023-12.

The motion to adopt resolution 06-2023-12, approving General Fund budget amendments in the amount of \$353,585.00 for budget overruns in various department expenditures, carried by a unanimous roll call vote from the commission present.

15. RESOLUTION 06-2023-13 - BOE GENERAL PROGRAM SCHOOL FUND, BUDGET AMENDMENT:

On motion of Commissioner Patterson, second by Commissioner Mall, moved to adopt resolution 06-2023-13.

The motion to adopt resolution 06-2023-13, approving Board of Education General budget amendment in the amount of \$36,438.00 to reallocate resources in transportation equipment, carried by a unanimous roll call vote from the commission present.

16. RESOLUTION 06-2023-14 – BOE CENTRAL CAFETERIA FUND, LINE-ITEM BUDGET AMENDMENT:

On motion of Commissioner Patterson, second by Commissioner Mall, moved to adopt resolution 06-2023-14.

The motion to adopt resolution 06-2023-14, approving Board of Education central cafeteria fund budget amendment in the amount of \$29,535.00 for reallocations in state retirement miscalculations, carried by a unanimous roll call vote from the commission present.

17. RESOLUTION 06-2023-15 – BOE CENTRAL CAFETERIA FUND, BUDGET AMENDMENT, NO KID HUNGRY:

On motion of Commissioner Patterson, second by Commissioner Mall, moved to adopt resolution 06-2023-15.

The motion to adopt resolution 06-2023-15, Board of Education central cafeteria fund budget amendment in the amount of \$57,500.00 to receive private funding from No Kid Hungry to support the summer meal program, carried by a unanimous roll call vote from the commission present.

18. RESOLUTION 06-2023-16 – BOE GENERAL PROGRAM SCHOOL FUND, SUMMER SCHOOL BUDGET AMENDMENT:

On motion of Commissioner Patterson, second by Commissioner Mall, moved to adopt resolution 06-2023-16.

The motion to adopt resolution 06-2023-16, approving Board of Education general program school fund budget amendment in the amount of \$50,000.00 to reallocate funding for summer school, carried by a unanimous roll call vote from the commission present.

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19. RESOLUTION 06-2023-17 – BOE CENTRAL CAFETERIA FUND, SCHOOL NUTRITION PROGRAM BUDGET AMENDMENT:

On motion of Commissioner Patterson, second by Commissioner Mall, moved to adopt resolution 06-2023-17.

The motion to adopt resolution 06-2023-17, approving Board of Education central cafeteria fund budget amendment in the amount of \$60,000.00 to purchase a new replacement walk in freezer and cooler, carried by a unanimous roll call vote from the commission present.

20. RESOLUTION 06-2023-18 – BOE CENTRAL CAFETERIA FUND, SCHOOL NUTRITION PROGRAM BUDGET AMENDMENT:

On motion of Commissioner Patterson, second by Commissioner Mall, moved to adopt resolution 06-2023-18.

The motion to adopt resolution 06-2023-18 approving Board of Education Central Cafeteria fund budget amendment in the amount of \$96,400.00 to purchase bulk milk from Mayfield Dairy Farms for CCHS, SMHS, & Phoenix school, carried by a unanimous roll call vote from the commission present.

21. RESOLUTION 06-2023-19 – BOE GENERAL PROGRAM SCHOOL FUND, BUDGET AMENDMENT:

On motion of Commissioner Patterson, second by Commissioner Mall, moved to adopt resolution 06-2023-19.

The motion to adopt resolution 06-2023-19, approving Board of Education general program school fund in the amount of \$858,069.29 for K-8th grade and summer transportation, carried by a roll call vote from the commission present.

22. RESOLUTION 06-2023-20 – BOE GENERAL PROGRAM SCHOOL FUND, BUDGET AMENDMENT

On motion of Commissioner Patterson, second by Commissioner Mall, moved to adopt resolution 06-2023-20.

The motion to adopt resolution 06-2023-20, approving Board of Education General Program School Fund in the amount of \$161,675.00 to reallocate resources, carried by a roll call vote from the commission present.

23. RESOLUTION 06-2023-21 – DEBT SERVICE FUND, BUDGET AMENDMENT:

On motion of Commissioner Gibson, second by Commissioner Stone, moved to adopt resolution 06-2023-21.

The motion to adopt resolution 06-2023-21, approving debt service fund budget amendment in the amount of \$1,250,405.00 for the issuance of capital outlay notes for repairs and renovations to the County Archives facility, carried by a roll call vote from the commission present.

COUNTY FINANCE DIRECTOR REPORT:

Finance Director Nathan Brock gave a report on the month of June's revenue for sales tax for Board of Education, property tax, hotel/motel tax, prisoner boarding, and EMS collections.

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June 20, 2023 Monthly Meeting Minutes

COUNTY ATTORNEY REPORT; PHILIP BURNETT:

County Attorney Burnett gave an update of current lawsuits. There was one prisoner case filed in the past 30 days. The county currently has a total of eleven (11) cases. Nine (9) of the eleven (11) cases are involving first responders (4 prisoner / 3 law enforcement / 1 judicial jail / 1 EMS) and all others are small local matters. Of the cases, nine are being handled by the county hired Nashville law firm. Attorney Burnett stated that most of the prisoner cases will mostly likely be dismissed and he does not see any significant exposure with the remaining cases.

24. COMMITTEE MEETINGS:

Commissioner Hyder stated there will be a Budget Committee meeting on Thursday, June 29, 2023 and the Health and Safety Standards Board will meet Wednesday, June 21, 2023 with 8 -10 active properties to discuss. Commissioner Isham stated the Audit Committee met on May 17, 2023 to review the audit. There were no deficiencies found in the audit. Cumberland County is one of only nine counties within the State of Tennessee that had no deficiencies found.

25. ELECTION OF NOTARIES:

On motion of Commissioner Maxwell, second by Commissioner Hyder moved to elect Donna Baisley, Randol R. Boston, Barbara Davenport, Michele D. Garrett, Shawndrese Kamin, Erin B. Lantry, Chris Palmer, Teresa Parker Angela R. Pennington, Larry Qualls, Christy Reed, Kimberly R. Smith, Bryce Watts, Sheryl Webb and Jennie S. Wright notaries public for the State of Tennessee.

