

Health and Safety Standards Board

July 22, 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
Jerry Cooper, 7th District Commissioner
Joe Sherrill, 6th District Commissioner
Terry Lowe, 5th District Commissioner
Deborah Holbrook, 8th District Commissioner
Mark Baldwin, 7th District Commissioner
6 constituents

Call to Order: With the absence of 1 member, Commissioner Hyder called the meeting to order at 2:04 pm on Wednesday, July 22nd, 2020 in the large courtroom of the Cumberland County courthouse.

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.

Grace Hill Dr:

Nancy shares that she had went out the night of the July commission meeting to check the progress of the property. There seems to have been a little bit of action on the tenant's part. Nancy suggests waiting until after the annual 127 Corridor Sale is over before moving forward. Isham makes a motion to table this discussion, Clark seconds the motion, no opposed, motion carries. Grace Hill Dr discussion is tabled for now.

Sawmill Rd:

Burnette begins by stating that he has looked into 2 different options. One route is a noise ordinance, and the other is the county looking at its racing statutes based off the State's 2015 updated racing statute. Burnette is concerned that the County may not be doing everything that is already required by the State regarding registering for a racing track of any sort. The stipulations of the noise ordinance could be, for example, tracks must be built 2,500 feet from each adjacent property line, and no noise over 87 decibels. Isham questions 'what constitutes a race in TN law?' Burnette states that if it is a DEFINED track, and done more than 5 times in one year, it must go through the County Clerk's office for an application. Rebecca Stone reads an open letter to the owner of the racing property in question, written and signed by Sawmill Rd residents. It is agreed that the Environmental Committee will take on this issue.

150-yd Boundary Discussion:

There is current discussion about changing the boundary limit on the Health and Safety complaint form. The current boundary is 150 yards. Nancy begins by stating that she is unsure of what the answer is to this. Koester expresses concern that a 150-yard boundary makes sense in a city setting, but as you get out further into more rural areas where people own acreage, 150 yards isn't very far. Rebecca Stone mentions that she is in favor of a further distance as to cut down on retaliation towards complaints within a short boundary. Some think that a 2,500 ft (roughly 833 yards) is too far, but most agree that 150 yards is not enough. Some constituents express concern over retaliation for shorter boundaries, and the County Attorney reminds them that their complaints are public record, and the complainees have the right to see who has written the complaint if they choose to do so. County Attorney reminds the committee that the way the statute is written, the committee could require the neighborhood Property Owner's Associations to take on the complaint first. The VP of the Breckenridge POA states that they are having issues enforcing rules and dues. They would like to obtain help in writing and enforcing its rules and covenants. Nancy explains that the committee can not help the POA write their covenants

or laws. She further states that the POA can look at what the HSSB goes by, and go from there. Koester mentions that there was a time around 10 years ago when this committee was able to work very closely with Lake Tansi POA to see that all the issues were taken care of. He suggests that Property Owner's Associations in the county should take advantage of attending the Health and Safety Standards Board meetings. Burnette explains that the HSSB is limited in its scope to health, safety, and welfare of the public. Local POA groups can be a lot stricter in what they require and are able to enforce. He reiterates that there is a difference between a yard that you might not particularly want to look at, versus a yard that poses an actual health or safety hazard. Isham makes a motion to increase the complaint boundary to 3 signatures within a 300-yard (900 ft) boundary. Koester seconds the motion, no opposition, motion carries. County Attorney is to draft a new amendment to the current resolution to take to the County Commission in the near future. Stone questions whether or not a POA can collect and submit a complaint on behalf of its neighborhood? Burnette answers that yes that is possible. This way would almost certainly cut down on retaliation. Constituents raise concerns that the majority of the lots surrounding the complaint on Dublin Dr are delinquent several years on the County tax rolls. Constituent asks if the County would be willing to declare those lots delinquent if Breckenridge POA would forgive all back dues. County Attorney states that constituent should discuss that with the POA, as the County has already negotiated with many of the other POAs in the county. Hyder suggests that everything be left as is, checking on Grace Hill Dr after the conclusion of the 127 Corridor Sale. Next meeting is suggested as August 19, 2020 at 2 pm in the large courtroom, with Grace Hill Dr on the agenda.

Adjournment: Motion to adjourn is made by Clark, seconded by Koester, meeting is adjourned at 3:25 pm on July 22, 2020 in the large courtroom of the Cumberland County Courthouse.

Nancy Hyder, Chair

Date