

Health and Safety Standards Board

July 8, 2020

Large Courtroom, Cumberland County Courthouse

Members Present:

Commissioner Nancy Hyder
Tom Isham
Craig Clark
Joe Koester
Bobby Rhea (absent)

Others Present:

Philip Burnett, County Attorney
Rebecca Stone, 3rd District Commissioner
Colleen Mall, 9th District Commissioner
Representative from Crossville Chronicle
26 Constituents

Call to Order: With the absence of 1 member, Commissioner Hyder called the meeting to order at 2:03 pm on Wednesday, July 8th, 2020 in the large courtroom of the Cumberland County courthouse.

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

Discussion on Dublin Dr:

Hyder begins by explaining that after correspondence with the residents of the property in question, committee members and the county attorney made a trip to Dublin Dr to inspect and help the residents to understand what is in violation and what must be cleaned up immediately. It is the committee's as well as the county attorney's opinion that the property is no longer in violation of county statute. Concern is expressed from Breckenridge POA. County Attorney further explains that based on the current regulation, it is no longer in violation. Questions are raised as to why the Property Owner's Association has not stepped in and taken action. The POA explains that it does not have the available funds needed to take action. Hyder explains that the POA likely has more pull in this situation as far as covenants and restrictions go. Isham expresses concern that the property is not satisfactory, and Koester agrees that it is frustrating that the committee's hands are tied legally. Ideas are expressed concerning the Environmental Protection Agency or the Tennessee Dept of Environment and Conservation becoming involved. The county attorney explains that it is important to remember that there is legally a difference between someone you may not want as a neighbor, versus someone who is posing a serious illegal safety issue. Clark suggests that the POA send letters to the adjacent property owners, as it is possible that they are unaware that the items are being stored on their properties. A constituent expresses concern that this has been an issue for 8 months, and all they have done is moved a few things and cut about 3 weeds, that's it. Isham voices that he would rather take it to court and lose than to let it stay as is, it still seems to be a danger and a nuisance. Nancy reiterates that the committee has done what it can, within its boundaries and language. A constituent expresses concern over logs that are in the right-of-way and pose a serious safety hazard to drivers. He is afraid that it will roll into the road and injure a driver. Koester explains that the change has to come to the commission first, the commission has to give the committee more power. The committee decides to table this discussion on Dublin Dr and leave it open. No motions are made.

Grace Hill Dr:

Nancy starts by stating that she initially thought this property was being cleaned, and she was wrong. The county attorney states that he has made the Board of Education attorney aware of the complaint. Moving forward with this complaint, Clark makes a motion to have the county attorney draft a letter and have it served on the property owner in question. The letter will let the owner know that they will be in violation if action is not taken. Isham seconds the motion. Motion carries with 4 ayes, 0 nays from the committee present.

New Business:

Constituents come forward with noise complaints in the Sawmill Rd area. A motocross track has been started on someone's private property and it is creating quite a nuisance for the neighbors. Constituents raise concerns that they moved to this specific area for its peace and quiet. Constituents are concerned that the noise and traffic levels will continue to increase. Koester and the county attorney both suggest taking the concern to the

environmental committee. County attorney also suggests looking into a noise ordinance for the county. Commissioner Stone mentions that it seems to be a county-wide issue and suggests that any business that is going to make a certain level of noise have to be set-back a certain amount of feet from neighbors. County attorney has a few suggestions and examples. He informs the committee that they can adopt a new regulation that will allow for the enactment of a noise ordinance outside the city limits. He brought along some CTAS documents that show examples of noise ordinance levels across Tennessee. It is the county attorney's observation that not many, if any, counties have actually adopted a noise ordinance in the state of Tennessee. Many cities and municipalities have them, but it is a rare occurrence for a county. Isham makes a motion to recommend this issue to the environmental committee to investigate in accordance with TCA 5-1-118. Clark seconds the motion. With 4 ayes, 0 nays from the committee present, the motion passes. Isham questions who will be the enforcement on something like this if it passes the commission? County attorney explains that that can be addressed in the new resolution, in the event there is one. Koester reminds every constituent present that if they have issues, they need to be sure to call their county commissioner for their district. Nancy thanks every one for coming and voicing their concerns.

Adjournment: Motion to adjourn is made by Hyder, seconded by Isham, meeting is adjourned at 3:44 pm on July 8, 2020 in the large courtroom of the Cumberland County Courthouse.



Nancy Hyder, Chair

7-22-2020

Date