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

ANNOUNCEMENT: Commissioner York announced there will be a reunion of Big Lick School on September 17, 2023 at the recreation hall at the Cumberland Mountain State Park at 12 noon. Commissioner Sherrill thanked the Bread of Life for bringing the invocation at this meeting and also for its service to the community.

26. ADJOURNMENT:

On motion of Commissioner Walker, second by Commissioner Gibson, moved the June 20, 2023 Commission Meeting to be adjourned at 6:48 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 2023.

Allen Foster, County Mayor
Chairman, Cumberland County Commission

Jule Bryson, Cumberland County Clerk

**A RESOLUTION TO ACCEPT OFFER(S) TO PURCHASE DELINQUENT TAX
PROPERTY OWNED BY CUMBERLAND COUNTY**

WHEREAS, Citizens have presented offers to the Cumberland County Delinquent Tax Committee for property currently owned by Cumberland County, and;

WHEREAS, said offers are for parcels of property and offer details are as follows:

<u>Offeror(s)</u>	<u>Property Address</u>	<u>Price</u>	<u>Ad fee cost</u>
Micheal Tyler Matthews	4059 Saponac Dr 161B H 2.00	\$285.70	\$45
	4008 Saponac Dr 161B I 48.00	\$303.42	\$45
20207WY-03, LLC	Crockett Lake Dr. Lt 764 193D F 11.00	\$405.30	\$45
	David Crockett Rd Lt732 193D C17.00	\$404.50	\$45
	David Crockett Rd Lt 731 193DC16.00	\$405.30	\$45
David & Christina Passon	8128 Chief Red Cloud 162A J 14.00	\$325.20	\$45
	8102 Chief Red Cloud 162A J 1.00	\$313.80	\$45
TBA	8162 Chief Red Cloud 162A J 31.00	Counterbid	\$45
Billy & Brenda Norris	400 Marmaduke Dr 103B C 24.00	\$430.00	\$45
Nicholaus & Randy Holman	3037 Shawnee Rd 150J J 34.00	\$276.80	\$45
Marcus Evans	3135 Manhato Rd 150O P 43.00	\$270.40	\$45

WHEREAS, the Cumberland County Delinquent Tax Committee, meeting in regular session, votes to recommend to the full Cumberland County Commission that the Commission accept the offer(s).

NOW, THEREFORE, BE IT RESOLVED the Cumberland County Commission meeting in its regular monthly session hereby accepts said offers, and sells said properties to the Offeror(s).

ADOPTED this 17th day of July, 2023.

SPONSOR:

Deborah Holbrook
Deborah Holbrook, COMMISSIONER

APPROVED:

Allen Foster, COUNTY MAYOR

ATTEST:

Jule Bryson, COUNTY CLERK

RESOLUTION TO RELEASE BROADBAND GRANT FUNDING

WHEREAS, on January 18, 2022, the Cumberland County Commission recognized that Broadband is a priority need for our citizens; and

WHEREAS, COVID-19 elevated the importance of critical broadband infrastructure to facilitate participation in telemedicine, distance learning, and telecommuting; and

WHEREAS, reliable and affordable broadband service is necessary to meet these needs in our community; and

WHEREAS, the Tennessee Department of Economic and Community Development (TNECD) Broadband Division awarded more than \$26.5 million for infrastructure projects in Cumberland County as part of the Tennessee Emergency Broadband Fund - American Rescue Plan – Phase 1; and

WHEREAS, the Cumberland County Commission approved to allocate a minimum 10% match and a maximum 20% match, in an aggregate amount not to exceed \$3,000,000, in co-funding to providers that are awarded TNECD broadband grants that meet federal guideline requirements; and

WHEREAS, with the exceptionally large grants received, the actual amount of local grant funding to the providers will be no more than \$3,056,638.36, which includes an incentive to provide high-speed, low-cost broadband services.

NOW, THEREFORE, BE IT RESOLVED, by the Cumberland County Board of Commissioners that:

- 1) Cumberland County allocate and spend local grant funds to Ben Lomand Communications LLC, and BTC Communications LLC in the aggregate amount not to exceed \$3,056,638.36, with said funding coming from ARPA and/or the Special Purpose Fund; and
- 2) the Cumberland County Mayor is hereby expressly authorized to execute any formal agreement and related documents and to formally bind the county to disburse these funds in support of this extension of broadband service.

Adopted this 17th day of July, 2023.

Sponsor: 
County Mayor

Approval: _____
County Mayor

Attest: _____
County Clerk

RESOLUTION NO. 07-2023-3

RESOLUTION APPROVING CHANGES TO THE EQUIPMENT USE POLICY OF
CUMBERLAND COUNTY PARKS AND RECREATION

WHEREAS, upon investigation, it was discovered that the current equipment use policy of Cumberland County Parks and Recreation allows, with prior coordination, event holders not employed by Cumberland County to operate county-owned equipment; and

WHEREAS, county attorney Philip Burnett has advised against allowing anyone who is not employed by Cumberland County to operate any equipment owned by the county; and

WHEREAS, on June 13, 2023, Donnie Moody, Director of Cumberland County Parks and Recreation, came before the Building and Grounds Committee with proposed changes to his department's equipment use policy; and

WHEREAS, the new policy states that event holders can contract the use of county-owned equipment, operated by an employee of Cumberland County, through the Parks and Recreation Department for a fee of \$25 per hour, with a minimum notice of thirty (30) days prior to the event; and

WHEREAS, in the event an employee of Cumberland County is not available for the event holder's date, the event holder will be responsible for securing any equipment and operators needed; and

WHEREAS, the equipment policy use changes for Parks and Recreation were approved for passage by the Building and Grounds Committee at the June 13, 2023 meeting;

NOW, THEREFORE, BE IT RESOLVED, by the Cumberland County Board of Commissioners, meeting in regular session, that the new equipment policy use changes for Parks and Recreation be approved.

Adopted this 17th day of July, 2023.

SPONSOR

Colleen Mall by: JL
County Commissioner

APPROVE

County Mayor

ATTEST

County Clerk

RESOLUTION NUMBER 07-2023-4

**A RESOLUTION TO APPOINT MEMBERS TO THE
CUMBERLAND COUNTY LIBRARY BOARD**

WHEREAS, the Cumberland County Library Board is composed of nine (9) members appointed by the Cumberland County Commission for three-year staggered terms (TCA 10-3-103); and

WHEREAS, not more than one official of the county may serve on the Library Board (TCA 10-3-103); and

WHEREAS, current members and their terms are as follows:

(1) Terry Lowe – Second Term expires 06/30/2023

(2) Robert Schwartz – Second Term expires 06/30/2023

(3) Joe Looney – First Term Expires 06/30/2023

(4) Deborah Douglas – Second Term expires 06/30/2024

(5) Kaye Randolph – First Term expires 06/30/2024

(6) J. D. Atkinson – First Term expires 06/30/2024

(7) Kathy T. Ivey – Second Term expires 06/30/2025

(8) Melanie Sherrill – First Term Expires 06/30/2025

(9) J. Howell Peebles – First Term Expires 06/30/2025; and

WHEREAS, Library Board members may serve two (2) consecutive three-year terms and may be reappointed after a minimum three-year break in service (TCA 10-3-103); and

WHEREAS, Terry Lowe and Robert Schwartz have served (2) consecutive three-year terms on the Cumberland County Library Board; and

WHEREAS, Joe Looney has served one term of three years on the Cumberland County Library Board; and

WHEREAS, Greg Maxwell and Cathy Cathey are willing to serve a first term of three years on the Cumberland County Library Board; and

WHEREAS, Joe Looney is willing to serve a second term of three years on the Cumberland County Library Board; now


THEREFORE, BE IT RESOLVED by the Cumberland County Board of Commissioners meeting in regular session this 17th day of July, 2023, that

Greg Maxwell and Cathy Cathey be appointed to the Cumberland County Library Board for a first term of three years to begin on July 1, 2023 and to expire on June 30, 2026, and that

Joe Looney be appointed to the Cumberland County Library Board for a second term of three years to begin on July 1, 2023 and to expire on June 30, 2026.

This 17th day of July, 2023.

SPONSOR:



COUNTY MAYOR

APPROVE:

COUNTY MAYOR

ATTEST:

County Clerk

1st District
Dewey Walker
Sue York
2nd District
Nancy Hyder
Tom Isham
3rd District
Rebecca Stone
Darrell Threet
4th District
David Gibson
Charles Seiber
5th District
Jack Davis
Terry Lowe



6th District
Joe Sherrill
Wendell Wilson
7th District
Mark Baldwin
Jerry Cooper
8th District
Deborah Holbrook
Greg Maxwell
9th District
Colleen Mall
John Patterson, Jr
Commission Chairman
Mayor Allen Foster

Cumberland County Board of Commissioners

2 N Main St | Suite 203 | Crossville, TN 38555

July 7, 2023

TO: County Commissioners, County Mayor, County Clerk, Media
FROM: Wendell Wilson—Member of the Cumberland County Fair Committee

The Cumberland County Fair Committee will be meeting on Tuesday, July 11th, 2023 at 4:30 pm in the Cumberland County Fair Board office at the Community Complex

AGENDA

1. Call to Order
2. Discussion: Fair Needs
3. Old Business, if any
4. New Business, if any
5. Adjournment

CUMBERLAND COUNTY FAIR COMMITTEE:

Mayor Allen Foster
Donnie Moody, Director of Cumberland County Parks and Rec
Sue York, 1st District
Terry Lowe, 5th District
Wendell Wilson, 6th District
Fair Board Members

1st District
Dewey Walker
Sue York
2nd District
Tom Isham
Nancy Hyder
3rd District
Rebecca Stone
Darrell Threet
4th District
David Gibson
Charles Seiber
5th District
Jack Davis
Terry Lowe



6th District
Wendell Wilson
Joe Sherrill
7th District
Mark Baldwin
Jerry Cooper
8th District
Greg Maxwell
Deborah
Holbrook
9th District
Colleen Mall
John
Patterson, Jr

**CUMBERLAND COUNTY
BOARD OF COMMISSIONERS**

2 N Main St | Suite 203 | Crossville, TN 38555

TO: County Commissioners, County Mayor, County Clerk, Media

FROM: Deborah Holbrook - Delinquent Tax Committee Chair

**The Delinquent Tax Committee will be meeting on Monday, July 17, 2023
at 5:00 pm in Plateau Conference Room (Rm 130) of the Art Circle Public
Library.**

AGENDA

1. Call to Order
2. Approval of May and June Minutes
3. Micheal T. Matthews – 4059 Saponac Drive 161B H 2.00
4008 Saponac Drive 161B I 48.00
4. 20207WY-03, LLC – Crockett Lake Drive 193D F 11.00
David Crockett Rd Lot 732 193D C 17.00
David Crockett Rd Lot 731 193D C 16.00
5. David & Christina Passon - 8128 Chief Red Cloud Dr 162A J 14.00
8102 Chief Red Cloud Dr 162A J 1.00
8162 Chief Red Cloud Dr 162A J 31.00
Timothy & Pamela Pratt Counterbid on 162A J 31.00
6. Billy & Brenda Norris – 400 Marmaduke Dr 103B C 24.00
7. Nicholaus & Randy Holman – 3037 Shawnee Rd 150J J 34.00
8. Marcus Evans – 3135 Manhato Rd 150O P 43.00

9. Old Business

10. New Business

11. Adjournment

DELINQUENT TAX COMMITTEE MEMBERS:

Allen Foster | Mayor

Dewey Walker | 1st District

Deborah Holbrook | 8th District

Darrell Threet | 3rd District

Colleen Mall | 9th District

CUMBERLAND COUNTY BEER BOARD MEETING MINUTES

MONDAY, APRIL 17, 2023

5:30 PM

The Cumberland County Beer Board met on Monday, April 17, 2023 at 5:30 o'clock P.M. in Crossville, Tennessee. Present at the meeting was Beer Board Chairman Joe Sherrill and Beer Board Members Commissioners Terry Lowe and Darrell Threet. Also present in the meeting was Beer Board Secretary, County Clerk Jule Bryson and Art Circle Public Library Director James Houston. The following permit applicants attending: Kristy Tara Ramker-White of Grandy's Bar and Grill

Commissioner Lowe made a motion to approve the minutes of the last Beer Board Meeting held on Tuesday, January 17, 2022. Commissioner Threet seconded the motion and Board Members approved the minutes by a voice vote from the Beer Board present.

Chairman Sherrill advised the Board that one (1) application had been submitted for the Board's consideration.

- 1) Kristy Tara Ramker-White representative for of Grandy's Bar and Grill
445 Deer Creek Drive, Crossville, TN 38571

There being no objections to the permit being issued, on motion of Commissioner Lowe second by Commissioner Threet moved to grant On and Off Premises permit.

Old Business: Chairman Sherrill stated the residential distance rule is still in place to date. The house of worship distance rule will no longer be considered due to the issuance of beer permits to establishments closer than 2000 feet from house of worship.

With no further business to come before the Board, on motion of Commissioner Patterson, second by Commissioner Threet the meeting adjourned at 5:34 o'clock PM. The motion to adjourn the April 17, 2023 Beer Board Meeting carried by a unanimous roll call vote from the Beer Board present.



Joseph Sherrill
Chairman, Cumberland County Beer Board

Cumberland County Rail Authority Minutes

November 30, 2022 at 9:00 am
Meeting in Room 310 at the Cumberland County Courthouse

Members Present:

Mayor Allen Foster
Wendell Wilson
Joe Sherrill

Members Absent:

Others Present:

Kris Scarbrough - L'Hoist
Gary Hankins - L'Hoist
Beth Wyatt-Davis-Mayors Office
Jennifer Turner - CC Finance
Heather Mullinix- Chronicle

Call to Order – Chairman Wendell Wilson called the meeting to order at 9:00 am. Quorum was established.

Approval of Minutes - The Minutes from the June 1, 2022 meeting were distributed. Mayor Foster made a motion for approval. Seconded by Joe Sherrill. All approved. Motion carried.

2023 Rail Authority funding projects – Kris Scarbrough of L'Hoist announced they were working on two funding projects for 2023 – The CRISI grant (Consolidated Rail Infrastructure and Security Improvements) and the State of Tennessee grant.

CRISI – This grant is through TDOT who is applying to the Federal Government for funds to improve the Short Line Railroad Bridges. TDOT assessed bridges throughout the state and L'Hoist has two that qualify for rehabilitation. This specific program has the potential to bring over \$3 Million in infrastructure upgrades to these two bridges. These projects will be funded 55% Federal, 45% State and 5% Local with L'Hoist submitting the 5% local match of \$181,500. (See letter attached) L'Hoist is asking for letters of support to be sent to the State for this project. Letters of support have been prepared by CCRA members Wendell Wilson and Mayor Allen Foster. Beth Davis will send them to Adam Jaeckel at the State following this meeting.

A motion was made by Mayor Foster for CCRA to support the State of Tennessee to move forward for these two projects with the CRISI grant. Joe Sherrill seconded the motion. All approved. Motion carried.

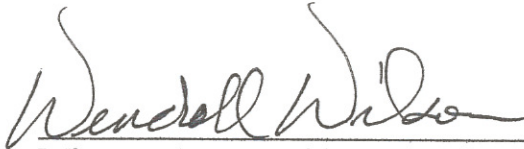
State of Tennessee grant – This grant is the traditional annual funding from the state that include improvements to active short line railroads for bridge, track, and grade crossings. The funding for 2023 is \$501,442.00. L’Hoist has also committed \$2 Million in additional funding for much needed track and tie replacement in the Ozone and Daysville areas, as well as crossing rehabilitation at the Ashburn Road crossing in Ozone.

A motion was made by Mayor Foster to approve accepting the 2023 state grant pending County Attorney Burnett’s approval and the signing of the local match contract created by Attorney Burnett. Motion seconded by Joe Sherrill. All approved. Motion carried.

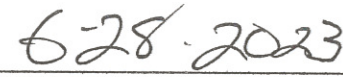
Old Business – None

New Business – Joe Sherrill posed the question of the idea of passenger rail from the spur in Westel to maybe make a connection with the upcoming entertainment venue – Flatrock.

Adjournment – Mayor Allen Foster made the motion to adjourn. Seconded by Joe Sherrill. Meeting was adjourned at 9:28.



Minutes Approved by



Date

HEALTH AND SAFETY STANDARDS BOARD

May 17, 2023 | 2:00 PM

Room 310, Cumberland County Courthouse

RECEIVED
6.22.23

Members Present:

Nancy Hyder, Chair
Tom Isham
Craig Clark
Sheryl Webb
Richard Bringenberg

Others Present:

Moira Charnot, *Crossville Chronicle*
Torey LaMontagne, Mayor's Office, minutes
Philip Burnett, Burnett Law, County Attorney
Emma Lee Cole, Burnett Law
8 constituents related to properties on the agenda

CALL TO ORDER

With all committee members present, Chair Nancy Hyder called the meeting to order at 2:00 pm on Wednesday, May 17, 2023 in room 310 of the old Cumberland County courthouse.

INTRODUCTION OF NEW MEMBER

In May of 2023, Joseph Koester's appointment to the Health and Safety Standards Board ended. Richard Bringenberg was appointed to take his place. Richard was present at the meeting and shared a few things about himself including that he moved to Lake Tansi around 2008, is a retired CPA, and an active member of the local noon rotary club.

APPROVAL OF MINUTES

Tom Isham made a motion to approve the minutes from the previous meeting as presented. The motion was seconded by Sheryl Webb, none were opposed, and the motion carried. The minutes from the April 26, 2023 meeting were approved as presented.

BENT TREE DR UPDATE

Nancy updated Richard on this property. She summarized that in short, no available heirs (20+) wanted anything to do with the property. It does have a lien on it regarding the initial clean-up. It will be going to the next delinquent tax auction. That is the best and most efficient way to get this property taken care of. The committee is going to continue to monitor what appears to be a squatter situation at the property.

ROBIN CT UPDATE

This property has changed owners since the last notice was sent. Tom Isham made a motion to mail a first notice of complaint to the new owner on file, Robert Wood. Craig Clark seconded the motion, none were opposed, and the motion carried.

SCARLETT DR UPDATE

The owner of this property was present. She stated that she pays her taxes, mows the yard, and pays the bills and mortgage on the property, so she was slightly confused on what the issue is. The committee noted that the property was not currently sufficient enough to warrant any action, but it would stay on the radar for updates. Craig Clark made a motion to consider this case on hold for a probationary period in which the committee will check to make sure it is staying within the confines of the HSSB statute. Tom Isham seconded the motion, none were opposed, and the motion carried. ^(2- month)

PIGEON RIDGE RD UPDATE

The owner of this property was present and stated that he wants to be a good neighbor and do right by the community. Nancy said that as of right now, this property is not a problem. Craig Clark made a motion to consider this case on hold for a probationary period in which the committee will check to make sure it is staying within the confines of the HSSB statute. Tom Isham seconded the motion, none were opposed, and the motion carried. Nancy thanked Mr. Seay for coming and thanked him for his service. JL

OLD/NEW BUSINESS

EUREKA DR COMPLAINT

The committee looked at photos of the property provided by the complainants. Neighbors provided commentary about gopher rats, bonfires with explosions, and tarping as a roof. The neighbors are aware that the owner lives in Ohio. Nancy made a motion to mail a first notice of complaint to the owner on record, as well as serving the same to the current resident(s) of the property. Craig seconded the motion, none were opposed, and the motion carried.

HALSTEAD DR COMPLAINT

The committee looked at photos of the property provided by the complainants. The neighbors were present and stated that the yard hasn't been mowed in years, an old pool and old car are just sitting, and that the property backs up to the community lake. They stated that they have tried to talk with the owner about it. Craig made a motion to mail a first notice of complaint to the owner on file. Sheryl seconded the motion, none were opposed, and the motion carried.

FOX CREEK RD COMPLAINT

The committee looked at photos of the property provided by the complainants. No neighbors were present for comment. Sheryl made a motion to mail a first notice of complaint to the owner on file. Craig seconded the motion, none were opposed, and the motion carried.

There was additional discussion was had about using the new codes department employees to explore these cases. Philip Burnett informed the committee that is doesn't currently have the mechanism for that action.

Chair Nancy Hyder thanked everyone for coming.

NEXT MEETING

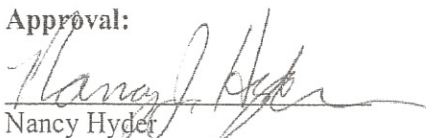
The next meeting was set for Wednesday, June 21 at 1 pm in room 310 of the old Cumberland County courthouse.

ADJOURNMENT:

With no further business, a motion was made to adjourn by Tom Isham. The motion was seconded by Craig Clark, none were opposed, and the motion to adjourn carried. The meeting was adjourned at 3:27 pm on Wednesday, May 17, 2023 in room 310 of the old Cumberland County courthouse.

Recorded and Submitted by Torey LaMontagne

Approval:


Nancy Hyder

6-21-2023
Date

RECEIVED
6.27.23

MINUTES

Budget Committee
Of Cumberland County, Tennessee

Meeting Held
At the
Courthouse Small Courtroom

June 1, 2023

Members Present:

Nancy Hyder
Greg Maxwell
Joe Sherrill
Jack Davis
John Patterson
Rebecca Stone
Jerry Cooper
Sue York

Members Absent:

Charles Seiber

CALL TO ORDER

Chairman Hyder called the meeting to order at 4:30 P.M. and the following business was conducted:

**FISCAL YEAR 2023-2024
BUDGET REVIEW**

The Budget Committee reviewed FY 23-24 budget requests from the Board of Education.

- **School Nutrition Program** - Kathy Hamby, Food Service Director, presented the School Nutrition Program budget. After review and discussion, Commissioner Sherrill made a motion to approve the budget as presented. Commissioner Maxwell seconded the motion and it carried by voice vote.
- **General Purpose School Fund** - Director of Schools William Stepp and Chief Operations Officer Kim Bray presented the General Purpose School Fund budget. After reviewing the proposed budget, Commissioner Stone made a motion to accept, subject to review after the final numbers are in, the BOE 2023/2024 budget as presented but with the true reserves reflected by correcting line item 141-76100-707 in the 2022/2023 budget by \$2.2 million because the transfer was never approved by the County Commission. Commissioner Sherrill seconded the motion. The motion carried by voice vote, 7Y-ON-1A with Commissioner Cooper abstaining from the vote.

- **Federal Programs** - Justin Whittenbarger, Director of Federal Programs, presented the Federal Programs budget. After review and discussion, Commissioner Sherrill made a motion to accept the Federal Program Budget as presented. Commissioner Maxwell seconded the motion and it carried by voice vote.

NEXT MEETING

Chairman Hyder reminded committee members that the next budget review meeting for FY 23-24 would be on Thursday, June 8, 2023 at 4:30 P.M.

ADJOURNMENT

With no further budgets to review Commissioner Sherrill made a motion to adjourn. Commissioner Davis seconded the motion and it carried by voice vote. The meeting adjourned at 7:10 P.M.

RECEIVED
6.27.23

MINUTES

Budget Committee
Of Cumberland County, Tennessee

Meeting Held
At the
Courthouse Small Courtroom

June 8, 2023

Members Present:

Nancy Hyder
Greg Maxwell
John Patterson
Jerry Cooper
Rebecca Stone
Sue York
Charles Seiber
Joe Sherrill

Members Absent:

Jack Davis

CALL TO ORDER

Chairman Hyder called the meeting to order at 4:30 P.M. and the following business was conducted:

APPROVAL OF MINUTES

Members of the committee reviewed minutes from the budget review meeting on May 16, 2023. After review, Commissioner Patterson made a motion to approve as presented. Commissioner York seconded the motion and it carried by voice vote.

FISCAL YEAR 2023-2024 BUDGET REVIEW

Members of the Budget Committee continued to review FY 23-24 request. The following departments were called back for further review on Capital requests:

- **Fire** - Fire Chief Trevor Kerley explained to the committee that he could purchase 1 used tanker and 1 support unit for \$200,000 as opposed to his original request of 1 new tanker for the same amount of money. The Fire Chief also stated that he could purchase a skid unit for \$15,000. After review and discussion, Commissioner Patterson made a motion to tentatively approve the revised

request of two (2) trucks at a total cost of \$200,000 and to add them to the capital requests. Commissioner Cooper seconded the motion and it carried by voice vote.

- **EMA** - EMA Director Travis Cole explained the need for his request for five (5) BDA Systems in various school buildings. He explained that they were not working correctly and needed to be replaced. Mr. Cole also advised the committee that they cost \$30,00 each and all could be replaced for \$150,000. Commissioner Stone made a motion to tentatively approve the request for the 5 BDA Systems, and add the items back into the capital requests. Commissioner Sherrill seconded the motion and it carried by voice vote.

Mr. Cole also informed members of the committee that he would like to purchase two (2) microwave hops for county tower locations used by the emergency communications system. The EMA director advised the committee that there could possibly be a grant that could be awarded to help with the cost. The grant would require a twenty-five (25) percent match. After discussion, Commissioner Stone made a motion to tentatively approve and add to the capital requests. Commissioner Maxwell seconded the motion and it carried by voice vote.

- **Sanitation** - Conrad Welch, Sanitation Director, requested that the committee reconsider his vehicle requests. Mr. Welch stated how old the vehicles were and how bad of shape they were in. After review and discussion, Commissioner Cooper made a motion to add an additional \$40,000 to the already approved amount of \$15,000 for a total of \$55,000 for the purchase of up to three (3) used vehicles total. Commissioner Stone seconded the motion and it carried by voice vote.
- **Veterans** - Mayor Foster informed members of the committee that the VSO had requested three (3) office chairs for use by staff and not conference chairs as originally thought. The Mayor asked the committee to reconsider this request. After the Mayor's clarification, Commissioner Cooper made a motion to tentatively approve the \$865.00 as originally requested and to add it back to the capital requests. Commissioner York seconded the motion and it carried by voice vote.
- **Jail** - Finance Director Nathan Brock advised the Committee that Sheriff Cox had explained to him that the smoke detector system that he had requested on his capital items was a very complex system that was integrated with fire sprinklers and other life safety controls for the Justice Center. After review and discussion, Commissioner Cooper made a motion to tentatively approve the request and add back into the capital requests. Commissioner Maxwell seconded the motion and it carried by voice vote.

OTHER BUSINESS

Mayor Foster, presented the committee with data on what five (5) percent and a six (6) percent raise for employees would cost. Considerable discussion was held regarding employee compensation and benefits. The Committee concurred to review again at a later date.

ADJOURNMENT

With no further business scheduled, Commissioner Seiber made a motion to adjourn. Commissioner Sherrill seconded the motion and it carried by voice vote. The meeting adjourned at 6:11 P.M.



MINUTES
CUMBERLAND COUNTY REGIONAL PLANNING COMMISSION
MAY 18, 2023

MEMBERS PRESENT

Terry Lowe
Kelli Tipton
Linda Clark
Wendall Wilson
John Stubbs

MEMBERS ABSENT

Russell Smith
Kyle Davis
Katie Hardt
David Gibson

STAFF REPRESENTATIVE

Tommy Lee, UCDD

OTHERS PRESENT

Philip Burnett, County Attorney
Arthur Lendo
Stanley Hall, Road Superintendent
Michael Bond
Craig Clark
Philip Smith
Alan Joseph

ITEM 1: CALL TO ORDER

Upon determining a quorum was present, Vice-Chairman Wendall Wilson called the regular meeting of the Cumberland County Regional Planning Commission (PC) to order at 5:00 P.M. on May 18, 2023 at the Cumberland County Courthouse.

ITEM 2: APPROVAL OF APRIL 20, 2023 MINUTES

After calling the meeting to order, Vice-Chairman Wilson asked for approval of the April 20, 2023 minutes. Terry Lowe made a motion to dispense with the reading of the minutes and approve the minutes as presented. Kelli Tipton seconded and the motion passed with a vote of all ayes.

ITEM 3: DISCUSSION REGARDING THE CHESTNUT RIDGE DEVELOPMENT AND HICKORY RIDGE DEVELOPMENT PAVING SCHEDULE

At the October 22, 2022 meeting, Michael Bond addressed the PC and stated that he lived on Chestnut Ridge Court. Bond stated that he lives in the Chestnut Ridge Development in Fairfield Glade off of Catoosa Boulevard. Bond stated the roads within the development have not been paved and that he would like to know the timeline as to when these roads would be paved. Staff Planner stated that he would review the timeline and report his findings to Bond. At the November 17, 2022 meeting, Staff Planner stated that the Chestnut Ridge Development was granted final approval by the PC at the April 19, 2019 meeting with a letter of credit also submitted to ensure the installation of the water, sewer and county roads. At the December 19, 2019 meeting, Fairfield Glade Homes submitted a request to release the letter of credit due to the fact that the water, sewer and county roads had all been properly installed. Staff stated that letters of verification from the presiding utility districts were presented for the installation of the water and the sewer. Staff stated that former County Road Superintendent Blaylock would release the road portion of the letter of credit pending his inspection. Staff stated that Blaylock did not inspect the proposed county roads and thus that portion of the letter of credit was not released. Staff Planner then stated that the letter of credit for the roads in the Chestnut Ridge Development had expired and that Fairfield Glade Homes must produce a new letter of credit for the aforementioned roads. Staff Planner instructed David Bell to produce a new letter of credit for the completion of the proposed county roads in the Chestnut Ridge Development and to produce a development schedule for the Chestnut Ridge Development by the next planning commission meeting. Bell agreed and stated that Fairfield Glade Homes intends to complete the road construction once eighty-five (85) percent of residential construction is complete. Bond stated that he believed that two-thirds (2/3) of residential construction had been completed. After discussion, Chairman Smith tabled discussion. At the December 15, 2022 meeting, David Bell addressed the PC

and stated that a letter of credit has been submitted for \$115,500 but has not been approved by the Road Superintendent. Bell stated that a development schedule has not been established with regards to the surfacing of the roads within the development. Staff Planner once again requested that Bell provide a development schedule at the next PC meeting. Chairman Smith tabled discussion. At the December 15, 2022 meeting, Philip Smith addressed the PC and asked for an update regarding the Hickory Ridge Development paving schedule. Staff Planner stated that the Hickory Ridge Development was established in approximately 2007. Staff Planner stated that shortly after the development was established, the base and the binder for the roads within the development were installed. Staff Planner stated that sometime shortly after that, the roads were added to the county road list even though they were not completed. David Bell stated that Wyndham Properties was the original developer of Hickory Ridge but they sold the development to Fairfield Glade Homes (FGH). Bell stated that FGH are committed to installing the final surfacing to the roads within the development. Smith stated that the road has fell into disrepair and that several areas would need to be brought up to current county standards. Staff Planner asked that Bell provide a development schedule at the next PC meeting. Member Wendall Wilson asked County Attorney Philip Burnett if the county had any liability for the aforementioned roads. Attorney Burnett stated that he needed to do some research on the topic. Burnett stated that while the recording of a plat establishes county right-of-way, it does not constitute adoption as a county road. Chairman Smith tabled discussion. At the January 19, 2023 meeting, Staff stated that no one representing FGH was in attendance to present an updated paving schedule for the aforementioned developments. After discussion, Wendall Wilson made a motion that County Attorney Burnett send an official letter to FGH from the PC requesting an updated paving schedule for both of the aforementioned developments. Linda Clark seconded and the motion passed with a vote of all ayes. At the March 16, 2023 meeting, Staff Planner read an email from Barry Field (engineer for Fairfield Glade Homes). The email stated that the Hickory Ridge Development is scheduled to be paved in the upcoming months. Several residents from the Hickory Ridge development stated that subgrade should be improved before paving starts and that the improvements should be monitored by the county road superintendent. Residents also mentioned that there are drainage issues that should be addressed by the developer. Staff Planner also stated that in the aforementioned email that there was no development scheduled for Chestnut Ridge but that he would inquire to Field about that schedule. At the April 20, 2023 meeting, Road Superintendent Stanley Hall addressed the PC and provided an update with regards to the Hickory Ridge development. Hall stated that he met with Rogers Group, who is contracted to pave the roads and Bill Heigel, who is the Fairfield Glade Community Club Road Superintendent. Hall stated that after inspecting the roads, that it was his opinion and the opinion of Heigel that the curb and gutter of all roads were substandard. He stated that it was also his and Heigel's opinion that the base was substandard. Hall stated that he recommends that a minimum of 1 ½ inches of asphalt at minimum be used for surfacing and more in areas that have a need for it. Hall stated that paving could begin in May of 2023. Hall stated that he would provide updates throughout the paving process. Arthur Lendo, property owner in the Hickory Ridge Development, addressed the PC and stated that several property owners in the Hickory Ridge Development sent Hall and Staff Planner a letter with photos voicing their concerns regarding the aforementioned paving project. Lendo also stated that if needed, there were several residents with backgrounds that could assist Hall with paving inspections. Chairman Smith tabled discussion. At the May 18, 2023 meeting, Hall addressed the PC and stated that he met with developer Tom Anderson and requested that Anderson use additional asphalt to reinforce some lower areas in the base for the Hickory Ridge development. Hall stated that Anderson was not willing to accommodate his request at this time but Hall hopes that he and Anderson can come to an agreement in the future. Hall finally stated that the base in the Chestnut Ridge Development appears to comply the road standards. Vice-Chairman Wilson tabled discussion.

ITEM 4: CONSIDERATION OF FINAL SUBDIVISION PLAT FOR PROPERTY LOCATED ON HIGHWAY 68 (DELK DIVISION)

At the April 20, 2023, No one was present to represent the plat. Linda Clark made a motion to table. Terry Lowe seconded and the motion passed with a vote of all ayes. At the May 18, 2023 meeting, Staff Planner informed the PC that the plat had been withdrawn from consideration.

ITEM 5: STAFF REPORT

Staff Planner presented a report for nine (9) subdivision plats that had been administratively approved since the last planning commission meeting. The administratively approved subdivision plats are as follows:

McFadden Division—Final

Linda McFadden submitted a final subdivision plat for the purpose of creating one (1) proposed new lot from property larger than five (5) acres located on Vandever Road. The proposed new lot would consist of 0.80 acres, an existing residential structure and two (2) existing accessory structures. The proposed new lot would be served by an existing eight (8) inch water line and would comply with all Cumberland County Subdivision Regulations

Eicholtz Combination 1-Final

Mike Eicholtz submitted a final combination plat for the purpose of creating one (1) proposed new lot from three (3) existing lots located on Liverpool Circle. The proposed new lot would consist of 0.62 acres and is currently vacant. The proposed new lot is served by an existing six (6) inch water line, an existing two (2) inch sewer line and would comply with all Cumberland County Subdivision Regulations.

Eicholtz Combination 2-Final

Mike Eicholtz submitted a final combination plat for the purpose of creating one (1) proposed new lot from two (2) existing lots located on Beechwood Drive and Charles Place. The proposed new lot would consist of 0.55 acres and is currently vacant. The proposed new lot is served by an existing six (6) inch water line, an existing two (2) inch sewer line and would comply with all Cumberland County Subdivision Regulations.

Madden Combination-Final

Joey O'Steen submitted a final combination plat for the purpose of creating one (1) proposed new lot from two (2) existing lots located on Hunterwood Court. The proposed new lot would consist of 0.528 acres and is currently vacant. The proposed new lot is served by an existing well and would comply with all Cumberland County Subdivision Regulations.

Peters Combination-Final

John Peters submitted a final combination plat for the purpose of creating one (1) proposed new lot from two (2) existing lots located on Albemarle Circle. The proposed new lot would consist of 0.539 acres and an existing residential structure. The proposed new lot is served by an existing six (6) inch water line, an existing two (2) inch sewer line and would comply with all Cumberland County Subdivision Regulations.

Petru Combination-Final

Edward Petru submitted a final combination plat for the purpose of creating one (1) proposed new lot from two (2) existing lots located on Laswell Lane. The proposed new lot would consist of 1.159 acres and an existing residential structure. The proposed new lot is served by an existing six (6) inch water line, an existing two (2) inch sewer line and would comply with all Cumberland County Subdivision Regulations.

Scoggins Combination-Final

Billy Bob Scoggins submitted a final combination plat for the purpose of creating one (1) proposed new lot

from two (2) existing lots located on Yee Haw Court. The proposed new lot would consist of 0.62 acres and is currently vacant. The proposed new lot is served by an existing two (2) inch water line and would comply with all Cumberland County Subdivision Regulations.

Smith Combination—Final

Darryl Smith submitted a final combination plat for the purpose of creating two (2) proposed new lot from three (3) existing lots located on Cherokee Trail. Lot 1 (shown as Lot 160) would consist of 0.94 acres, an existing residential structure and an existing accessory structure. Lot 2 (shown as Lot 162) would consist of 0.94 acres, an existing residential structure and an existing accessory structure. The proposed new lot is served by an existing eight (8) inch water line and would comply with all Cumberland County Subdivision Regulations.

Vowell Adjustment-Final

Jimmy Vowell submitted a final lot line adjustment plat for the purpose of adjusting the common boundary line of two (2) existing lots located on Carrie Drive. After the adjustment, Lot 1 would consist of 4.54 acres, an existing residential structure and an existing accessory structure. Lot 2 is larger than five (5) acres and is not subject to the jurisdiction of the PC. The proposed new lot would be served by an existing six (6) inch water line and would comply with all Cumberland County Subdivision Regulations.

ITEM 6: PUBLIC HEARING AND CONSIDERATION REGARDING THE REMOVAL OF TANNER ROAD FROM THE COUNTY ROAD LIST

At the April 20, 2023 meeting, Staff Planner presented a request to the PC on behalf of George Hamilton and Paulette Hamilton to remove Tanner Road from the county road list. It was determined during discussion that Paulette Hamilton owned all of the property on both sides of the requested removal. Staff Planner stated Tanner Road is a through road that connects Highway 70N and Bud Tanner Road which could present an issue. Staff Planner stated that the PC should seek the recommendation of Road Superintendent Stanley Hall. After discussion, Chairman Russell Smith requested that Staff Planner schedule a public hearing for May 18, 2023 at the 5:30 P. M. At the May 18, 2023 meeting, Vice-Chairman Wilson closed the PC meeting and opened a public hearing to receive public comments regarding the aforementioned request. There were no public comments and due to that fact, Vice-Chairman Wilson closed the public hearing and reopened the PC meeting. Road Superintendent Stanley Hall recommended approval of the aforementioned request. County Attorney Philip Burnett stated that a title search should be conducted at the expense of the petitioner and should be submitted to the PC before the consideration of the environmental committee. After discussion, Terry Lowe made a motion to recommend to the environmental committee that Tanner Road be removed from the county road list. Linda Clark seconded and the motion passed with a vote of all ayes.

ITEM 7: PUBLIC HEARING AND CONSIDERATION REGARDING A REQUEST TO ADD PEAR CIRCLE TO THE COUNTY ROAD LIST

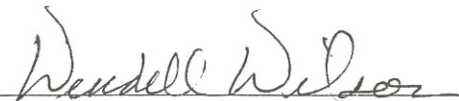
At the April 20, 2023 meeting, Staff Planner presented a request to the PC on behalf of Larry Welch to add Pear Circle to the county road list. Staff Planner stated that all of the affected property owners had signed the request. Staff Planner stated that the PC should seek the recommendation of Road Superintendent Stanley Hall. After discussion, Chairman Russell Smith requested that Staff Planner schedule a public hearing for May 18, 2023 at the 5:30 P. M. At the March 16, 2023 meeting, Chairman Smith closed the PC meeting and opened a public hearing to receive comments on the aforementioned request. Staff Planner stated that since one (1) property owner, Teresa Goodsey, did not sign the request, he would mail her a notice of the scheduled public hearing. At the May 18, 2023 meeting, Vice-Chairman Wilson closed the PC meeting and opened a public hearing to receive public comments regarding the aforementioned request. There were no public comments and due to that fact, Vice-Chairman Wilson closed the public hearing and reopened the PC meeting. Road

Superintendent Stanley Hall stated that while he was in favor of the petition, there were some tree limbs that are hanging over the road right-of-way that must be removed and there is also a failing culvert that must be repaired. Staff Planner stated that he mailed a letter to Goodsey inviting her to the public hearing but did not receive a response. After discussion, Linda Clark made a motion to recommend to the environmental committee that Pear Circle be added to the county road list. Kelli Tipton seconded and the motion passed with a vote of all ayes.

ITEM 8: DISCUSSION REGARDING THE SURETY INSTRUMENT ACCEPTANCE


At the December 15, 2022 meeting Staff Planner provided training on Surety Instruments. During the training, there was discussion about the strength of letters of credit. Staff Planner stated that the process for accepting surety instruments should be reviewed. Attorney Burnett stated that he would research the reliability of a letter of credit. At the January 19, 2023 meeting, Attorney Burnett stated that outside of the expiration date, a letter of credit should be an acceptable surety instrument. Member John Stubbs stated the PC should research the effectiveness of a performance bond as an alternative to a letter of credit. After discussion, Chairman Smith requested that the staff planner schedule a public hearing for the March 16, 2023 PC meeting to discuss amending the subdivision regulations for alternative acceptable surety instruments. At the March 16, 2023 meeting, Chairman Smith closed the PC meeting and opened a public hearing to receive comments regarding acceptable surety instruments. There was no public comment and thus Chairman Smith closed the public hearing and reopened the PC meeting. Chairman Smith then reopened the floor for discussion regarding acceptable surety instruments. Secretary Kyle Davis stated that he had concerns on performance bonds being cost prohibitive to developers while Member Wendall Wilson had no issues with performance bonds. After discussion, it was determined that staff planner should present a draft amendment to include performance bonds. Also, Chairman Smith asked Stubbs to present bond rates at the April 20, 2023 meeting. Due to the fact that Stubbs was absent, Chairman Smith tabled the meeting. At the May 18, 2023 meeting, Stubbs stated that a performance bond would cost a developer approximately \$1,000 per \$100,000 of estimate construction. After discussion, it was the consensus of the PC that an example of performance bond language from another county should be presented at the next PC meeting. Vice-Chairman Wilson tabled discussion.

With no other business, John Stubbs made a motion was made by to adjourn. Terry Lowe seconded and the motion passed with a vote of all ayes. The next scheduled meeting of the Cumberland County Planning Commission is scheduled for June 15, 2023.



Chairperson

6-15-2023
Date



Secretary

6/15/2023
Date